



To: Chief Michael J Passalacqua

From: Lt. Jeffrey M Potter

Date: September 15, 2020

This is the Final Report for Internal Investigation [REDACTED] brought by [REDACTED] of Harassment and Intimidation against CLO Brian Choffin and involving the following potential violations of the Geneva Police Department General Orders:

G.O. 305 (Rules of Conduct) III. Rules of Conduct

2. Unbecoming Conduct

Officers shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the department. Conduct unbecoming an officer shall include that which brings the department into disrepute or reflects discredit upon the officer as a member of the department, or that which impairs the operation or efficiency of the department or officer

G.O. 307 (Social Media), IV, Procedure

1. Precautions and Prohibitions

Absent State Law or binding labor agreements to the contrary, Department personnel shall abide by the following when using social media:

a. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair the working relationships of this Department for which trust and confidentiality are important, impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the Department.

c. As public employees, Department personnel are cautioned that speech, on or off duty, made pursuant to their official duties – that is, that owes its existence to the employee's professional duties and responsibilities – is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the Department. Department personnel should assume that their speech and related activity on social media sites would reflect upon their office and this Department. Speech and conduct should be representative of Departmental values

G.O. 307 (Social Media), IV Procedure

2. Department personnel should be aware that they may be subject to civil litigation for:

a. Publishing or posting false information that harms the reputation of another person, group or organization (defamation);



Geneva Police Department
MICHAEL J. PASSALACQUA
Chief of Police

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



Overview

On [REDACTED] [REDACTED] created a Facebook page ([REDACTED]) questioning why Officers Choffin and Eveland (a City Council Member as well) were posting information regarding an upcoming City Council meeting without the agenda having been released publicly. [REDACTED] writes that Officer Choffin began posting comments that were threatening and libelous towards himself in an attempt as veteran police officer to intimidate [REDACTED] for exercising his 1st Amendment Rights as a [REDACTED]. [REDACTED] writes within a 20-minute span, Choffin:

- Challenged me to meet him face to face
 - Choffin's Comment:
 - **"Your entire page is a hoax and everything you and your so-called wife is a lie. I challenge you to confute it. I'm ready to meet face to face and discuss. Let's go"**
- Made a reference to [REDACTED]'s wife, [REDACTED]
 - See above comment
- Made a reference to where [REDACTED] lives
 - Choffin's Comment:
 - **"You live [REDACTED] You provide no proof at all of your fake stories. And you are totally one sided. A true and legit [REDACTED] investigates. Investigate me. Let's go."**
- Made a reference to where [REDACTED] works
 - Choffin's Comment:
 - **"everything. Like I said. I'm done playing your game and being falsely accused. I was never demoted. I have nothing on my record for excessive abuse. Let talk. Let's go. Finally the public isn't afraid of your lies and innuendos. We all know you got fired from two previous jobs and we all know you are going to be fired from [REDACTED] for doing you hoax page on [REDACTED] Let's talk. I'm not afraid of you."**

****NOTE: Comments written as provided by the complainant and written by Officer Choffin****

[REDACTED] relates that these comments, when coming from an angry, armed police officer (referring to Officer Choffin) constitute an implied threat to [REDACTED]'s family, livelihood and personal safety.

[REDACTED] also claims that Choffin falsely claimed he had been fired from two previous jobs, repeatedly called him a "liar" and a "hoax" and claimed the City Attorney was on retainer and preparing a lawsuit against [REDACTED] for Libel and defamation on behalf of Choffin.

Being a [REDACTED] [REDACTED] is concerned about his reputation with his readers. Being that Choffin was a former detective with the Geneva Police Department, this would lead readers to take what Choffin comments and his statements at face value.

Lastly, [REDACTED] wrote about Choffin's literal promise to take [REDACTED] to court for libel and defamation (same thing that's claimed in this complaint by [REDACTED]) is an attempt to intimidate and silence [REDACTED] with the legal threats.

Investigator's Comment:

This complaint came was filed at City Hall on [REDACTED]. Unfortunately, there was an unnatural delay in completing this report based on the following factors:

- Being social media, Chief Passalacqua requested an RLS (Request for Legal Services) on this complaint. This was not received until mid to late August, 2020
- The PD was extremely busy with unique public safety issues the City of Geneva has been facing.
- Peak Vacation caused scheduling holes in both Command and Police Officers.
- COVID-19 presented many challenges that drew attention away from tasks outside of the day-to-day operations of the department.
- Officer Choffin retired effective July 30, 2020.

These factors combined, directly led to the delay of this report's completion.

This Investigator ruled out a criminal matter for this complaint. The level of annoyance or alarm did rise to the level of Aggravated Harassment 2nd or Harassment 2nd, which are both NYS Penal law Statutes. As confirmation, this complaint was shared with the Ontario County District Attorney's Office and acting District Attorney [REDACTED] gave this response via email:

✚ I agree with [REDACTED] conclusion that Brian Choffin's behavior does not rise to the level of a criminal offense.

The only potential crime would be Aggravated Harassment in the second degree. The problem with any prosecution is that in order to prove this crime, we would have to prove that Choffin acted with the intent to harass, annoy, threaten, or alarm and that he made direct threats to [REDACTED] or his family. I understand that [REDACTED] claims that he felt this was an implicit threat. The fact that there were, however, alternative interpretations of the statements (i.e. Choffin wanted to meet to talk about the claims without violence) preclude being able to prove this crime beyond a reasonable doubt. In addition, the investigation determined that Choffin made the statements while off-duty. That precludes any consideration of Official Misconduct, as Choffin was not acting in his official capacity, rather as a private citizen. Multiple people were posting about the proposal to cut funding and positions, and this does not appear to have been, in any regard, "leaked" or privileged material. This information was widely known in and beyond the City of Geneva.

Libel and slander are not criminal offenses, but [REDACTED] has the ability to proceed civilly as he sees fit. He does, however, hold himself as something of a [REDACTED], as the [REDACTED], and has for a significant period of time.

It is also fairly clear that [REDACTED] engaged in the ongoing diatribe with Choffin during the time he claims to have been implicitly threatened.

There is nothing that rises to the level of criminal behavior. The findings of Lt. Potter, when finalized, should be placed in Choffin's disciplinary file and will have to be disclosed in the event we have to call him as a witness.

- Thu 9/17/2020 5:53 PM [REDACTED]

Please note that Brian Choffin's Facebook homepage on July 14, 2020 does make reference to the Geneva Police Department. In his Intro, the first bullet is **Detective at Geneva Police Department.**

Identification & Explanation of Allegations and Recommended Findings

This complaint filed by [REDACTED] covers a Facebook post on the [REDACTED] page, occurring [REDACTED]. Upon review of the site today, September 15, 2020, the original comments have been edited. Complainant did file copies of the original thread as part of his paperwork. The scope of this investigation is extremely narrow and focus on one conversation lasting roughly 24 minutes.

G.O. 305 (Rules of Conduct) III. Rules of Conduct

2. Unbecoming Conduct

Officers shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the department. Conduct unbecoming an officer shall include that which brings the department into disrepute or reflects discredit upon the officer as a member of the department, or that which impairs the operation or efficiency of the department or officer.

✚ Per G.O. 305 Rules of Conduct, III. 2., A., 2; Geneva Police Officers are required, both on and off duty, to conduct themselves in a manner as to reflect most favorably on the department. Brian Choffin's comments in this Facebook post where he specifically:

- "You are a liar"
- "your entire page is a hoax and everything you and your so called wife say is a lie."
- "We all know you for fired from two previous jobs and we all know you are going to be fired from [REDACTED] for doing you hoax page on [REDACTED]" "I'm not afraid of you."
- "why don't you ask your friend [REDACTED]" "She has a big mouth and I know she told alleged friend who was a friend of the PD too."

do not, in any form, represent Brian Choffin or the Geneva Police Department in a favorable manner. These non-factual, generic attempts at an argument are defamatory and egregious towards the complaint [REDACTED]. This type of conversation should not be in the public eye. Society has learned that with the advent of social media people will say/type many things through this media as opposed to having a civil face-to-face conversation or telephone conversation. This is perfect example of this. The random public comment from [REDACTED] supports this investigator's findings on this topic.

