

Revised 8/2016

Appointing Officer to  
complete and forward to the  
Department of Human Resources.

# Ontario County REPORT OF PERSONNEL CHANGE

Report all personnel changes on this form.

Date:

December 10, 2019

**To: Ontario County Department of Human Resources**  
3019 County Complex Drive  
Canandaigua, New York 14424

Employee Name: **Brian Choffin**

Address: [REDACTED]

City / State / Zip: [REDACTED]

Agency: **City of** Geneva Social Security No: [REDACTED]

Department: **Police** Title: **Police Officer**

Name of Last Employee In Position Salary: **\$72,583**

Grade: [REDACTED]  
Step: [REDACTED]

Job Number: **051000 7**

☐ Veteran ☐ Non-Vet ☐ Dis Vet ☐ Exempt Vol Firefighter

	Check Nature of Personnel Change	Drop Downs Available	Date Effective	Action Necessary By Appointing Officer
Appointments	<input type="checkbox"/> Probationary			Give Facts Under Remarks
	<input type="checkbox"/> Permanent			Return Probationary Report
	<input type="checkbox"/> Provisional	2nd		Attach Application
	<input type="checkbox"/> Contingent Perm Prob			Give Facts Under Remarks
	<input type="checkbox"/> Contingent Permanent			Return Probationary Report
	<input type="checkbox"/> Temporary		Fr: To:	Give Facts Under Remarks, attach application
	<input type="checkbox"/> Substitute		Fr: To:	Give Facts Under Remarks, attach application
	<input type="checkbox"/> For Term of Office		Fr: To:	Give Facts Under Remarks
	<input type="checkbox"/> Unclassified			
	<input type="checkbox"/> Non-Competitive Class			Attach Application
Terminations	<input type="checkbox"/> Exempt Class			Submit This Form Only
	<input type="checkbox"/> Labor Class			Attach Application
	<input type="checkbox"/> Resignation	No Reason		Submit Signed Resignation
	<input type="checkbox"/> Retirement			Give Effective Date
	<input type="checkbox"/> Deceased			Indicate Date
	<input type="checkbox"/> Removal	End of Tmp Emp		Attach Copy of Proceedings
	<input type="checkbox"/> Lay-off			Give Facts Under Remarks
	<input type="checkbox"/> Military Leave of Absence			Give Facts Under Remarks
	<input type="checkbox"/> Other Leave of Absence		Fr: To:	Give Facts Under Remarks
	<input type="checkbox"/> Transfer			Give Facts Under Remarks
Other Changes	<input type="checkbox"/> Demotion			Give Facts Under Remarks
	<input checked="" type="checkbox"/> Suspension	Without Pay	12/23/2019	Give Facts Under Remarks
	<input type="checkbox"/> Reassigned			Give Facts Under Remarks
	<input type="checkbox"/> Reinstatement			Give Facts Under Remarks
	<input type="checkbox"/> Change in Salary			Indicate New Salary
	<input type="checkbox"/> Change in Name or Address			Give Facts Under Remarks
	<input type="checkbox"/> Other			Give Facts Under Remarks

For Civil Service Use Only	
	Date Completed/Initials
Initial Verification Completed	12/13/1908
Application Attached	
Prov Appt? - Copy to Supv	
Index Card Posted	
PSTek Posted	12/16/1908
Ltr Re: Temp / Prov Appt	
Probation Tickler Completed	
Copy of Appt Delivered	
Up-dated Eligible List Printed	
Copy - WC or DBL	
Orientation Papers Processed	
HTE Posted	

Remarks: (Continue on back if necessary):

Unpaid leave 12/23 and 12/24/2019-see attached email from Chief Passalacqua

RECEIVED

DEC 13 2019

Budget Funding:

*[Signature]*  
Appointing Officer

**HUMAN RESOURCES**  
Assistant to the City Manager/HR  
Title

**Jennifer Slywka**

---

**From:** Michael J. Passalacqua  
**Sent:** Friday, November 15, 2019 1:45 PM  
**To:** Jennifer Slywka  
**Subject:** Choffin Discipline  
**Attachments:** Choffin Discipline.pdf

Jennifer,

Please see the attached documents pertaining to discipline handed down to CLO Choffin after an Internal Investigation.

To fulfill his two days of unpaid leave, CLO Choffin is on Vacation the week of Christmas. Please make Monday December 23<sup>rd</sup> and Tuesday December 24<sup>th</sup> unpaid days that week. This will fulfill his accepted two days of unpaid leave and close out this Internal Investigation and disciplinary action against him.

Thank you

**Chief Michael J. Passalacqua**  
Geneva Police Department  
255 Exchange Street  
Geneva, NY 14456  
(315)828-6777- Office  
(315)789-1814- Fax







To: CLO Brian Choffin

From: Chief Michael J. Passalacqua

Re: Internal Affairs Investigation 2019-22318

Date: November 13<sup>th</sup>, 2019

CLO Choffin,

An internal investigation referencing the above CR# was completed by Lieutenant Jeffrey Potter pertaining to G.O. 409 (VI) M(4) Operational Protocols/Officer Responsibilities and G.O. 305 III (42) Truthfulness. After completion of the investigation Lieutenant Potter came to the following conclusion, which my office is in agreeance with as it pertains to this investigation:

1. You violated General Order 409 (VI) M(4) of the Geneva Police Department
2. You violated General Order 305 III (42) of the Geneva Police Department

This investigation was started by my office after Lieutenant Matthew Valenti emailed you and several other officers on October 7<sup>th</sup>, 2019 to properly tag videos within your Evicence.com account that were not tagged. No action was taken by yourself to correct this. Lieutenant Matthew Valenti again emailed you on October 9<sup>th</sup>, 2019 requesting you to tag the videos referenced in the October 7<sup>th</sup>, 2019 email. No action was taken by you to correct this. Lieutenant Matthew Valenti emailed you a third time on October 16<sup>th</sup>, 2019 to try and gain your compliance in tagging the Involved Body Worn Camera Videos. The tagging was then completed on that day.

The videos in question, which were recorded by you were recorded on August 28<sup>th</sup>, 2019 while assisting another officer on a warrant arrest. The videos were not uploaded, meaning the Body Camera was not docked, until 22 days later on September 19<sup>th</sup>, 2019

In a response letter to Lieutenant Jeffrey Potter you stated that you did in fact try to tag these videos from your smart phone but failed to hit save after doing so. Evidence.com produces audit trails for every video which is recorded within the system. Every time a video is accessed, either by a smartphone, tablet or desktop computer an audit entry will generate showing the date and time amongst other information of when the video was accessed no matter if the user saves any tagging/category/ID information. Your audit trail **does not** indicate that any of the videos were ever accessed prior to October 16<sup>th</sup>, 2019 which was the date Lieutenant Matthew Valenti sent a third email to you and asked for a written response as to why this had not been completed with two prior requests



Geneva Police Department  
MICHAEL J. PASSALACQUA  
Chief of Police

255 Exchange St. - Geneva, New York 14456  
(315) 828-6771 - Fax (315) 789-1814 - cityofgeneva.com

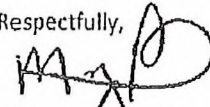


(Six working days between first email and third email). As part of this investigation a test video was produced. That test video was accessed via a smartphone and was closed out without first saving what had been done. On the audit trail for that test video, a record of the video being accessed was present, as it should be, which is further proof of your untruthfulness regarding the videos in question and you saying they were accessed but were not saved by you. It is also worth noting that 16 other officers were emailed originally along with yourself regarding the tagging of videos. Compliance was gained by all of the other 16 officers' after the request was initially made.

