

GENERAL INFORMATION

Supervisor: MPAS PASSALACQUA Dispatcher: JPOT POTTER Responding Officer: JPOT POTTER
Date/Time: 10/16/19 16:09 Reported Signal: CONFIDENTIAL INVESTIGATION 115
Actual Signal: CONFIDENTIAL INVESTIGATION 115 Received By:
Received: 16:09:56

Vehicle Description:

Plate No.: State: NY
Disposition: P Disp. Date: 10/16/19 16:10 Report Taken: NO
Action Taken:
Reference No. 1: Reference No. 2:

LOCATION

Location Name: PUBLIC SAFETY BUILDING Zone: EAST
Address: 255 EXCHANGE ST
Alt. Address: Direction:
Apt. No.: City: GENEVA Intersection:
Phone No.: () -

CALLER INFORMATION

Last Name: POTTER First Name: LT Middle Name/Suffix:
Alias/Maiden Name: DOB:
Address: GENEVA POLICE DEPARTMENT
City: GENEVA State: NY Zip: 14456
Phone: (315) 828-6782 Anonymous: NO

RESPONDING UNITS/OFFICERS

<u>Unit/Officer</u>	<u>Dispatched</u>	<u>Arrived</u>	<u>Cleared</u>
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ASSOCIATED PERSONS

<u>Name</u>	<u>Alias</u>	<u>DOB</u>	<u>Address</u>	<u>Phone</u>	<u>Sex</u> <u>Inv.</u>
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NOTES

CONFIDENTIAL INVESTIGATION.



TO: Officer Brian E. Choffin
FROM: Lt. Jeffrey M. Potter
DATE: November 11, 2019
SUBJECT: Notification of Administrative Investigation (2019-22318)

The Chief of Police has directed an Administrative Investigation into your conduct. This complaint will address the failure to follow Body Worn Camera Policy and Procedure, failing to respond truthfully to Lt. Matthew Valenti's email dated October 16, 2019 @ 11:13pm. 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. 409, VI, Operational Protocols

• **M. Officer Responsibilities**

- 4. Officers will download and tag every video recorded by the issued BWC as soon as practical after the completion of each recording. If exigent circumstances exist that will not allow this, the downloading and tagging must still be completed as soon as practical.

G.O. 305, III, Rules of Conduct

- 42. **Truthfulness** - Upon the order of the Chief, the Chief's designee or a superior officer, officers shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the department which may be asked of them.

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.

I have read and understand this notification.

Received by: Brian E. Choffin Date: 11-12-19

Witness: L. S. Potter



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





TO: CLO Brian Choffin

FROM: Lt. Jeffrey M. Potter

DATE: November 11, 2019

SUBJECT: I.A.: BWC Video – 2019-18778, 2019-18793

As you are aware, the department has initiated an Administrative Investigation regarding BWC Policy and Procedure violations and failing to truthfully answer questions specifically directed to the operations of said BWC.

I am requesting a letter, not email with your recollection of this incident. Please have this completed and to me no later than **November 18, 2019 @ 1300**. Your response should be detailed and forthcoming:

1. Regarding CR 2019-18778 and 2019-18793: these videos were recorded on August 28, 2019. According to the Evidence.com, these videos were not uploaded until September 19, 2019, 22 days later.
 - a. Explain the delay in downloading.
2. October 7, 2019, you were contacted by Lt. Matthew Valenti regarding your need to tag the above-mentioned videos in Evidence.com.
 - a. You failed to complete the requested task.
3. October 9, 2019, you were contacted by Lt. Matthew Valenti regarding your need to tag the above-mentioned videos in Evidence.com.
 - a. You failed to complete the requested task.
4. October 16, 2019, you were contacted by Lt. Matthew Valenti regarding your need to tag the above-mentioned videos in Evidence.com.
 - a. You completed the requested task.
 - i. Your written response to Lt. Valenti as your explanation “as to why you failed to complete this after the two emails from me requesting you to do so” stated “footage was tagged and failed to save.”
 1. Explain the procedure you used to attempt to complete the task.



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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.

- I have read and understand this request.