3. Precautions and Prohibitions

Absent State Law or binding labor agreements to the contrary, Department personnel shall abide by the following when using social media:

a. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair the working relationships of this Department for which trust and confidentiality are important, impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the Department.

✚ This policy does give personnel the right to express their feeling on Social Media. As sworn off-duty police officers, engaging in Social Media arguments/conversations can expose the officer to limited protection under the First Amendment ((*Garcetti V. Ceballos*, 126 S Ct. 1951 (2006) (*City of San Diego V. Roe*, 125 S Ct. 521 (2004))). Police Officers are held to a higher standard and should refrain from this type open, public view arguments/conversation on Social Media.

- In this particular thread, Choffin, off-duty engages in an argument/conversation following the [REDACTED] publicly questioning the actions of Officer Choffin and Eveland regarding their role in disseminating the not-yet released City Council Agenda. In this post, the [REDACTED] writes "Are these officers telling the truth? And if so, why were they given the meeting agenda before the public was?" This was regarding the now known proposed cuts to the police departments in many different aspects.
- Officer Eveland gave no comment.
- Officer Choffin did engage the [REDACTED] in vague, brief, non-descript statements. Officer Choffin is very well known in the City of Geneva. Statements made by Choffin include:
 - Calling [REDACTED] ([REDACTED]) a liar, repeatedly.
 - Calling [REDACTED] a Hoax, repeatedly.
 - Threatening to have examples of lies by the [REDACTED], but that they are with his attorney.
 - Mentioning [REDACTED]'s "So-called wife" with negative tone.
 - Mentioning [REDACTED] had been fired from 2 jobs and "are going to be fired from [REDACTED]"
 - Threatening legal action against [REDACTED] ([REDACTED]) for libel and defamation using the City Attorney. Choffin does mention retainer, implying it is not on tax dollars.

✚ The tone and context of these statements combined do not follow the Geneva Department Mission Statement as seen below and highlighted for this section of discussion:

MISSION STATEMENT

The Geneva Police Department will deliver effective and responsive law enforcement services to all persons within the City of Geneva in a fair and equitable manner, respecting the rights of all regardless of race, creed, religion, sexual orientation, color or origin. We are committed to make sure that every citizen with whom we interact is treated with dignity, compassion, and a sense of professionalism. As an integral part of the Geneva community, we are committed to communicating with those that we serve, and strive to maintain the trust and confidence of our citizens while working to improve the quality of life for the entire community

G.O. 307 (Social Media), IV Procedure

4. **Department personnel should be aware that they may be subject to civil litigation for:**

a. Publishing or posting false information that harms the reputation of another person, group or organization (defamation);

- When Choffin comments about [REDACTED]'s employment history, this investigator knows that Choffin and [REDACTED] did not discuss this personally, giving Choffin the ability to speak factually about [REDACTED] being fired from two jobs, plus, it is also known that Choffin has no direct knowledge of the Human Resource department of the [REDACTED] and thus this statement is not confirmed and not factual.

**** Intentionally left blank ****

Recommended Finding:

At the time of this report, based upon the totality of the circumstances, this investigator reports the following:

G.O. 305 (Rules of Conduct) III. Rules of Conduct

2. Unbecoming Conduct

Officers shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the department. Conduct unbecoming an officer shall include that which brings the department into disrepute or reflects discredit upon the officer as a member of the department, or that which impairs the operation or efficiency of the department or officer

SUSTAINED

Simply, the conduct of Brian Choffin during this social media engagement are not professional in any manner. His comments put the Geneva Police Department, and himself as a police officer in an unfavorable light, which drew attention of random posters. As a sworn police officer, Brian Choffin is held to a higher standard and did have the resources to know this was violating the department's General Orders.

G.O. 307 (Social Media), IV, Procedure

5. Precautions and Prohibitions

Absent State Law or binding labor agreements to the contrary, Department personnel shall abide by the following when using social media:

- a. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair the working relationships of this Department for which trust and confidentiality are important, impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the Department.
- c. As public employees, Department personnel are cautioned that speech, on or off duty, made pursuant to their official duties – that is, that owes its existence to the employee's professional duties and responsibilities – is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the Department. Department personnel should assume that their speech and related activity on social media sites would reflect upon their office and this Department. Speech and conduct should be representative of Departmental values.

SUSTAINED

When engaging in this thread, Choffin failed to represent the Geneva Police Department's core values and Mission statement. This was a public comment, on a public thread and Choffin commented non-factually and libelous. Choffin's comments did negatively affect the public perception of this department as confirmed by a random comment by [REDACTED]

- "I like how you are calling his bluff (and bluster)." This comment is to the [REDACTED] following the comments by Choffin with [REDACTED]'s replies.

G.O. 307 (Social Media), IV Procedure

6. **Department personnel should be aware that they may be subject to civil litigation for:**

- a. Publishing or posting false information that harms the reputation of another person, group or organization (defamation);

SUSTAINED

This policy was violated when Choffin mentioned [REDACTED]'s personal employment history and clearly commenting in a fictitious manner. The information of [REDACTED]'s employment history is not public and Choffin has no direct knowledge of this.

Complete and Submitted,

Lt JMH 803

Lt Jeffrey M Potter, 803
Uniformed Lieutenant
Internal Affairs Investigator

Attachments

1. CR [REDACTED] Confidential Investigation)
2. Notification of Administrative Investigation to CLO Brian Choffin
3. Letter of Intent to [REDACTED]
4. [REDACTED]'s Notarized Complaint Action Form
5. General Order 307; Social Media
6. Printed Facebook home page of Brian Choffin
7. [REDACTED] Facebook post [REDACTED]
8. Email response from D.A. [REDACTED]



TO: Officer Brian E. Choffin
FROM: Lt. Jeffrey M. Potter
DATE: July 8, 2020
SUBJECT: Notification of Administrative Investigation [REDACTED]

The Chief of Police has directed an Administrative Investigation into your conduct. This complaint will address your public posts on Facebook and is in response to a personell complaint made against you by [REDACTED]. It is alleged that on [REDACTED] your postings on a [REDACTED] site were taken as an implied threat to [REDACTED] family, livelihood and personal safety. Lt Jeffrey Potter has been assigned to investigate these violations. If sustained, you are alleged to have engaged in actions that could represent violations of the following department policies:

G.O. 307, IV. PROCEDURE,

1. PRECAUTIONS AND PROHIBITIONS

B. Personal Use

c. As public employees, Department personnel are cautioned that speech, on or off duty, made pursuant to their official duties – that is, that owes its existence to the employee's professional duties and responsibilities – is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the Department. Department personnel should assume that their speech and related activity on social media sites would reflect upon their office and this Department. Speech and conduct should be representative of Departmental values.

2. Department personnel should be aware that they may be subject to civil litigation for:

- a. Publishing or posting false information that harms the reputation of another person, group or organization (defamation);
- b. Publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person;

Department policy prohibits you from communicating any information related to this investigation with (where applicable) the victim, complainant or witnesses. You shall not engage in actions that may subvert the investigative process via disclosure of information. You shall not engage in conversation or any other form of communication regarding this matter with anyone outside of your legal representative(s), the Chief of Police, the assigned investigator or anyone with whom you have a legally privileged relationship until you have been officially notified of the completion of the investigation. You shall immediately notify the investigator of any possible violations of these orders. If you believe that you have been denied any right that you are entitled to by statute, contract or other authority you shall immediately notify the investigator.



Geneva Police Department
MICHAEL J. PASSALACQUA
Chief of Police

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I have read and understand this notification.