Disciplinary action is based on and in accordance with current Geneva Police Officers contract language, specifically Article 19.

Conclusion of Disciplinary Action: I am offering Summary Discipline amounting to two (2) full days without pay and any future violations of this type may result in further progressive discipline. Please respond back to my office in writing by the end of the business day on Friday November 22, 2019 regarding your decision consistent with contract language in Article 19.2 of the Geneva Police Officers current contract.

Respectfully,

A handwritten signature in black ink, appearing to read "M. Passalacqua", written over a horizontal line.

Michael J. Passalacqua  
Chief of Police

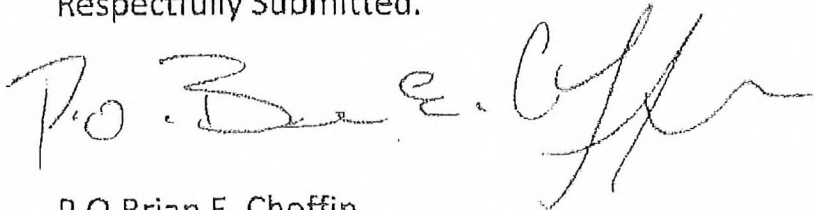


11/15/2019

Chief Passalacqua,

I have read the letter in regards to the summary discipline against myself, and I will not challenge the two days of unpaid leave. I do accept the discipline based on my disrespectful actions towards Lt. Valenti and I know I must be held accountable for my actions. I still stand that I did not lie, nor would I lie to you in regards to the issue of the body camera video. Regrettably, I have made your job more difficult due to my immature actions and I apologize and accept my discipline. I wish for my days of unpaid leave to be taken during my vacation days starting December 23-27. I regret my actions, now, and I will attempt to not add any more stress to your position.

Respectfully Submitted.

A handwritten signature in black ink, appearing to read "P.O. Brian E. Choffin". The signature is fluid and cursive, with the first name "Brian" being the most prominent part.

P.O. Brian E. Choffin



# GENEVA POLICE DEPARTMENT

## EMPLOYEE WARNING RECORD



Employee Name: CLO Brian Choffin

Shift: 0630 - 1430

Time: 0800 AM

Date of Warning: 04/25/19

### WARNING

Date of Violation: February 4, 2019

Nature of Violation: Conduct

Time of Violation: 0755

(If Other - Explain):

Place of Violation: C.A.D/PSB

### COMPANY REMARKS

On the morning of February 4, 2019, you used the [REDACTED] board to send a message to the following signed-on officers; Lt Potter, Sgt Keyser, Det Colton, Det Winter, SRO Arroyo, Officer Peters, Officer Tapscott, in which insolent language towards Lt Valenti was written, which ridiculed a superior officer, while using the City's network and [REDACTED] send said message.

Employee Has Been Warned Previously: ☐ YES ☒ NO

Form of Warning:

Date of Previous Warnings:

Warned by Whom:

### EMPLOYEE'S REMARKS RE: VIOLATION

\*The absence of any statement on the part of the EMPLOYEE indicates his/her agreement with the report as stated

### ACTION TO BE TAKEN

*Counseling Memo*

Approved by: Michael J. Pusselberger

Name

Signature

Chief of Police

Title

Date: 4/25/19

I have read this "warning" and understand it.

Employee Signature

Date

Supervisor Signature

Date

DISTRIBUTION OF COPIES:

☒ Employee ☒ Chief of Police ☒ Personnel Dept. ☐ Supervisor ☐ Union Rep.





# GENEVA POLICE DEPARTMENT

## EMPLOYEE WARNING RECORD



Employee Name: Det. Brian Choffin  
Shift: Other Time: 10:10 AM Date of Warning: May 25, 2018

### WARNING

Date of Violation: 3/5/18- 4/23/2018 Nature of Violation:  
Substandard Work

Time of Violation: (If Other - Explain): various times  
Place of Violation: Public Safety Building

### COMPANY REMARKS

(See Counseling Memo)

Employee Has Been Warned Previously: ☐ YES ☒ NO  
Date of Previous Warnings:

Form of Warning:  
Warned by Whom:

### EMPLOYEE'S REMARKS RE: VIOLATION

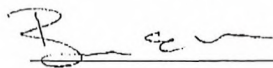
*\*The absence of any statement on the part of the EMPLOYEE indicates his/her agreement with the report as stated*

### ACTION TO BE TAKEN

Approved by: \_\_\_\_\_ Chief of Police  
Name Signature Title

Date: \_\_\_\_\_

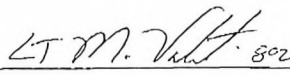
I have read this "warning" and understand it.



5-25-18

Employee Signature

Date



5/25/18

Supervisor Signature

Date

### DISTRIBUTION OF COPIES:

☒ Employee ☒ Chief of Police ☒ Personnel Dept. ☒ Supervisor ☒ Union Rep.

## EMPLOYEE COUNSELING MEMO

**TO:** Det. Brian Choffin  
**FROM:** Lt. Matthew Valenti  
**RE:** [REDACTED]  
**DATE:** May 25, 2018



On [REDACTED] you were assigned a case involving [REDACTED] possibly in possession of stolen property which was located during a traffic stop. On [REDACTED] you conducted a Search Warrant on [REDACTED] vehicle where you located several more items that were possibly stolen along with a large amount of marihuana. After the Search Warrant you subsequently arrested [REDACTED] for CPM 4<sup>th</sup> and closed the case out. You stated in your report that Officer Eveland would have additional charges, even though the case was assigned to you.

You failed to continue the case further, locate and interview the owners of the possible stolen items, obtain depositions from the owners and pursue further criminal charges on [REDACTED]

This type of carelessness and substandard work is in direct violation of General Orders 305 Rules of Conduct


You must understand that this counseling memo is being completed so that you may take immediate corrective measures so it does not happen again. You must take precautions as stated in GO 305 RULES OF CONDUCT, Section III Sub (A)(11), so that this type of situation does not occur again.


As you may or may not be aware, further violation of this General Order may result in disciplinary action taken against you.

---

My signature acknowledges that I have read and received a copy of this counseling memorandum. It does not mean I agree or disagree with the contents. I know I have the right to attach a rebuttal.