Received by: Bucar Date: 11-12-19

Witness: _____



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11/12/2019/

Lt. Potter,

I am writing my response per the Administrative Investigation launched against me due to my alleged conduct. I admit that the few videos, that I have failed to log in in a timely manner, are my fault. Since I don't use the camera all the time, as the other road officers, I fail to take off my camera from my outside carrier and place the camera in the loading station in the Muster room. That will be corrected immediately. Per the Emails from Lt. Valenti, once I received the email, I checked into the axon application on my cell phone, synced my phone with the camera and attempted to log the videos. As I have done several times before, and you can verify with Sgt. Keyser, as he has corrected my log ins before, I failed to hit save. When I became aware that the videos didn't save, I logged them and saved them immediately. [REDACTED]

[REDACTED] I have talked to Sgt. Keyser about the bodycam videos and he actually stated

that I am far from the only Officer who has had to deal with the issue of logging in videos to the system. I also take severe exception into the fact that Lt. Valenti has brought up "lack of truthfulness." I would never jeopardize my career over something as simple as logging in a video. [REDACTED]

[REDACTED]

I own that I sometimes failed to download the footage timely, but none of those videos had any substance. I have self corrected the problem, [REDACTED]

[REDACTED]

Respectfully Submitted;

A handwritten signature in blue ink, appearing to read "Brian E. Choffin". The signature is stylized with a large "B" and "C".

Brian E. Choffin

Matthew J. Valenti

From: Matthew J. Valenti
Sent: Monday, October 07, 2019 7:34 AM
To: Jeffrey Potter; Tyler Turner; Jeffrey C. Keyser; Christopher Keear; Patrick J. Nolin; Brian E. Choffin; Steven M. Vine; Bret M. Steve; Timothy S. Peters; Randall J. Grenier; Michael R. Tapscott; Jesse D. Cole; Shannon M. Anderson; Richard W. Baskin; Ronald L. Eveland; Trevor L. Wagner; Edwin Resendiz
Cc: Michael J. Passalacqua
Subject: Axon Videos

All,

Take a moment a look through your BWC videos. You have untagged videos, some dating back to the end of August. Please get them tagged properly ASAP. Thank you.

Respectfully,

Lieutenant Matthew J. Valenti - 802

Geneva Police Department

255 Exchange St.

Geneva, NY 14456

315-828-6783 (office)

315-789-1814 (fax)



IMPORTANT NOTICE: *"This e-mail and any attachments may contain confidential, sensitive and/or proprietary information and is intended only for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited."*

Matthew J. Valenti

From: Matthew J. Valenti
Sent: Wednesday, October 09, 2019 2:58 PM
To: Brian E. Choffin
Subject: BWC

Officer,

Please review your BWC logs, you have (3) untagged logs from 9.19.19 where there are no titles. Thank you.

Respectfully,

Lieutenant Matthew J. Valenti - 802

Geneva Police Department

255 Exchange St.

Geneva, NY 14456

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315-789-1814 (fax)



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Matthew J. Valenti

From: Matthew J. Valenti
Sent: Wednesday, October 16, 2019 11:13 AM
To: Brian E. Choffin
Cc: Michael J. Passalacqua; Jeffrey Potter
Subject: BWC

CLO Choffin,

You still have 3 videos dated 9.19.19 from your Body Worn Camera that have not been tagged. One of the videos is from an arrest, which when it is not tagged it cannot be searched and sent to the DA's office. BWC videos need to be tagged as soon as practical after the completion of each recording (ref GO 409 (VI)(M)(4)).

I have sent 2 prior emails regarding the untagged videos on 10.7.19 and 10.9.19. Please get these videos tagged by the end of your next tour of duty.

Also please submit to me in writing by the end of your next tour of duty as to why you failed to complete this after the two emails from me requesting you to do so. Thank you.

Respectfully,

Lieutenant Matthew J. Valenti - 802

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10/16/2019

Each time I received an email, the footage was tagged and failed to save. It has been again tagged and saved as of this moment.

A handwritten signature in blue ink, appearing to read "Buech". The signature is stylized with a large, sweeping initial "B" and a long, horizontal stroke extending from the end of the word.



To: CLO Brian Choffin

From: Chief Michael J. Passalacqua

Re: Internal Affairs Investigation 2019-22318

Date: November 13th, 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 7th, 2019 to properly tag videos within your Evidencex.com account that were not tagged. No action was taken by yourself to correct this. Lieutenant Matthew Valenti again emailed you on October 9th, 2019 requesting you to tag the videos referenced in the October 7th, 2019 email. No action was taken by you to correct this. Lieutenant Matthew Valenti emailed you a third time on October 16th, 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 28th, 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 19th, 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. Evidencex.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 16th, 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



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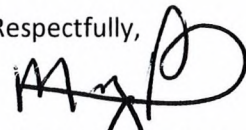


(Six working days between first email and third email). As part of this investigation a test video was produced. That test video was accessed via a smartphone and was closed out without first saving what had been done. On the audit trail for that test video, a record of the video being accessed was present, 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", with a large, stylized loop at the end.