Received by: [Signature] Date: 7-8-20

Witness: [Signature]



Geneva Police Department

MICHAEL J. PASSALACQUA

Chief of Police

255 Exchange St. - Geneva, New York 14456

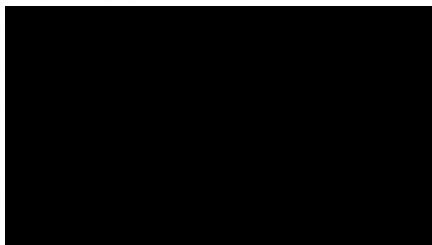
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<p>IV. PROCEDURE (CONT.)</p>	<ul style="list-style-type: none"> c. Using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; or d. Publishing the creative work of another, including trademarks, or certain confidential business information without the permission of the owner. e. Department personnel should be aware that privacy settings and social media sites are constantly changing and they should never assume that personal information posted on such sites is protected. f. Department personnel should expect that the Department, at any time and without prior notice, might access any information created, transmitted, downloaded, exchanged or discussed in a public online forum. <p>3. <u>Reporting Violations:</u> Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of the provisions of this policy shall immediately notify their supervisor.</p>
<p>V. LEGAL ISSUES</p>	<p>A. The use of social media has presented personnel conduct challenges for law enforcement executives that have resulted in employee discipline and terminations. There are many examples of employee misconduct across the United States. These cases highlight the issues associated with such misconduct.</p> <ul style="list-style-type: none"> 1. <u>Garcetti V. Ceballos, 126 S. Ct. 1951 (2006)</u> A deputy district attorney filed a §1983 complaint against county and supervisors at district attorneys' office, alleging that he was subject to adverse employment actions in retaliation for engaging in protected speech, that is, for writing a disposition memorandum in which he recommended dismissal of a case on the basis of purported government misconduct. The Court held that: (a) when public employees make statements pursuant to their official duties, they are not speaking as citizens for the First Amendment purposes, and the Constitution does not insulate their communications from employer discipline; and (b) here, district attorney did not speak as a citizen when he wrote his memo and, thus, his speech was not protected by the First Amendment. 2. <u>City of San Diego v. Roe, 125 S. Ct. 521 (2004)</u> Police officer (Roe) who was discharged for offering home-made, sexually explicit videos (in a police uniform) for sale on online auction site sued police department, city, and his supervisors under 1983, alleging that his off-duty, non-work-related activities could not be grounds for terminating his employment. The uniform apparently was not the specific uniform worn by the San Diego police, but it was clearly identifiable as a police uniform. Roe also sold custom videos, as well as police equipment, including official uniforms of the San Diego Police Department, and various other items such as men's underwear. Roe's eBay user profile identified him as employed in the field of law enforcement. The Court held that officer's speech did not touch on a "matter of public concern" (that is, subject of legitimate news interest or general interest, and of value and concern to public activities); and officer's activities, though outside the workplace and purportedly about subjects not related to his employment, had injurious effect on mission of his employer. Therefore were not entitled to First Amendment protection.

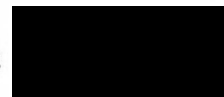


July 14, 2020



This letter is to inform you that the Geneva Police Department Complaint Action form you filed with the City of Geneva on July 6, 2020 is being investigated by my office, as directed by Chief Michael J. Passalacqua. You will receive a written response as soon as my investigation is complete.

Our internal CR (Complaint Report) for this investigation is



Thank you.

Lt. Jeffrey Potter, 803



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MICHAEL J. PASSALACQUA
Chief of Police

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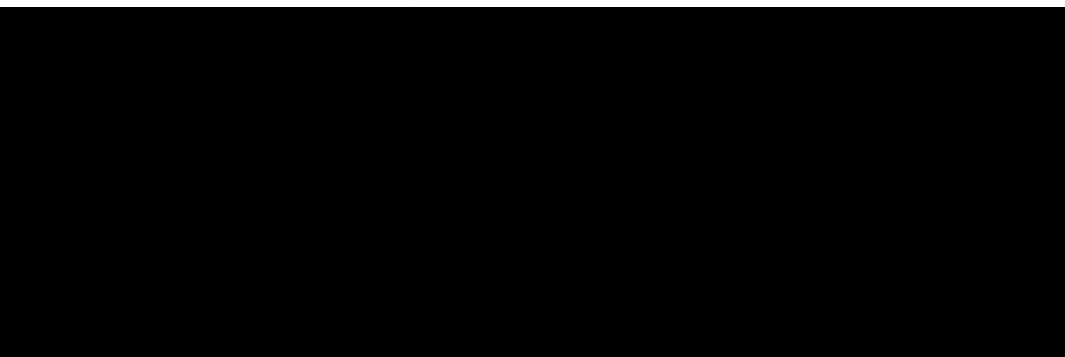


GENEVA POLICE DEPARTMENT

Complaint Action Form

This form is to be completed in full by the complaining citizen, then brought to and signed in the presence of either a Sergeant or Lieutenant of the Geneva Police Department or the City Clerk or Deputy City Clerk. **WARNING: False Statements made herein are punishable as a Class A Misdemeanor crime pursuant to Section 210.45 of the Penal Law of the State of New York. Please type or Print.**

COMPLAINANT

Name:	
Address:	
Occupation:	
Work Address:	
Email Address:	

ACCUSED OFFICER(S)

Name: <u>Brian Choffin</u>	Badge Number <u>?</u>
Name: _____	Badge Number _____

INCIDENT

Time/Date: <u>approx. 10:41pm</u>	Location: <u>Online - Facebook Page</u>
Nature of Complaint: <u>Harassment and intimidation by Detective Choffin</u>	

WITNESS(ES)

Name: <u>Unknown numbers of Facebook users</u>	Phone Number
Address: _____	(H) _____ (W) _____
Name: _____	
Address: _____	(H) _____ (W) _____

- Are you making this complaint of your own free will: Yes ☒ No ☐
- Were you arrested as a result of this incident: Yes ☐ No ☒

If yes, what charge?: _____ Date: _____

Disposition (fine, imprisonment, etc.): _____

**** If necessary, additional sheets may be attached hereto and made a part hereof.**

I understand that this statement of complaint will be submitted to the Geneva Police Department and may be the basis for an investigation. Further, I declare the facts contained herein are accurate and true to the best of my knowledge and belief. Further, I declare that my statement has been made by me voluntarily without persuasion, coercion or promise of any kind. **False statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law.** Accordingly and with notice of the foregoing I hereby affirm that the foregoing statements are true.

Signature of Complainant: _____

Date: _____

MUST be signed in the presence of a Supervisor of the Geneva Police Department, City Clerk or Deputy City Clerk.

Person Receiving Complaint: _____

Title: _____

Date: _____

Time: _____

ADMINISTRATIVE USE ONLY

Reviewed By: _____

Name & Rank

Date Reviewed: _____

GPD CR No.: _____

☐ NO FURTHER ACTION

☒ INVESTIGATION ASSIGNED TO:

LT J. POSTER, 803

3. Are you willing to appear and give testimony under oath at a department hearing and/or criminal proceeding: Yes: ☒ No: ☐

COMPLAINT- state exact circumstances of the complaint

On June 27th, I created a post on my Facebook page ([REDACTED]) questioning why two GPD officers, Eveland and Choffin, as well as a city councilor, were posting information about an upcoming City Council meeting even though the council meeting agenda had not yet been released to the public. (see attached - 3 pages)

[https://www.facebook.com/\[REDACTED\]](https://www.facebook.com/[REDACTED])
2:45pm

Officer Choffin began posting comments that were threatening and libelous towards me. Choffin made these comments to use his position as a veteran police officer to intimidate me for exercising my 1st amendment rights as a citizen journalist.

Within an approximately 20 minute span, Choffin:

- challenged me to meet him face to face
- made a reference to my wife
- made a reference to where I live
- made a reference to where I work

These comments, when coming from an angry, armed police officer, constitute an implied threat to my family, my livelihood, and my personal safety.