DATED: 5-29-18

  
Employee's Signature

  
Supervisor's Signature

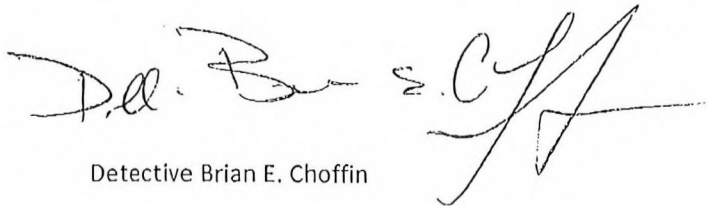


5/25/2018

Lt .Valenti:

I have been a Police Officer for the City of Geneva for 18 years. I have been a Detective for 10 plus years. I have never blown off a case and I have never been accused of blowing off a case until now. I have the most experience in criminal investigations in the entire department and I have never been treated the way that I am treated now. My career speaks for itself. I don't steal cases from other Officers. First and foremost. That's how Officers learn and that's how I learned. Officer Eveland made a great vehicle stop and should be commended and rewarded for his work. I advised you what I was doing when I told you that I was going to let Ronnie make the arrest for the stolen Xbox that he recovered on the night of the vehicle stop, and you didn't have a problem with that. I got phone numbers from [REDACTED] for 3 of the 4 victims of other burglaries and only received a phone call back from [REDACTED] who said that the tv wasn't his but he would contact his [REDACTED] and have him give me a call. I never heard back from anyone again. I was trained by Lt. Heieck , Lt. Bendzlowicz and Lt. Cataline that if a victim doesn't return a call or bother to get in touch with the Police, then we don't "hound" them. I did make an arrest in this case based on my experience and knowledge. Again, I will never make it a habit to "steal" cases from other Officers in an attempt to make someone look bad. If I don't receive a call back from a victim, It's on them. I didn't "drop the ball" on this case, I was working with Officer Eveland as a team. [REDACTED]

Respectfully Submitted,

The signature is written in cursive and appears to read 'D.E. Choffin'.

Detective Brian E. Choffin



Date: March 5, 2018

Detective Choffin,

Please see the attached as you are assigned this incident.

- Case Number: [REDACTED]
- Date of Incident: [REDACTED]

Contents of Case file when assigned:

- Call for Service
- Incident Report - PO Eveland
- [REDACTED]
- Email from Sgt. Kear
- 

If you have any questions please feel free to contact me. Thank you.

Received By: [Signature]

Date: 3-5-18

Assigned By: LTM. V. H. T. 602

Date: 3/5/18





# City of Geneva Police Department

Detective Choffin

Assigned Case Log

March 2018



<u>CR#</u>	<u>Date Assigned</u>	<u>Crime</u>	<u>Location</u>	<u>Disposition</u>	<u>Arrest Y/N</u>
	3/16/2018	Search Warant		Closed	Y
	3/16/2018	CPM 4th		Closed	Y
		Crim Contempt		Closed	Y
		Crim Contempt		Closed	Y
		Arrest		Closed	Y
		Arrest		Closed	Y

## OPEN CASES FROM PRIOR MONTHS

<u>CR#</u>	<u>Date Assigned</u>	<u>Crime</u>	<u>Location</u>	<u>Status</u>
	9/18/2017	Murder		Open
	10/21/2017	Reckless Endangerment		Open
	11/12/2017	Assault 2nd		Open, Warrant Issued
	2/5/2018	Reckless Endangerment		Open
	2/13/2018	Robbery 1st		Open

**Matthew J. Valenti**

---

**From:** [REDACTED]  
**Sent:** Friday, May 25, 2018 10:46 AM  
**To:** Matthew J. Valenti  
**Subject:** FW: P. v. [REDACTED] CPM 4th

-----Original Message-----

**From:** [REDACTED]  
**Sent:** Tuesday, April 10, 2018 1:42 PM  
**To:** 'Brian E. Choffin (BCHOFFIN@GENEVA.NY.US)'  
**Subject:** FW: P. v. [REDACTED] CPM 4th

?

-----Original Message-----

**From:** [REDACTED]  
**Sent:** Friday, April 06, 2018 4:11 PM  
**To:** 'Brian E. Choffin (BCHOFFIN@GENEVA.NY.US)'  
**Subject:** FW: P. v. [REDACTED] CPM 4th

Any developments on the CPSP charge[s]? Thanks, Brian!

-----Original Message-----

**From:** [REDACTED]  
**Sent:** Tuesday, March 20, 2018 2:07 PM  
**To:** Choffin, Brian  
**Subject:** RE: P. v. [REDACTED] CPM 4th

That would be peachy. Thanks.

-----Original Message-----

**From:** Brian E. Choffin [mailto:bchoffin@Geneva.ny.us]  
**Sent:** Tuesday, March 20, 2018 2:07 PM  
**To:** [REDACTED]  
**Subject:** Re: P. v. [REDACTED] CPM 4th

Well I served him his copy. I will get a copy to you.

Sent from my iPhone

> On Mar 20, 2018, at 1:39 PM, [REDACTED]  
>  
> There is no 710 in the packet that I received. :-{  
>

> -----Original Message-----

> **From:** Brian E. Choffin [mailto:bchoffin@Geneva.ny.us]  
> **Sent:** Tuesday, March 20, 2018 1:26 PM



> To: [REDACTED]  
> Subject: Re: P. v. [REDACTED] PM 4th

>

> When i hear from the victims and get an updated cost I will file a Charge for the stolen property. Also. I included the 710.30 from. Officer Eveland with the packet.

>

> Sent from my iPhone

>

> On Mar 20, 2018, at 11:39 AM, [REDACTED] J

>

> I received a packet for the above-referenced matter yesterday. The Incident Report states [REDACTED] is going to be charged with Criminal Possession of Stolen Property 4th, and Criminal Possession of Marihuana 4th by this Officer. P.O. Eveland will have additional charges." There was no charge for CPSP 4th in the packet. There are no CPL 710.30 Notices in the file, despite numerous statements referenced in P.O. Eveland's supporting deposition. Please explain or provide the missing documents/charges.

>

> Also, I will need copies of the search warrant, search warrant application and search warrant return as soon as reasonably possible. Thank you, kindly!

INCIDENT	Agency GENEVA POLICE DEPARTMENT		Division/Precinct New York State INCIDENT REPORT		ORI NY0340200		Orig.		Case No.	Incident No.		
	Report Day Fri	Report Date 03/16/2018	Report Time 10:30:00	Occurred On/From:	Day Fri	Date 03/16/2018	Time 12:30	Occurred To:	Day	Date		
	Incident Type CRIMINAL POSS OF STOLEN PROPERTY			Business Name				Weapon(s)				
	Address 4TH 165.45 255 EXCHANGE ST(RAILROAD PL LEWIS ST)				City, State, Zip GENEVA			Location Code 3502				
ASSOCIATED PERSONS	OFF.	LAW	SECTION	SUB	CL	CAT	DEG	ATT	NAME OF OFFENSE		CTS	No. of Victims
												No. of Suspects
VICTIM	Person Type: CO=Complainant OT=Other PI=Person Interviewed PR=Person Reporting WI=Witness NI=Not Interviewed VI=Victim Victim also Complainant NO											
	Type/No.	Name (Last, First, Middle, Suffix)				Date of Birth		Street No., Street Name, Apt. No., City, State, Zip			Telephone No.	
	CA 001	CHOFFIN,						, GENEVA, NY 14456			( ) - - H W	
SUSPECT	Person No.	Suspect No.	Date of Birth	Age	Sex	Race	Ethnic Origin	Handicapped	Residence Status			
	Victim DID receive information on Victim's Rights and Services pursuant to New York State Law YES NO											
PROPERTY	Suspect No.	Status	Type	Measure	Drug Type							
		06	08	0.000					51 PIECES OF CLOTHING -- 34 ARTICLES OF CLOTHING 17 HATS			
		06	06	0.000					12 VARIOUS G-SHOCK WATCHES- RANGING FROM 125.00-180.00			
		06	13	0.000					5 GAME CONTROLLER FOR PLAYSTATION AND XBOX			
	Veh. Status	License Plate No.		State	Exp. Yr.	Plate Type	360	Value		0.00		
NARRATIVE	Veh. Yr.	Make	Model	Style		VIN						
	Color(s)		Towed By/To				Vehicle Notes					
	<p>As to continue the investigation into this Officer, Det. Colton, Lt. Valenti, P.O. Winter, P.O. Potter and P.O. Lloyd executed a search warrant on NY Reg# . The vehicle was completely full of clothing, sneakers, electronics and a considerable amount of marihuana. As a result of the search, several items were recovered that had been stolen in previous burglaries. P.O. Potter and P.O. Lloyd secured the items as well as a long list of items with tags attached but no receipts to show ownership. The items are definitely in brand new condition and appear to have been stolen off the racks from various department stores. See the evidence tech list for a complete list of items secured. Based on the totality of the circumstances, the 5.4 ounces of marihuana secured, the numerous items from previous burglaries as well as the items recovered in plain view on the night of the initial vehicle stop, is going to be charged with Criminal Possession of Stolen Property 4th, and Criminal Possession of Marihuana 4th by this Officer. P.O. Eveland will have additional charges.</p>											
ADMINISTRATIVE	Inquiries		NYSPIN Message No.		Complainant's Signature			use cover sheet				
	Reporting Officer's Signature (Include Rank)		BCHO		Supervisor's Signature (Include Rank)		MVAL		Page			
	Status		CLEARED BY ARREST (ADULT)		ID No.		03/16/2018		1			

## Incident

## General Information

Call No.	Supervisor	Dispatcher	Reporting Officer	Reported Date	Occurred On/From	Occurred To
[REDACTED]	CKEE	00	REVE	[REDACTED]	[REDACTED]	[REDACTED]
Disp./Status	Disp./Status Date	Property Damage	Incident Type	UCR Offense	UCR Domestic	
23	[REDACTED]	.00	WARRANT - OTHER AGENCY W0004			
UCR Arson	Structure Not In Use	Division/Precinct	Bias Crime Type	<input checked="" type="checkbox"/> See Supplemental Report	Date Record Checked	Incident No.
		EAST	77	<input type="checkbox"/> Checked by Records Clerk		2018-5386

## Location of Incident

Location (Business, Office, or Landmark)	Address	Apt. No.	City	Location Code
	LAKE FRONT PARK DR(LAKEFRONT DR I		GENEVA	3502
Add Location...	Contact List...	History...		

## Narrative

On the above date and time, this officer was on patrol in marked unit GVS assigned to the East post. This officer was traveling West on [REDACTED] when a black [REDACTED] bearing NY registration [REDACTED] was traveling East on State Route 5 with a headlight out. This officer turned around and pursued the vehicle and initiated a traffic stop at the entrance of the [REDACTED]

This officer approached the vehicle and identified the operator of the vehicle by his NYS driver's license as (A). While speaking with (A) and advising him of why he was being pulled over, this officer observed multiple shotgun shells on the center console. This officer asked (A) if there were any weapons in the vehicle,

## Public Access Information

3.5.18 - reassigned to 807 - 802  
4.23.18 - reassigned to 802

## Persons &amp; Property Involved

Name	Involvement
IPAD	13
IPAD	13
IPAD	13
IPAD	13
IPAD	13
Add Person...	Add Property...
<input type="checkbox"/> Victim also Complainant	

## Show

☒ Last 6 Days ☐ Custom

5/25/2018

## Current Incident

2018-5386

Settings...

Open...

Supp. Info...

More >

STATUS

Add...

Report...

Spelling...

Close





# GENEVA POLICE DEPARTMENT

## EMPLOYEE WARNING RECORD



Employee Name: Det. Brian Choffin  
Shift: Other Time: 10:30 AM Date of Warning: April 9, 2018

### WARNING

Date of Violation: 12/7/2017 - 4/9/2017 Nature of Violation:  
Carelessness

Time of Violation: (If Other – Explain): various times  
Place of Violation: Public Safety Building

### COMPANY REMARKS

(See Counseling Memo)

Employee Has Been Warned Previously: ☐ YES ☒ NO

Form of Warning:

Date of Previous Warnings:

Warned by Whom:

### EMPLOYEE'S REMARKS RE: VIOLATION

*\*The absence of any statement on the part of the EMPLOYEE indicates his/her agreement with the report as stated*

### ACTION TO BE TAKEN

Approved by: \_\_\_\_\_ Chief of Police  
Name Signature Title

Date:

I have read this "warning" and understand it.

Employee Signature 4-9-18 LT M. Valt 4/9/18  
Date Supervisor Signature Date

DISTRIBUTION OF COPIES:

☒ Employee ☒ Chief of Police ☒ Personnel Dept. ☒ Supervisor ☒ Union Rep.

## EMPLOYEE COUNSELING MEMO

**TO:** Det. Brian Choffin  
**FROM:** Lt. Matthew Valenti  
**RE:** Cell Phone Evidence  
**DATE:** April 9, 2018



On [REDACTED] at 0302, [REDACTED] was arrested for Murder 2<sup>nd</sup>. During the booking procedure all of his property was taken and secured. Among that property was his iPhone which was taken for evidence purposes. [REDACTED]  
[REDACTED] The iPhone was never logged into evidence, instead it was put into your case file in your office. It has been 4 months and the iPhone was never logged into evidence which turns into a Chain of Custody issue in Court.

Also there was a grey LG smartphone in a case with a note that read [REDACTED] in your mailbox for several months. This phone was also not secured into evidence.

This type of carelessness and substandard work is in direct violation of General Orders 905 Property and Evidence Management.

You must understand that this counseling memo is being completed so that you may take immediate corrective measures so it does not happen again. You must take precautions as stated in GO 905 PROPERTY & EVIDENCE MANAGEMENT, Section V Sub (E)(1) & Section X Sub (A)(2), so that this type of situation does not occur again.

As you may or may not be aware, further violation of this General Order may result in disciplinary action taken against you.

---

My signature acknowledges that I have read and received a copy of this counseling memorandum. It does not mean I agree or disagree with the contents. I know I have the right to attach a rebuttal.

DATED: 4-9-18

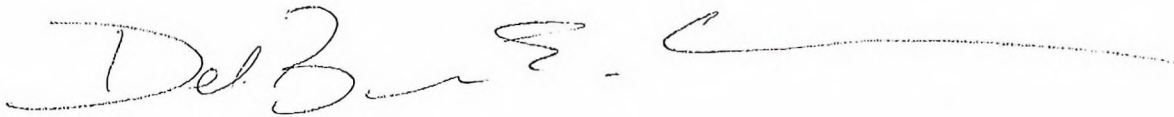
[Signature]  
Employee's Signature

LT M. Valenti 802  
Supervisor's Signature

Lt. Valenti,

Murder suspect, [REDACTED] cell phone has been secured into evidence. It has been kept safe and locked in a filing cabinet in my office until this date due to being assured by D.A. Ritts [REDACTED] [REDACTED] for examination. Due to the ongoing investigation and several current investigations, it is now placed and secured in GPD central evidence room and entered into the BEAST system.