In addition, Choffin also:

- falsely claimed that I had been fired from two previous jobs
- repeatedly called me a "liar" and a "hoax."
- claimed that the city attorney and/or the city's attorney "on retainer" were preparing a lawsuit against me on behalf of Choffin for libel and defamation.

Choffin's fabricated claim about my work history is libelous, defamatory, egregious and disgusting. Because he is a former detective with the GPD, many readers would reasonably assume that he has access to information about me that the general public might not have, and that he's telling the truth because he's a police officer.

Choffin's repeated insistence that I'm a "liar" and a "hoax" without providing a single example of either is also libelous and defamatory. Again, Choffin is using the implied credibility he has as a former detective to smear my character and reputation while providing no evidence, which is also ironic considering he is a former Detective.

Choffin's literal promise that he is taking me to court for libel and defamation, and his explicit claim that the city attorney will be representing him, is an attempt to intimidate and silence me by threatening me with a lawsuit and claiming that he will be using the City's taxpayer-funded attorneys to bring his complaint against me.

A couple of days ago, GPD Officer Ron Eveland and GPD Detective Brian Choffin made Facebook posts claiming that city council would vote on cuts to the police budget (among other measures related to GPD) at this Wednesday's meeting.

Even today, Officer Eveland is circulating a petition on his Facebook page related to upcoming police reform efforts on the agenda.

Also today, Councilor [REDACTED] posted about what's on the agenda for Wednesday's meeting.

The agenda, at this writing, has not been publicly released.

Are these officers telling the truth? And if so, why were they given the meeting agenda before the public was?

And why is Councilor [REDACTED] telling the public what's on the agenda when it's not public information? And did he leak the information to the police?

3 Comments 4 Shares

Like

Comment

Share



Most Relevant ▾

...

[REDACTED] Are you insinuating City employees knew what the City was doing before the public? Sounds numan to me. My concern is the idea of cutting back Law Enforcement during unsettled times.

Like Reply Message 3h

Hide 23 Replies

[REDACTED] Go outside, walk around. Tell me what is unsettled.

Like Reply Message 3h

[REDACTED] I'm not insinuating anything. The information being shared, if true, is confidential (and likely discussed in executive session) and leaking confidential information is ethically and legally questionable at best. You call that being "human," but I definitely don't.

Like Reply 3h Edited

[REDACTED] I'm just curious [REDACTED] what are you so afraid of? People keep mentioning "drug dealers", like drug dealers just walk around killing people. I lived in [REDACTED] for 6 years. I never once felt threatened by anyone. There is nothing to be scared of in Geneva.

Like Reply Message 3h

[REDACTED] If discussed in executive session, I have some serious suspicions as to whether or not this information was intentionally leaked. There have been some interesting things I've noticed in regard to executive sessions, and several other functions of city government. I think we should talk about it some time. At this point, I can speak openly about my case.

Like Reply Message 3h

Brian Choffin [REDACTED] you are a liar. Face it.

Like Reply Message 21m

[REDACTED] Brian Choffin Please provide an example of where I have ever lied and I will publish a correction.

Like Reply 19m

Brian Choffin Oh. My lawyer. The city's attorney. And I have plenty.

Like Reply Message 17m

Brian Choffin Please provide an example of where I have ever lied and I will publish a correction

Like Reply 16m

Brian Choffin your entire page is a hoax and everything you and your so called wife say is a lie. I challenge you to confute it. I'm ready to meet face to face and discuss. Let's go

Like Reply Message 16m

Brian Choffin Please provide an example of a "hoax" that I have perpetrated and I will publish a correction

Like Reply 15m

Brian Choffin you live in [redacted] You provide no proof at all to your fake stories. And you are totally one sided. A true and [redacted] investigates. Investigate me. Let's go

Like Reply Message 14m

Brian Choffin Can you provide any specific examples of where I have provided a "take story" with no proof?

Like Reply 13m

I guess I am unaware of the rules. Are you telling me Executive Session determines the City Council agenda? [redacted] good one. I may not possess your keyboard bravery but something tells me I will be present when the fear bell rings

Like Reply Message 12m

Brian Choffin everything. Like I said. I'm done playing your game and being falsely accused. I was never demoted. I have nothing on my record for excessive abuse. Let talk. Let's go. Finally the public isn't afraid of your lies and innuendo... [See More](#)

Like Reply Message 11m

Like Reply 10m

Brian Choffin everything. Like I said. I'm done playing your game and being falsely accused. I was never demoted. I have nothing on my record for excessive abuse. Let talk. Let's go. Finally the public isn't afraid of your lies and innuendos. We all know you got fired from two previous jobs and we all know you are going to be fired from [redacted] or doing you hoax page on [redacted] time. Let's talk. I'm not afraid of you

Like Reply Message 16h



Brian Choffin Talk to my attorney. You are liar and a fraud

Like Reply Message 10m

No. I'm saying that at least some of the information that was leaked could possibly have been executive session material. Regardless, the information was leaked, which is an ethics violation at minimum.

Like Reply 10m

Brian Choffin why don't you ask your friend [redacted] She has a big mouth and I know she told alleged friend who was a friend of the PD too. See what I'm saying. You are a fraud and problem for this community

Like Reply Message 8m

Brian Choffin [REDACTED] don't apologize to him. He need to apologize to all of us. The city is done with him and his fake News

Like Reply Message 7m

[REDACTED] Brian Choffin Can you provide any specific examples of how I personally have "falsely accused" you?

Like Reply 7m

Brian Choffin [REDACTED] look yourself in the mirror, [REDACTED] You are a hoax and a liar. See ya pal.

Like Reply Message 6m

[REDACTED] Brian Choffin Can you provide any specific examples of when I've perpetrated a "hoax" or a "lie?"

Like Reply 8m

Brian Choffin [REDACTED] ohhh I've turned them into my attorneys. The city attorney and to the city council on retainer.

Like Reply 7m

[REDACTED] Brian Choffin So you're saying you CAN'T provide any specific examples?

Like Reply 4m

Brian Choffin Not unless you want to believe and hear facts. Or. Wait until we go to court for libel and defamation of character. You choose [REDACTED]

Like Reply Message 3m

[REDACTED] Don't recall and apology

Like Reply 1m

[REDACTED] Brian Choffin Okay, so you're saying that you CAN'T provide examples, correct? Just vague assertions and legal threats, correct?

Like Reply 28m

Brian Choffin [REDACTED] nope. Just the facts. [REDACTED] Just the facts. I have never ever lived my life on vague accusations. And the legal issue isn't a threat. It's a promise. Just sayin

Like Reply 26m

[REDACTED] Brian Choffin Okay, well I'm not going to play games with you anymore. Detective, if you would like to provide a specific example of information I have published that is untrue, I would be glad to make a correction. You choose to engage in vague accusations and attempts to intimidate instead