Respectfully,

A handwritten signature in black ink, appearing to read "Del B. E. Choffin", with a long horizontal flourish extending to the right.

Sr. Detective Brian E. Choffin

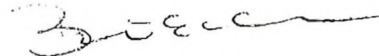




Chief Trickler  
255 Exchange St.  
Geneva, NY 14456

Having agreed not to challenge a rules violation allegation made against me, I have elected to accept the summary discipline imposed – a suspension consisting of five (5) days. This agreement will satisfy any further appropriate discipline.

Sincerely,



Det. Brian Choffin



**Geneva Police Department**  
**JEFFREY E. TRICKLER**  
*Chief of Police*  
255 Exchange St. - Geneva, New York 14456  
(315) 789-1111 - Fax (315) 789-1814 - [www.geneva.ny.us](http://www.geneva.ny.us)



---

FROM THE DESK OF CHIEF JEFFREY E TRICKLER

---

**TO:** DET. CHOFFIN  
**FROM:** CHIEF JEFF TRICKLER  
**SUBJECT:** RULES OF CONDUCT  
**DATE:** 12/21/2017



On 06/02/2017 you entered the Sergeants office with a TASER and pointed the taser in the direction of Sergeant Turner who was sitting at his desk. You further had the laser activated. Sergeant Turner stated that he observed a flashing red light on his chest and when he looked up the laser was on his face. Sergeant Turner complained of [REDACTED]

The pointing of the TASER in the direction of a fellow officer was reckless and was not the intended use of the department issued equipment or in accordance with established departmental procedures regarding the use of the TASER.

G.O. 305 (III).39

**Use of Department Equipment-** Officers and employees shall utilize equipment only for its intended purpose, in accordance with established departmental procedures, and shall not abuse, damage or lose department equipment. All department equipment issued to officers shall be maintained in proper order.

Thank-you



# CITY OF GENEVA WORKERS' COMPENSATION PROGRAM

## TO BE COMPLETED BY INJURED EMPLOYEE

### PERSONAL INFORMATION

Name <u>SERGEANT TRICK TURNER</u>			
Address [REDACTED]		City [REDACTED]	State [REDACTED]
Social Security Number [REDACTED]		Date of Birth <u>0</u>	
Marital Status <u>[REDACTED]</u>	Name of Spouse [REDACTED]	No of Dependents (Under 21) [REDACTED]	

### ASSIGNMENT INFORMATION

Job Title <u>SERGEANT</u>	Name of Supervisor <u>LT. VALENTI</u>	No. of Hours per Day <u>VARIES</u>	Average Weekly Earnings <u>per Week</u>
Full Time or Part Time Employee <u>FULL TIME</u>	Temporary or Permanent Employee <u>PERMANENT</u>		
Typical Work Week: <input type="checkbox"/> Monday <input type="checkbox"/> Tuesday <input type="checkbox"/> Wednesday <input type="checkbox"/> Thursday <input type="checkbox"/> Friday <input type="checkbox"/> Saturday <input type="checkbox"/> Sunday <u>VARIES</u>			

What were your job duties?

SUPERVISE SHFT.

Time Shift Started <u>1400</u>	Salary <u>\$77,000</u>	Shift Differential <u>4.590</u>
Time of Day		Date you first reported Injury

### ACCIDENT INFORMATION

Date of Injury <u>06/02/2017</u>	If Applicable, explain any delay in reporting your Injury
To Whom did you Report your Injury? <u>CHIEF TRICKLER</u>	
What did you report?	

Date you stopped work because of injury/illness

NA

Where were you when Injury occurred?

SITTING AT DESK IN SERGEANT'S OFFICE AT PSB

What Activities were you doing at time of Injury?

SITTING AT DESK

State why you believe this injury occurred

### WITNESS INFORMATION

Was there a witness to your Injury? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Witness Name and Job Title <u>CHIEF TRICKLER</u>
Witness Address and Phone Number <u>G.P.D.</u>	
Where was the witness at the time of the Injury? <u>IN SERGEANT'S OFFICE</u>	

Updated 1/05

Form GWC-5

Over



## TREATMENT INFORMATION

Who arranged Medical Treatment for the Injury?

N/A

Did you receive Medical Care?

Hospital Name

Hospital Address

Hospital Phone Number

Name of person(s) accompanying you to Doctor or Hospital

N/A

Method of Transportation to Doctor or Hospital

List name, address & phone of all doctors who treated you

N/A

Date of First Medical Treatment

N/A

Date of Last Medical Treatment

Are you still under Doctors care?

What Type of Medical Treatment have you received due to this injury?

N/A

Have you recovered?

N/A

When is your next scheduled appointment?

Has your doctor released you to return to work?

N/A

When?

If not working due to injury, when do you anticipate returning to work?

## ADDITIONAL INFORMATION

Did you miss work because of this injury?

UNKNOWN

Give dates you lost time from work

Were you paid for any part of time lost from work?

Are you presently working?

Have you been injured on the job before?

YES

If so, describe the injury, date the injury or illness occurred, and names, addresses, and phone numbers of former employers where accident(s) occurred.