Like Reply 24m

Geneva Police Department GENERAL ORDERS		SOCIAL MEDIA	
<input checked="" type="checkbox"/> new: <input type="checkbox"/> rescinds: Policy & Procedure <input type="checkbox"/> amends:		cross-reference	
effective date: 9.22.14		issue/amend date: 9.22.14 / 12.20.17 / 11.19.19	
		Accreditation/Recognition standards: C.A.L.E.A.: NYS L.E.A.P.:	
I. PURPOSE	The purpose of this General Order is to establish and describe policies and procedures to ensure the Department endorses the secure use of social media to enhance communication, collaboration, and information exchange; streamline processes; and foster productivity. This policy establishes this Department's position on the utility and management of social media and provides guidance on its management, administration, and oversight. This policy is not meant to address one particular form of social media, rather social media in general, as advances in technology will occur and new tools will emerge.		
II. POLICY	It is the policy of the Geneva Police Department to ensure social media provides a new and potentially valuable means of assisting the Department and its personnel in meeting community outreach, problem-solving, investigative, crime prevention, and related objectives. This policy identifies potential uses that may be explored or expanded upon as deemed reasonable by administrative and supervisory personnel. The Department also recognizes the role that these tools play in the personal lives of some Department personnel. The personal use of social media can have bearing on Departmental personnel in their official capacity. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by Department personnel.		
III. DEFINITIONS	<ul style="list-style-type: none"> A. <u>Blog</u> - A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for "Web log". B. <u>Page</u> - The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights. C. <u>Post</u> - Content an individual shares on a social media site or the act of publishing content on a site. D. <u>Profile</u> - Information that a user provides about themselves on a social networking site. E. <u>Record</u> - Any information kept, held, filed, produced or reproduced by, with or for an agency or the state legislature, in any physical form whatsoever including, but not limited to, reports, statements, examinations, memoranda, opinions, folders, files, books, manuals, pamphlets, forms, papers, designs, drawings, maps, photos, letters, microfilms, computer tapes or discs, rules, regulations or codes (§86 (4) NYS Public Officers Law). F. <u>Social Media</u> - A category of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, MySpace), micro-blogging sites (Twitter, Nixle), photo and video-sharing sites (Flickr, YouTube), wikis (Wikipedia), blogs, and news sites (Digg edit). G. <u>Social Networks</u> - Online platforms where users can create profiles, share information, and socialize with others using a range of technologies. H. <u>Speech</u> - Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication. 		

III. DEFINITIONS (CONT.)	<p>I. <u>The second generation of the World Wide Web</u> - Focused on shareable, user-generated content, rather than static web pages. Some use this term inter-changeably with social media.</p> <p>J. <u>Wiki</u> - Web page(s) that can be edited collaboratively.</p>
IV. PROCEDURE	<p>A. <u>Department Sanctioned Presence – Official Use</u></p> <p>1. <u>Determine Strategy</u></p> <ol style="list-style-type: none"> Where possible, each social media page shall include an introductory statement that clearly specifies the purpose and scope of the agency's presence on the website. Where possible, the page(s) should link to the Department's official website. Social media content will be designed with the specific target audience in mind. <p>2. <u>Content Procedures</u></p> <ol style="list-style-type: none"> All Department social media sites or pages must be approved by the Chief of Police or his/her designee and will be administered, including regular monitoring, by the Chief of Police or his/her designee. Content originators are responsible for ensuring accuracy of their content. Where possible, social media pages shall clearly indicate that they are maintained by the Department and will have Department contact information displayed prominently. Social media content shall adhere to applicable laws, regulations and policies, including all information technology and records management policies. <ol style="list-style-type: none"> Content is subject to public records laws. The MU-1 Records Retention and Disposition Schedule indicates the minimum length of time that public officials must retain their records before they may be disposed of legally. Relevant sections apply to social media content. Content may be subject to applicable Freedom of Information Law (FOIL) regulations as required by the NYS Public Officers Law §87. Content that is specific to a criminal investigation should be retained in the appropriate case file and is likely discoverable and, as such, should be brought to the prosecutor's attention. Content must be managed, stored, and retrieved in compliance with open records laws, e-discovery laws and policies. Social media pages should state that opinions expressed by visitors to the page do not reflect the opinions of the Department. <ol style="list-style-type: none"> Pages will clearly indicate that posted comments will be monitored and that the Department reserves the right to remove obscenities, off-topic comments, and personal attacks. Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure. <p>3. <u>Posting Procedures</u></p> <ol style="list-style-type: none"> Personnel representing the Department will: <ol style="list-style-type: none"> Comply with all Departmental standards of conduct, conventionally accepted protocols and proper decorum. Identify themselves as a member of the Department. Not make comments or statements regarding their opinion of the guilt or innocence of any suspect, arrestee or defendant.

**IV. PROCEDURE
(CONT.)**

- iv. Not post, transmit, or otherwise disseminate confidential information, including photographs or videos of Departmental training activities, other Departmental activities, or work related assignments without express permission from Chief of Police.
- v. Not conduct political activities or private business.
 - a) The use of Department computers by Department personnel to access social media is prohibited without authorization.
 - b) The use of personally owned devices to manage the Department's social media is prohibited without express permission from the Chief of Police.
 - c) Personnel shall observe and abide by all copyright, trademark and service mark restrictions when posting materials to social media.

4. Undercover Profiles

- a. Nothing in this policy will prohibit the use of a fictitious name, identity, business or organization strictly for official investigative purposes with prior authorization by the Chief of Police and LT/DB. In all such cases members will generate a CR# in PD Manager and complete an *Authorization Form (Attachment A)* containing all relevant information on the identity used and members responsible for such investigation.
- b. Undercover profiles should not be accessed from personal computers, laptops, or other devices.

5. Potential Official Uses

- a. Investigative tool:
 - i. Missing persons
 - ii. Wanted persons
 - iii. Gang participation
 - iv. Online crime (cyber-bullying, cyber-stalking, etc.)
 - v. Source of photo or video evidence posted by observer or participant
 - vi. Criminal intelligence gathering
 - vii. Creation or corroboration of an undercover or fictitious identity for official use and when expressly authorized by the Department.
- b. Community Outreach and Engagement:
 - i. Crime prevention tips
 - ii. Online reporting opportunities
 - iii. Data sharing (crime maps, statistics, etc.)
 - iv. Soliciting crime information and tips
 - v. Customer satisfaction surveys
 - vi. Employee recognition
 - vii. Monitoring and responding to community concerns with the Department
 - viii. Time sensitive notifications:
 - a) Road closures
 - b) Special events
 - c) Weather emergencies
 - d) Missing or endangered persons
- c. Agency Employee Recruitment:
 - i. Employment opportunities
 - ii. Hiring process preparation aids

IV. PROCEDURE
(CONT.)

d. Applicant background investigation:

- i. Pre-employment investigations may include internet-based content related to the potential employee.
- ii. Searches should be conducted by personnel who do not otherwise influence hiring decisions. Any reference to a candidate's protected class status should be filtered from the search results prior to their submission to personnel making hiring decisions.
- iii. Those authorized to conduct online background searches should be deemed to hold a sensitive position.
- iv. Searches will be conducted in accordance with applicable laws.
- v. Uniform vetting techniques will be applied to all candidates, making every effort to validate internet based information considered during the hiring process.

B. Personal Use

1. **Precautions and Prohibitions** - Absent State Law or binding labor agreements to the contrary, Department personnel shall abide by the following when using social media:

a. Department personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair the working relationships of this Department for which trust and confidentiality are important, impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the Department.

b. **Leader and Subordinate Relationships:** Because of the nature of social media, formal leaders may interact and function in the same social media spaces as their subordinates. It is suggested that the online relationship function in the same manner as the professional relationship.

c. As public employees, Department personnel are cautioned that speech, on or off duty, made pursuant to their official duties – that is, that owes its existence to the employee's professional duties and responsibilities – is not protected speech under the First Amendment and may form the basis for discipline if deemed detrimental to the Department. Department personnel should assume that their speech and related activity on social media sites would reflect upon their office and this Department. Speech and conduct should be representative of Departmental values.

d. Department personnel are prohibited from creating a fictitious identity under the auspices of conducting duty related activities without express authorization from the Chief of Police. Such activities would be governed by the official Department use provisions of this policy.

e. Department personnel shall not post, transmit, or otherwise disseminate any information or imagery, such as arrest photos, accident scene photos, crime scene photos, official or unofficial reports, or information gained in their official capacity to which they have access as a result of their employment without written permission from the Chief of Police or his/her designee.