Employee Signature

Scott E. [Signature] #861

Date

06-02-2017



<b>INCIDENT</b>		Agency <b>GENEVA POLICE DEPARTMENT</b>		Division/Precinct		New York State <b>INCIDENT REPORT</b>		ORI <b>NY0340200</b>		Case No. <b>Orig. 2017-12098</b>		Incident No. <b>2017-12098</b>										
		Report Day <b>Fri</b>	Report Date <b>06/02/2017</b>	Report Time <b>15:10:00</b>	Occurred On/From:	Day <b>Fri</b>	Date <b>06/02/2017</b>	Time <b>15:10</b>	Occurred To:	Day	Date	Time										
<b>ASSOCIATED PERSONS</b>		Incident Type <b>POLICE INFORMATION POLICE</b>		Business Name		Weapon(s) <b>TASER</b>						A										
		Address <b>255 EXCHANGE ST(RAILROAD PL LEWIS ST)</b>		City, State, Zip <b>GENEVA</b>		Location Code <b>3502</b>						B										
<b>VICTIM</b>		OFF.	LAW	SECTION	SUB	CL	CAT	DEG	ATT	NAME OF OFFENSE		GTS	No. of Victims	C								
														No. of Suspects	D							
<b>SUSPECT/ARRESTED PERSON</b>		Person Type: CO=Complainant OT=Other PI=Person Interviewed PR=Person Reporting WI=Witness NI=Not Interviewed VI=Victim Victim also Complainant <b>NO</b>												E								
		Type/No. <b>CA 001</b>	Name (Last, First, Middle, Suffix) <b>turner, sgt</b>				Date of Birth		Street No., Street Name, Apt. No., City, State, Zip <b>, GENEVA, NY 14456</b>				Telephone No. <b>( ) - - H</b>		F							
														G								
														H								
														I								
														J								
<b>MISSING/ARRESTED PERSON</b>		Person No.		Suspect No.		Date of Birth		Age		Sex		Race		Ethnic Origin		Handicapped		Residence Status		K		
		Victim DID receive information on Victim's Rights and Services pursuant to New York State Law <input type="checkbox"/> YES <input type="checkbox"/> NO																		L		
		Type/No.		Name (Last, First, Middle, Suffix)				Alias/Nickname/Maiden Name				Apparent Condition						M				
		Address (Street No., Street Name, Apt. No., City, State, Zip)																		Phone No.		Social Security No.
<b>PROPERTY</b>		Date of Birth		Age		Sex		Race		Ethnic Origin		Skin		Occupation						O		
		Height		Weight		Hair		Eyes		Glasses		Build		Employer/School		Address				P		
		Scars/Marks/Tattoos (Describe)																		Misc.		Q
																				R		
<b>NARRATIVE</b>		Victim or Suspect No.		Property Status		Property Type		Quantity/Measure		Make/Drug Type		Model		Serial No.		Description		Value		S		
																				T		
																				U		
																				V		
<b>VEHICLE</b>		Veh. Status		License Plate No.				State		Exp. Yr.		Plate Type		Value				0.00		W		
		Veh. Yr.		Make		Model		Style		VIN										X		
		Color(s)		Towed By/To				Vehicle Notes												Y		
																				Z		
<b>ADMINISTRATIVE</b>		<p><i>This Sergeant while sitting at my desk while in the Public Safety Building did observe a flashing red light on my upper chest and heard Detective Choffin say, "Is my TASER broken" and when I looked up, I noticed Detective Choffin with a TASER pointed in my direction. I could see the top laser on my face and looked away. I told Detective Choffin to knock it off and he put the TASER into the TASER cabinet. This Sergeant walked back to the muster room to get my shift on the road.</i></p> <p><i>Once I came back to my office after getting the shift on the road, I did request a CR# for an officer injury and informed Chief Inckler.</i></p>																		AA		
																				AB		
																				AC		
																				AD		
<b>ADMINISTRATIVE</b>		Inquiries		NYS/SPIN Message No.				Complainant's Signature				use cover sheet				B						
		Reporting Officer's Signature (Include Rank)		ID No.		Supervisor's Signature (Include Rank)		ID No.								Page 1						
		Status		CLOSED		Status Date		Notified/TOT		Review Date												
																				BB		

## EMPLOYEE COUNSELING MEMO

**TO:** Chief Trickler  
**FROM:** Lt. Eric Heieck  
**RE:** Det Choffin 2013-18768



On [REDACTED] in an off-duty status you proceeded to the [REDACTED] at a late hour in an attempt to gather information [REDACTED]. The report further indicated that both you and [REDACTED] smelled of alcohol. Your presence at that residence involved members of the Geneva Police Department including Sergeant Middlebrook to respond to said location. Your actions are viewed in a manner that brought discredit upon yourself and this department. SEE ATTACHED

Your conduct was inappropriate and brought discredit upon yourself and this department in direct violation of General Order 305, RULES OF CONDUCT, SECTION 3-A-2a UNBECOMING CONDUCT, contained in the Geneva Police Departments Police and Procedural Manual. While you left voluntarily and the complaining party wished no police action, no reports and swore no statements against you. Your actions could have compromised your position with the Geneva Police Department. A further interview of said subject was conducted on [REDACTED] and further indicated no further police action.

You must understand that this counseling memo is being served upon you so you may take immediate corrective measures so it does not happen again.

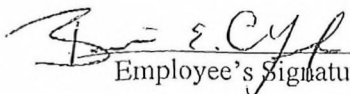
Your action created an image that is not accurate of the men and women of this department and limits the effectiveness of this police department.

You must understand that this counseling memo is being completed so that you may take immediate corrective measures so it does not happen again. You must take precautions as stated in GO 305 III 2a, so that this type of situation does not occur again.

As you may or may not be aware, further violation of this General Order may result in disciplinary action taken against you.

My signature acknowledges that I have read and received a copy of this counseling memorandum. It does not mean I agree or disagree with the contents. I know I have the right to attach a rebuttal.

DATED: 10-21-13

  
Employee's Signature

  
Supervisor's Signature



**GENERAL INFORMATION**

Supervisor: JPIC PICCHI  
Date/Time: 10/20/13 01:13  
Actual Signal: [REDACTED]  
Received: 01:13:50  
Arrived: 01:18

Dispatcher: RCAS CASTOR  
Reported Signal: [REDACTED]  
Dispatched: 01:13

Call Taker: RCAS CASTOR  
Received By: CELL  
En Route: 01:13  
Cleared: 01:26

**Vehicle Description:**

Plate No.:  
Disposition: O  
Action Taken:  
Reference No. 1:

State: NY  
Disp. Date: 10/20/13 01:26

Report Taken: NO  
Reference No. 2:

**LOCATION**

Location Name:

Address: [REDACTED]

Alt. Address:

Apt. No.:

Phone No.: (315) [REDACTED]

City: GENEVA

Zone:

Direction:

Intersection: NY

**CALLER INFORMATION**

Last Name: [REDACTED]

First Name: [REDACTED]

Middle Name/Suffix: [REDACTED]

Alias/Maiden Name:

DOB: 08/27/1970

Address: [REDACTED]

City: [REDACTED]

State: [REDACTED]

Zip: [REDACTED]

Phone: [REDACTED]

Anonymous: NO

**RESPONDING UNITS/OFFICERS****Unit/Officer**

MIDDLEBROOK, SGT ROBERT  
REYNOLDS, CHRISTOPHER

**Dispatched**

01:13  
01:13

**En Route****Arrived****Cleared**

01:26  
01:26

**ASSOCIATED PERSONS****Name****Alias****DOB****Address****Phone****Sex Inv.**

CHOFFIN, BRIAN E

SUB

**NOTES**

COMPL. CALLED THE PSB REQUESTING AN OFFICER FOR A SUBJECT REFUSING TO LEAVE..

PO REYNOLDS DETAILED  
SGT MIDDLEBROOK RESPONDING..

SGT MIDDLEBROOK WILL HAVE DIR.

Agency <b>CITY OF BOSTON</b>		ORI <b>003402</b>		Sprint # (NYC)	
Precinct <b>CTV</b>		Aided # (NYC)			
How can we safely contact you? (e.g. Name, Phone)		<input type="radio"/> Officer-Initiated <input checked="" type="radio"/> Radio Run <input type="radio"/> Walk-In			
Name <b>[REDACTED]</b>		DOB <b>[REDACTED]</b>		Month Day Year Age	
Street & City <b>[REDACTED]</b>		APT # <b>[REDACTED]</b>		If non-English, language: <input type="radio"/> Spanish <input type="radio"/> Chinese <input type="radio"/> Other:	
Injured? <input checked="" type="radio"/> No <input type="radio"/> Yes		Removed to Hospital? <input checked="" type="radio"/> No <input type="radio"/> Yes If yes, what hospital?		Notes (e.g. special needs, disability, requests):	
Describe:					
Name (Last, First, M.I.) / (include aliases) <b>CHOFFIN BRIAN E</b>		DOB <b>[REDACTED]</b>		Month Day Year Age	
Street & City <b>[REDACTED]</b>		APT # <b>[REDACTED]</b>		Zip <b>[REDACTED]</b>	
Injured? <input checked="" type="radio"/> No <input type="radio"/> Yes		Removed to Hospital? <input checked="" type="radio"/> No <input type="radio"/> Yes If yes, what hospital?		If non-English, language: <input type="radio"/> Spanish <input type="radio"/> Chinese <input type="radio"/> Other:	
Describe:		Suspect/P2 <input checked="" type="radio"/> Yes <input type="radio"/> No		Prior DV History? <input type="radio"/> Yes <input checked="" type="radio"/> No	
SUSPECT/P2 <input checked="" type="radio"/> Yes <input type="radio"/> No		LIVING SITUATION Do parties currently live together? <input checked="" type="radio"/> Yes <input type="radio"/> No IF NO, have they lived together in the past? <input checked="" type="radio"/> Yes <input type="radio"/> No Do the parties have a child-in-common? <input checked="" type="radio"/> Yes <input type="radio"/> No		Prior DV police report? <input type="radio"/> Yes <input checked="" type="radio"/> No Victim fearful? <input type="radio"/> Yes <input checked="" type="radio"/> No Suspect: Access to weapons? <input checked="" type="radio"/> Yes <input type="radio"/> No Drug/Alcohol history? <input type="radio"/> Yes <input checked="" type="radio"/> No Suicide threat history? <input type="radio"/> Yes <input checked="" type="radio"/> No	
1. Name (Street / APT# / City, if needed)		Phone		DOB Month Day Year Relationship to victim / P1	
2.					
3.					
SUSPECT ACTIONS (Check all that apply) <input type="radio"/> Biting <input type="radio"/> Destroyed Property (Estimated \$) <input type="radio"/> Forced Entry <input type="radio"/> Forcible Restraint <input type="radio"/> Hair Pulling <input type="radio"/> Homicide <input type="radio"/> Impaired Alcohol/Drugs <input type="radio"/> Injury to Child <input type="radio"/> Injury to Other Persons <input type="radio"/> Injury to Pet/Animal <input type="radio"/> Interference with Phone <input type="radio"/> Intimidation/Coercion <input type="radio"/> Kicking <input type="radio"/> Punching <input type="radio"/> Pushing <input type="radio"/> Sexual Assault <input type="radio"/> Shooting <input type="radio"/> Slapping <input type="radio"/> Slamming Body <input type="radio"/> Stabbing <input type="radio"/> Strangulation/"Choking" <input type="radio"/> Suicide or Attempt <input type="radio"/> Threw Items <input checked="" type="radio"/> Unwanted Contact <input type="radio"/> Verbal Abuse <input type="radio"/> Violated Visitation/ Custody Conditions <input type="radio"/> OTHER Suspect Actions: <input type="radio"/> Threats: (specify) <input type="radio"/> Injure/Kill Persons <input type="radio"/> Injure/Kill Self <input type="radio"/> Injure/Kill Pet/Animal <input type="radio"/> Take Child <input type="radio"/> Destroy/Take Property <input type="radio"/> Other: <input type="radio"/> Threat with weapon <input type="radio"/> Weapons used: (specify) <input type="radio"/> Blunt Object <input type="radio"/> Gun <input type="radio"/> Motor Vehicle <input type="radio"/> Sharp Instrument <input type="radio"/> Other:					
Arrest Made? <input checked="" type="radio"/> Yes <input type="radio"/> No		Arrest #		Reasons arrest not made on-scene: <input type="radio"/> No Offense Committed <input type="radio"/> No Probable Cause <input type="radio"/> Suspect Off-Scene <input checked="" type="radio"/> Other: <b>Refused</b>	
Offenses		Law (e.g. PL)		Section (Sub)	
1. <b>TRESPASS</b>		<b>140.25</b>			
2.					
3.					
Offenses Involved: (check all that apply) <input type="radio"/> Misdemeanor <input checked="" type="radio"/> Violation <input type="radio"/> Other (Specify)		Registry Checked? <input checked="" type="radio"/> Yes <input type="radio"/> No		OP Court Name:	
Order of Protection? <input type="radio"/> Yes <input checked="" type="radio"/> No		Family <input type="radio"/> Criminal <input type="radio"/> Supreme			
Stay Away Order? <input type="radio"/> Yes <input checked="" type="radio"/> No		Out of State <input type="radio"/> Tribal			
Order Violated? <input type="radio"/> Yes <input checked="" type="radio"/> No		Expiration Date		Month Day Year	
Any PRIOR orders? <input type="radio"/> Yes <input checked="" type="radio"/> No					
STOP! ***** COMPLETE STATEMENT ON PAGE 2 NEXT *****					
Photos Taken? <input checked="" type="radio"/> Yes <input type="radio"/> No		IF YES, photos taken of: <input type="radio"/> Victim Injuries <input type="radio"/> Suspect Injuries <input type="radio"/> Scene <input type="radio"/> Damaged Property <input type="radio"/> Other:		Other evidence collected? <input type="radio"/> Yes <input type="radio"/> No	
Results of investigation and basis of action taken. (Were excited utterances, spontaneous admissions or spontaneous statements made?) <input type="radio"/> Yes <input type="radio"/> No (Complete 710.30 or other form when applicable)		IF YES, describe:			
<b>PHONED THE POLICE WHEN CAME TO HER RESIDENCE AT 1:10AM. REFUSED TO TELL DO TO THE FACT THAT REFUSED TO MAKE A WRITTEN STATEMENT OR TAKE PACKET. MR. CHOFFIN LEFT AT POLICE REQUEST. BOTH PARTIES SMELLED OF ALCOHOL. NO FURTHER POLICE ACTION AT THIS TIME.</b>					
Any Guns in House? <input type="radio"/> Yes <input checked="" type="radio"/> No		Any Guns Seized? <input type="radio"/> Yes <input checked="" type="radio"/> No		Household Member Has Pistol Permit? <input type="radio"/> Yes <input checked="" type="radio"/> No	
Permit # (s):		Issuing County:		Name on Permit (s):	
Is there reasonable cause to suspect a child may be the victim of abuse, neglect, maltreatment, or endangerment? <input type="radio"/> Yes <input checked="" type="radio"/> No		IF YES, officer must contact the NYS CHILD ABUSE HOTLINE REGISTRY # 1-800-635-1522			
IS SUSPECT ON PAROLE OR PROBATION? <input type="radio"/> Probation <input type="radio"/> Parole <input type="radio"/> Not Supervised <input type="radio"/> Status Unknown		CONTACTS INITIATED BY POLICE: <input type="radio"/> Domestic Violence Services <input type="radio"/> Child Protective Services (or ACS) <input type="radio"/> Other Agency:			
Officer's Signature (& Rank) <b>Sgt. R. Missalbrook</b>		(PRINT and SIGN) ID <b>Sgt. 3</b>		Month Day Year <b>10 20 13</b>	
Supervisor's Signature (& Rank) <b>LT. M. H. H. H.</b>		(PRINT and SIGN) ID <b>LT. HEIECK</b>		Month Day Year <b>10 21 13</b>	
1. Was DIR given to the victim at the scene? <input type="radio"/> Yes <input checked="" type="radio"/> No		2. Was Victim Rights Notice given to victim? <input type="radio"/> Yes <input checked="" type="radio"/> No		IF NO, give reason:	
POLICE COPY (Please make a copy for DA's office if appropriate) NYS DOMESTIC VIOLENCE HOTLINE ENGLISH: 1-800-942-6906 SPANISH: 1-800-942-6908 3/21-05/2011 DCJS Copyright © 2011 by NYS DCJS					





July 26, 2013

Chief Trickler,

Having agreed not to challenge a rules violation allegation made against me, I have elected to accept the Summary Discipline imposed -- three (3) full days without pay. I further understand this suspension will be served at the discretion of the Chief of Police.