**IV. PROCEDURE
(CONT.)**

- f. For safety and security reasons, Department personnel are cautioned not to disclose their employment with this Department, nor shall they post information pertaining to any other member of the Department without his/her permission.
 - i. As such, Department personnel are cautioned not to:
 - a) Display Departmental logos, uniforms, or similar identifying items on personal web pages.
 - b) Post personal photographs or provide similar means of personal recognition that may cause them to be identified as a police officer of this Department. Officers who are, or who may reasonably be expected to work in undercover operations, shall not post any form of visual or personal identification.
 - ii. Members should be alert to the content and nature of their postings including online conversations and those of family and friends. When certain strings of information are compiled, persons viewing such information may be able to identify shift schedules, location of your residence, when the residence is unoccupied, family members, vacations and other private information.
 - g. When using social media, Department personnel should be mindful that their speech becomes part of the worldwide electronic domain. Therefore, adherence to the Department's code of conduct is required in the personal use of social media. In particular, Department personnel are prohibited from the following:
 - i. Speech containing obscene or sexually explicit language, images, acts, statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals.
 - ii. Speech involving themselves, or other Department personnel, reflecting behavior that might reasonably be considered reckless or irresponsible.
 - h. Engaging in prohibited speech noted herein may provide grounds for undermining or impeaching an officer's testimony in criminal proceedings. Department personnel thus sanctioned are subject to discipline up to and including termination of office.
 - i. Personnel may not divulge information gained by reason of their authority without express authorization from Chief of Police or his/her designee. This includes, but is not limited to:
 - i. Any statements, speeches, appearances or endorsements;
 - ii. Publishing materials that could reasonably be considered to represent the views or positions of this Department.
2. **Department personnel should be aware that they may be subject to civil litigation for:**
- a. Publishing or posting false information that harms the reputation of another person, group or organization (defamation);
 - b. Publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person;

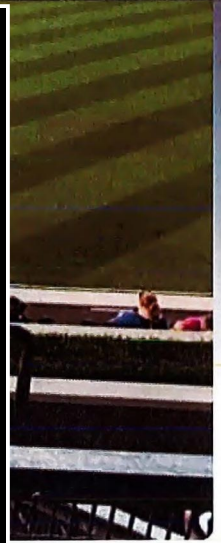
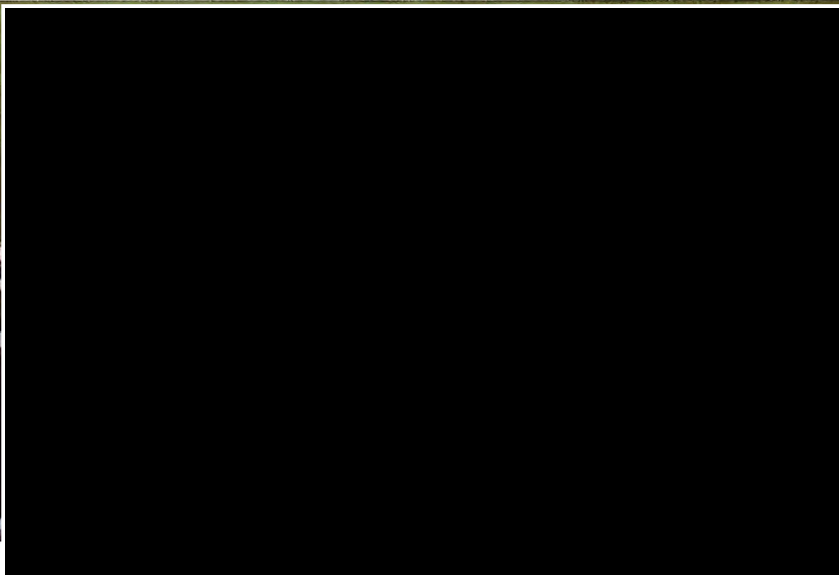
<p>IV. PROCEDURE (CONT.)</p>	<ul style="list-style-type: none"> c. Using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; or d. Publishing the creative work of another, including trademarks, or certain confidential business information without the permission of the owner. e. Department personnel should be aware that privacy settings and social media sites are constantly changing and they should never assume that personal information posted on such sites is protected. f. Department personnel should expect that the Department, at any time and without prior notice, might access any information created, transmitted, downloaded, exchanged or discussed in a public online forum. <p>3. <u>Reporting Violations:</u> Any employee becoming aware of or having knowledge of a posting or of any website or web page in violation of the provisions of this policy shall immediately notify their supervisor.</p>
<p>V. LEGAL ISSUES</p>	<p>A. The use of social media has presented personnel conduct challenges for law enforcement executives that have resulted in employee discipline and terminations. There are many examples of employee misconduct across the United States. These cases highlight the issues associated with such misconduct.</p> <ul style="list-style-type: none"> 1. <u>Garcetti V. Ceballos, 126 S. Ct. 1951 (2006)</u> A deputy district attorney filed a §1983 complaint against county and supervisors at district attorneys' office, alleging that he was subject to adverse employment actions in retaliation for engaging in protected speech, that is, for writing a disposition memorandum in which he recommended dismissal of a case on the basis of purported government misconduct. The Court held that: (a) when public employees make statements pursuant to their official duties, they are not speaking as citizens for the First Amendment purposes, and the Constitution does not insulate their communications from employer discipline; and (b) here, district attorney did not speak as a citizen when he wrote his memo and, thus, his speech was not protected by the First Amendment. 2. <u>City of San Diego v. Roe, 125 S. Ct. 521 (2004)</u> Police officer (Roe) who was discharged for offering home-made, sexually explicit videos (in a police uniform) for sale on online auction site sued police department, city, and his supervisors under 1983, alleging that his off-duty, non-work-related activities could not be grounds for terminating his employment. The uniform apparently was not the specific uniform worn by the San Diego police, but it was clearly identifiable as a police uniform. Roe also sold custom videos, as well as police equipment, including official uniforms of the San Diego Police Department, and various other items such as men's underwear. Roe's eBay user profile identified him as employed in the field of law enforcement. The Court held that officer's speech did not touch on a "matter of public concern" (that is, subject of legitimate news interest or general interest, and of value and concern to public activities); and officer's activities, though outside the workplace and purportedly about subjects not related to his employment, had injurious effect on mission of his employer. Therefore were not entitled to First Amendment protection.

**V. LEGAL ISSUES
(CONT.)**

3. **Brady v. Maryland, 83 S. Ct. 1194 (1963); Giglio v. United States, 92 S. Ct. 763 (1972).** Prosecutor must disclose evidence or information that would prove the innocence of the defendant or would enable the defense to more effectively impeach the credibility of government witnesses. This disclosure requirement may apply to social media communications made by police officers.

Approved By

MICHAEL J. PASSALACQUA
CHIEF OF POLICE



Brian Choffin

Timeline

About

Friends 1008

Photos

Videos

More ▾

Message



Intro

Detective at Geneva Police Department

Studied at [REDACTED]

Went to [REDACTED]

Lives in [REDACTED]

From [REDACTED]

Photos

See All



Write something to Brian...



Photo/Video



Tag Friends

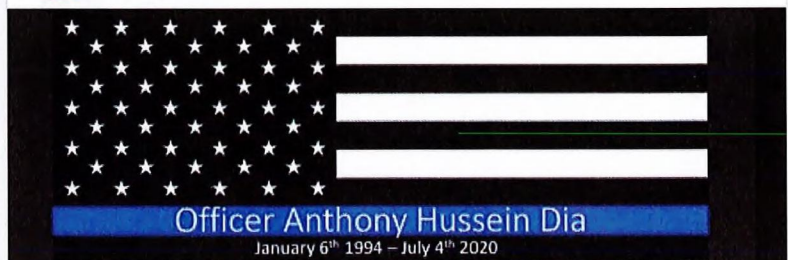


Feeling/Activity



Brian Choffin

31 mins · 2





from the City of Geneva, NY

[Learn More](#)

Home

Videos

Photos

More ▾

Like

Message



[Redacted Name]

June 27 at 2:45 PM ·

...

A couple of days ago, GPD Officers Ron Eveland and Brian Choffin made Facebook posts claiming that city council would vote on cuts to the police budget (among other measures related to GPD) at this Wednesday's meeting.