Brian Choffin

8-15-13

Date



**Geneva Police Department**  
**JEFFREY E. TRICKLER**  
*Chief of Police*  
255 Exchange St. - Geneva, New York 14456  
(315) 789-1111 - Fax (315) 789-1814 - [www.geneva.ny.us](http://www.geneva.ny.us)







November 18, 2013

Det. Choffin,

As per your understanding and acceptance of summary discipline related to a violation of policy you are hereby placed on administrative leave for the period of 11/19/13 to 11/21/13. During this period of administrative leave you are to refrain from entering the Public Safety Building unless authorized by my office. You are to return to duty on 11/22/13



Geneva Police Department  
JEFFREY E. TRICKLER  
Chief of Police  
255 Exchange St. - Geneva, New York 14456  
(315) 789-1111 - Fax (315) 789-1814 - [www.geneva.ny.us](http://www.geneva.ny.us)





July 19, 2013

Chief Trickler:

I respectfully accept my punishment for my conduct that was detrimental to Yourself, Sgt. Valenti, all GPD Officers on scene, the Geneva Police Department as a whole, as well as myself. I pride myself on being an upstanding Officer and pride myself on taking control of every situation that arises. Due to circumstances, that were beyond my control on that date, I acted unprofessionally. That is not an excuse and my actions on that date will never happen again. Thank you for your assistance as well. [REDACTED]  
[REDACTED] My punishment is well deserved and it will never happen again.

Respectfully Submitted;

*Det. Brian E. Choffin*

Det. Brian E. Choffin



Geneva Police Department  
JEFFREY E. TRICKLER  
Chief of Police  
255 Exchange St. - Geneva, New York 14456  
(315) 789-1111 - Fax (315) 789-1814 - [www.geneva.ny.us](http://www.geneva.ny.us)





July 19<sup>th</sup>, 2013

Det. Choffin:

I reviewed an internal investigation conducted regarding an incident that occurred on [REDACTED] from personal knowledge and witness statements my findings are as follows.

1. You failed to conduct yourself in such a manner as to reflect most favorably on the department
2. You failed to control your temper and not engage in argumentative discussion
3. Failed to obey an order by a superior officer

It is clear from the incident that you failed to control your temper while engaging in an argumentative discussion with, at the very least, [REDACTED] being told to leave the immediate area by myself and Sgt. Valenti. Your actions occurred in front of several other officers of the department and numerous onlookers in the community. Your actions had the potential of escalating a volatile situation that was brought under control at the time. You must understand the department prides itself on being professional and your actions on that day diminished what we are trying to achieve. This prevents the department from carrying out our responsibilities to the community taxpayers.

Disciplinary action was based on and in accordance with contract language Article 19.

Conclusion of disciplinary action: Three (3) full days without pay and continued or future behavior of this type will however, if necessary, result in termination. Please respond by July 26<sup>th</sup>, 2013 no later than noon to the office of the Chief of Police regarding your decision consistent with contract language Article 19.2.

Jeffrey E. Trickler  
Chief of Police

Cc:  
Jennifer Slywka  
Patrick Nolin



**Geneva Police Department**  
JEFFREY E. TRICKLER  
Chief of Police  
255 Exchange St. - Geneva, New York 14456  
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July 26, 2013

Chief Trickler,

Having agreed not to challenge a rules violation allegation made against me, I have elected to accept the Summary Discipline imposed -- three (3) full days without pay. I further understand this suspension will be served at the discretion of the Chief of Police.

Brian Choffin

8-15-13

Date

SERVED 11-19/11-20/11-21 2012



Geneva Police Department  
JEFFREY E. TRICKLER  
Chief of Police  
255 Exchange St. - Geneva, New York 14456  
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GENEVA POLICE  
DEPARTMENT  
EMPLOYEE WARNING  
RECORD



Employee Name: Brian Choffin  
Shift: DEU Time: 0930 AM Date of Warning: 3.15.2012

WARNING

Date of Violation: 3.13.2012 Nature of Violation: Conduct  
Time of Violation: 0924AM (If Other – Explain):  
Place Violation Occurred: EMail

COMPANY REMARKS

Refrain from Emails, comments or suggestions that create a hostile or questionable workplace, specifically between that of Detective & Supervisors.

Employee Has Been Warned Previously: ☐ YES ☒ NO

Form of Warning:

Date of Previous Warnings:

Warned by Whom:

EMPLOYEE'S REMARKS RE: VIOLATION

\*\*\*The absence of any statement on the part of the EMPLOYEE indicates his/her agreement with the report as stated\*\*\*

ACTION TO BE TAKEN

Refrain from Emails, comments or suggestions that create a hostile or questionable workplace, specifically between that of Detective & Supervisors.

Approved by: G. R. Fenwick Lt. 3.15.2012  
Name Title Date

I have read this "warning" and understand it.

Brian Choffin 3-15-12  
Employee Signature Date

Lt. Fenwick 03/15/2012  
Supervisor Signature Date

DISTRIBUTION OF COPIES: ☐ Employee ☐ Chief of Police ☐ Personnel Dept. ☐ Supervisor ☐ Union Rep.

**Rob Middlebrook**

---

**From:** Brian E. Choffin  
**Sent:** Monday, March 12, 2012 2:30 PM  
**To:** Jim Picchi; Matthew J. Valenti; Michael J. Passalacqua; Tyler Turner; Rob Middlebrook; Steven M. Vine  
**Subject:** Gv8 et all

GV 8 was taken to P.O Potters house and the computer removed. GV 8 has since been taken to the City Garage for heater repairs. [REDACTED] Entrance to the armory was gained by Lt. Bondzowicz and his personal keys.

IS he busting my BAILS?

Sob.



RE:

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**RE:**

Rob Middlebrook

**Sent:** Tuesday, March 13, 2012 9:47 PM

**To:** Brian E. Choffin

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~~mailto:~~

Sgt. Robert Middlebrook  
255 Exchange Street  
Geneva, NY 14456  
315-789-1111  
[rlm@geneva.ny.us](mailto:rlm@geneva.ny.us)

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**From:** Brian E. Choffin

**Sent:** Tuesday, March 13, 2012 9:24 AM

**To:** Rob Middlebrook

**Subject:**

Yep