Even today, Officer Eveland is circulating a petition on his Facebook page related to upcoming police reform efforts on the agenda.

Also today, Councilor [Redacted] posted about what's on the agenda for Wednesday's meeting.

The agenda, at this writing, has not been publicly released.

Are these officers telling the truth? And if so, why were they given the meeting agenda before the public was?

And why is Councilor [Redacted] telling the public what's on the agenda when it's not public information? And did he leak the information to the police?





LIKE

COMMENT

SHARE

All Comments ▼

Write a comment...



Are you insinuating City employees knew what the City was doing before the public? Sounds human to me. My concern is the idea of cutting back Law Enforcement during unsettled times.

Like · Reply · 2w



^ Hide 30 Replies

I'm not insinuating anything. The information being shared, if true, is confidential (and likely discussed in executive session) and leaking confidential information is ethically and legally questionable at best. You call that being "human,... See More

Like · Reply · 2w · Edited



I'm just curious what are you so afraid of? People keep mentioning 'drug dealers', like drug dealers just walk around killing people. I lived in for 6 years, I never once felt threatened by anyone. There is nothing to be scared of in Genev... See More

Like · Reply · 2w



Brian Choffin

Oh. My lawyer. The city's attorney. And I have plenty.

Like · Reply · 2w

Brian Choffin Please provide an example of where I have ever lied and I will publish a correction.

Like · Reply · 2w

Brian Choffin

you live in You provide no proof at all to your fake stories. And you are totally one sided. A true and investigates. Investigate me. Let's go





[REDACTED]
I guess I am unaware of the rules. Are you telling me Executive Session determines the City Council agenda? [REDACTED] good one. I may not possess your keyboard bravery but something tells me I will be present when the bell rings.

Like · Reply · 2w · Edited

[REDACTED]
No, I'm saying that at least some of the information that was leaked could possibly have been executive session material. Regardless, the information was leaked, which is an ethics violation at minimum.

Like · Reply · 2w

Brian Choffin

[REDACTED] why don't you ask your friend [REDACTED] She has a big mouth and I know she told alleged friend who was a friend of the PD too. See what I'm saying. You are a fraud and problem for this community.

Like · Reply · 2w



Brian Choffin

[REDACTED] don't apologize to him. He need to apologize to all of us. The city is done with him and his fake. News

Like · Reply · 2w



Brian Choffin So you're saying you CAN'T provide any specific examples?

Like · Reply · 2w



Brian Choffin

Not unless you want to believe and hear facts. Or. Wait until we go to court for libel and defamation of character. You choose [REDACTED]

Like · Reply · 2w



[REDACTED]
Don't recall and apology

Like · Reply · 2w

[REDACTED]
Brian Choffin Okay. so you're saying that you



Like · Reply · 2w

Brian Choffin

[REDACTED] nope. Just the facts [REDACTED]
Just the facts. I have never ever lived my life on
vague accusations. And the legal issue isn't a
threat. It's a promise
Just sayin

Like · Reply · 2w



Brian Choffin Okay, well I'm not going to play
games with you anymore, Detective. If you would
like to provide a specific example of information I
have published that is untrue, I would be glad to
make a correction. You choose to engage in vague
accusations and attempts to intimidate instead.

Like · Reply · 2w



[REDACTED] I like how you are calling his bluff
(and bluster).

Like · Reply · 2w



Brian Choffin You obviously have not read his
investigative well-researched so-called "fake
stories". Or, if you have, perhaps you cannot cope
with inconvenient truths.

Like · Reply · 2w · Edited



1



Lmao

Like · Reply · 2w

Brian Choffin

[REDACTED] you are a liar. Face it

Like · Reply · 2w



1



Brian Choffin Please provide an example of where I
have ever lied and I will publish a correction.

Like · Reply · 2w



1

Brian Choffin

[REDACTED] your entire page is a hoax and
everything you and your so called wife say is a lie. I
challenge you to confute it. I'm ready to meet face



31



Brian Choffin Please provide an example of a "hoax" that I have perpetrated and I will publish a correction.

Like · Reply · 2w



1

Brian Choffin Can you provide any specific examples of where I have provided a "fake story" with no proof?

Like · Reply · 2w

Brian Choffin

everything. Like I said. I'm done playing your game and being falsely accused. I was never demoted. I have nothing on my record for excessive abuse. Let talk. Let's go. Finally the public isn't afraid of your lies and innuendo... [See More](#)

Like · Reply · 2w



1

Brian Choffin

. Talk to my attorney. You are liar and a fraud.

Like · Reply · 2w



1

Brian Choffin Can you provide any specific examples of how I personally have "falsely accused" you?

Like · Reply · 2w



1

Brian Choffin

look yourself in the mirror big You are a hoax and a liar. See ya pal.

Like · Reply · 2w

Brian Choffin Can you provide any specific examples of when I've perpetrated a "hoax" or a "lie?"

Like · Reply · 2w



1

Brian Choffin

ohhh I've turned them into my attorneys. The city attorney and to the city council on retainer.





Brian Choffin you have such clear anger issues and you're a detective? they let you have a gun? That's so scary.

Like · Reply · 2w · Edited



Write a reply...



PINNED POST



April 23, 2017 · 🌐



Welcome to the Facebook page! Please click on "See First" in the dropdown menu under "Following" so you don't miss any new stories or updates from . You can also check "All On" under Notifications in the same dropdown to receive notifications from , too!



1 Comment 1 Share



Like



Comment



Share

Most Relevant ▼



Write a comment...



View 1 comment

OTHER POSTS



1 hr · 🌐



TONIGHT





TODAY AT 6:30 PM

Geneva BLM Gathering/March

Geneva
Other

☆ Interested



1



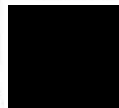
Like



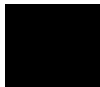
Comment



Share



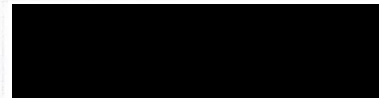
Write a comment...



4 hrs · 🌐



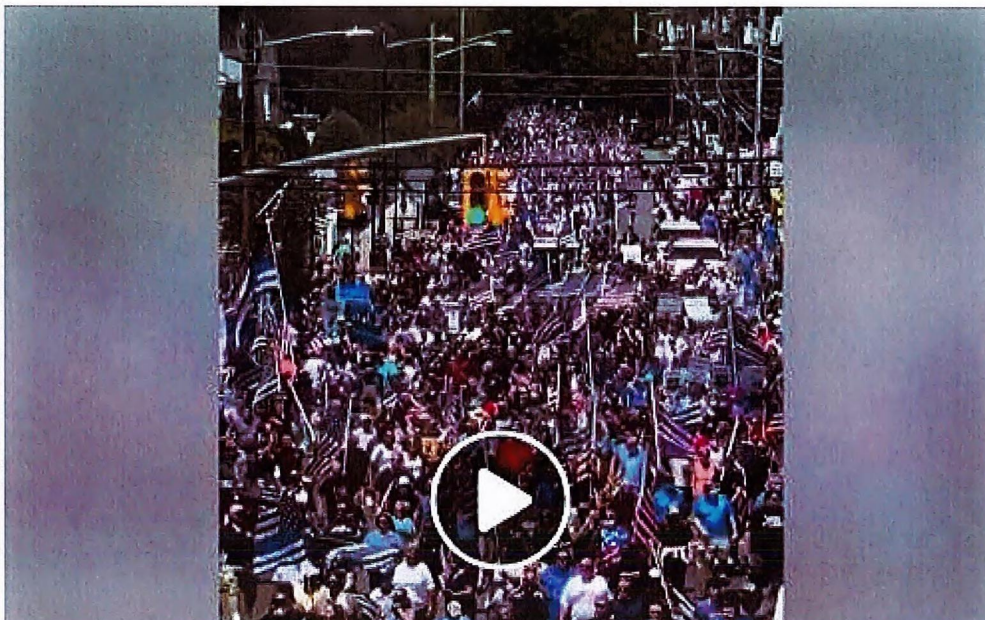
Geneva NY Police officer Brian Choffin calls Black Lives Matter "terrorists."



shared a post.



Finally the American Patriots have awakened!





2,420,246 Views

Placer County Deputy Sheriffs' Association

July 7 at 2:42 PM

Like Page

When the silent majority goes for a walk to support those who work and sacrifice for keeping our communities safe. What a great show of support!



#BacktheBadge

This took place on Sunday in Wintarh, NY



19

4 Comments 22 Shares



Like



Comment



Share

Most Relevant ▼



Write a comment...



View comments



7 hrs · 🌐



FINGERLAKES1.COM

Students, parents, and community leaders outraged after HWS president says Geneva doesn't have "direct issues..."



31

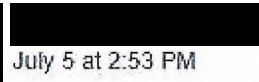


Write a comment...



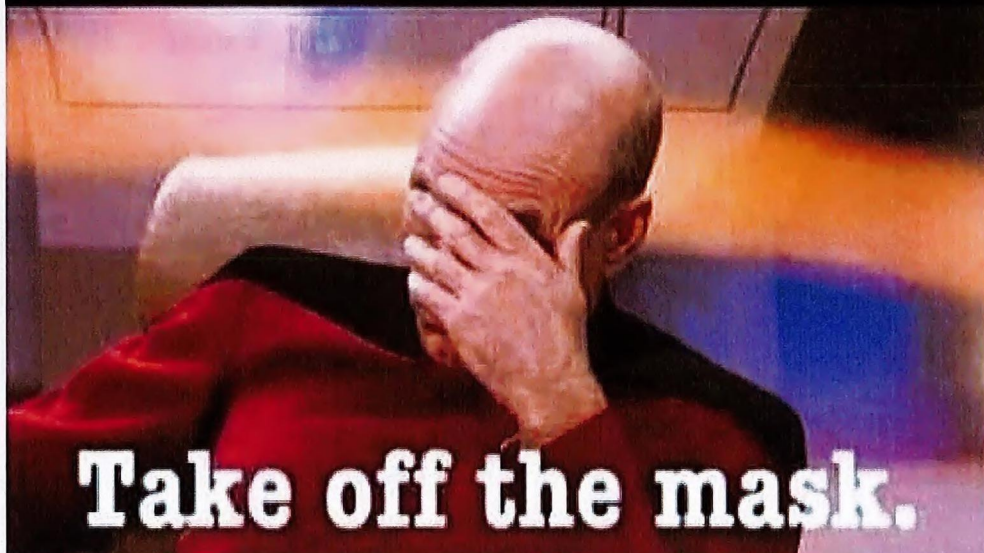
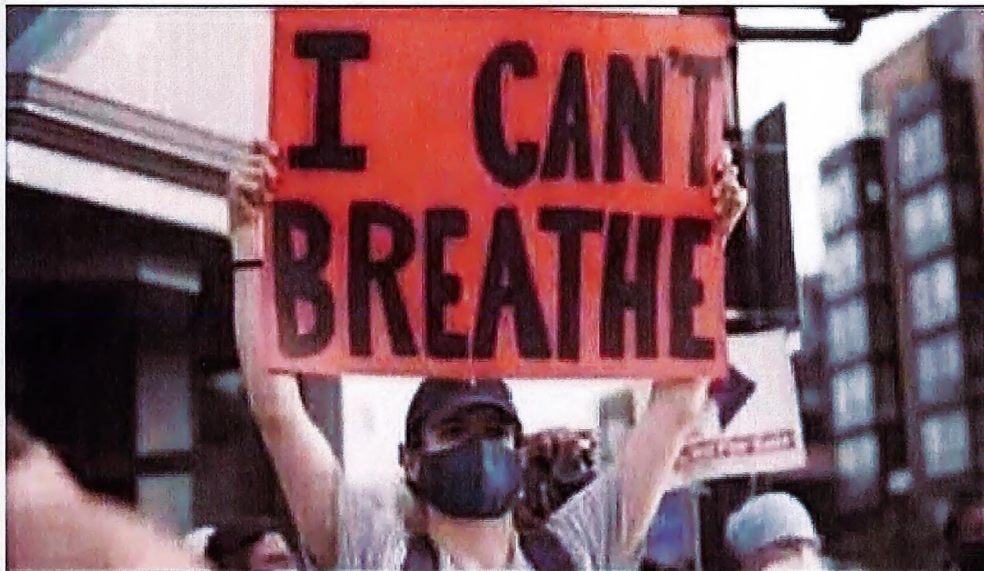
9 hrs · 🌐

GPD Officer Brian Choffin



shared a post.

July 5 at 2:53 PM



300 Guns

July 2 at 3:32 PM

👍 Like Page



7

1 Comment 1 Share Seen by 47





Like



Comment



Share

Most Relevant ▼

Write a comment...



View comments

July 12 at 6:26 PM · 🌐



MON, JUL 13

Geneva BLM Gathering/March

Geneva

Other

☆ Interested



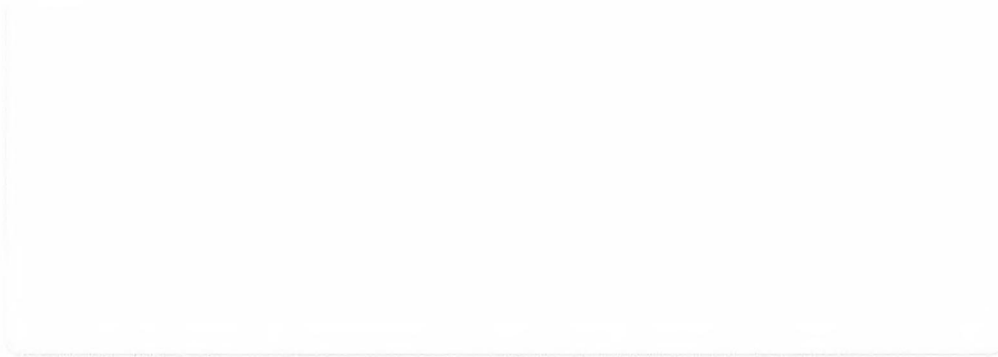
Like



Comment



Share



Jeffrey Potter

From: [REDACTED]
Sent: Thursday, September 17, 2020 5:53 PM
To: [REDACTED]
Subject: RE: Internal Investigation Review for Criminality

CAUTION: This message originated from outside the City of Geneva email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I agree with [REDACTED] conclusion that Brian Choffin's behavior does not rise to the level of a criminal offense.

The only potential crime would be Aggravated Harassment in the second degree. The problem with any prosecution is that in order to prove this crime, we would have to prove that Choffin acted with the intent to harass, annoy, threaten, or alarm and that he made direct threats to [REDACTED] or his family. I understand that [REDACTED] claims that he felt this was an implicit threat. The fact that there were, however, alternative interpretations of the statements (i.e. Choffin wanted to meet to talk about the claims without violence) preclude being able to prove this crime beyond a reasonable doubt. In addition, the investigation determined that Choffin made the statements while off-duty. That precludes any consideration of Official Misconduct, as Choffin was not acting in his official capacity, rather as a private citizen. Multiple people were posting about the proposal to cut funding and positions, and this does not appear to have been, in any regard, "leaked" or privileged material. This information was widely known in and beyond the City of Geneva.

Libel and slander are not criminal offenses, but [REDACTED] has the ability to proceed civilly as he sees fit. He does, however, hold himself as something of a "[REDACTED]" as the [REDACTED], and has for a significant period of time.

It is also fairly clear that [REDACTED] engaged in the ongoing diatribe with Choffin during the time he claims to have been implicitly threatened.

There is nothing that rises to the level of criminal behavior. The findings of Lt. Potter, when finalized, should be placed in Choffin's disciplinary file and will have to be disclosed in the event we have to call him as a witness.