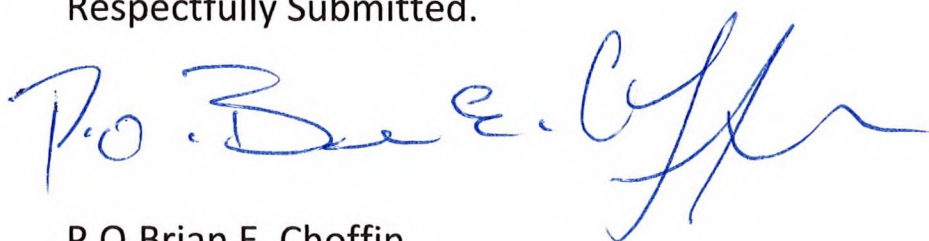
Michael J. Passalacqua
Chief of Police

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 blue ink, appearing to read "P.O. Brian E. Choffin". The signature is fluid and cursive, with the last name "Choffin" being more prominent and stylized.

P.O. Brian E. Choffin



To: Chief Michael J Passalacqua

From: Lt. Jeffrey M Potter

Date: November 13, 2019

This is the Final Report for Internal Investigation 2019-22318 brought by Lt. Matthew Valenti and Chief Michael Passalacqua against CLO Brian Choffin involving the following potential violations of the Geneva Police Department General Orders:

G.O. 409, VI, Operational Protocols

- M. **Officer Responsibilities**
 - 4. Officers will download and tag every video recorded by the issued BWC as soon as practical after the completion of each recording. If exigent circumstances exist that will not allow this, the downloading and tagging must still be completed as soon as practical.

G.O. 305, III, Rules of Conduct

- 42. **Truthfulness** - Upon the order of the Chief, the Chief's designee or a superior officer, officers shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the department which may be asked of them.

Overview

On August 28, 2019, CLO Brian Choffin assisted PO John VanSavage on the warrant arrest of [REDACTED]. CLO Choffin created 3 videos for this event. CLO Choffin uploaded the BWC videos on September 19, 2019, 22 days later. On October 7, 2019, via email, Lt Matthew Valenti requested CLO Choffin and 16 other officers to "tag" their videos with no action taken by CLO Choffin per the Evidence.com audit trail. (*other officer's audit trails were not reviewed for this investigation*) On October 9, via email, Lt Matthew Valenti requested only CLO Choffin to "tag" videos referenced in the October 7, 2019 email with no action taken by CLO Choffin per the Evidence.com audit trail. On October 16, 2019 @ 11:13am via email, Lt Matthew Valenti requested CLO Choffin to "tag" the videos referenced in the October 7 and October 9 emails.

- Per the Evidence.com audit trail, CLO Choffin "tagged" the first video for CR 2019-18793 @ 11:29 am.
- Per the Evidence.com audit trail, CLO Choffin "tagged" the second video for CR 2019-18793 @ 11:31 – 11:32am.
- Per the Evidence.com audit trail, CLO Choffin "tagged" the video for CR 2019-18778 @ 11:34 – 11:35am.



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Identification & Explanation of Allegations and Recommended Findings

Per G.O. 409, VI, Operational Protocols, M. Officer Responsibilities:

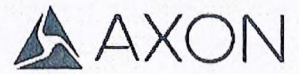
4. Officers will download and tag every video recorded by the issued BWC as soon as practical after the completion of each recording. If exigent circumstances exist that will not allow this, the downloading and tagging must still be completed as soon as practical

- CLO Choffin explained he does not use the BWC as frequently as the road officers. CLO Choffin keeps his BWC secured to his outer carrier and would fail/forget to remove the BWC and place it in the docking station in the Muster Room. *(Per G.O. 409, IV, Equipment – a single dock should be in the CLO office)*
- CLO Choffin placed the BWC in the docking station on September 19, 2019, uploading the videos related to this investigation.
- CLO Choffin wrote that he “failed to hit save” when attempting to “tag” videos using his personal smartphone.
 - This investigator checked the audit trail on these videos and observed no markers of any attempts to “tag.”
 - This investigator, on his own BWC, produced a test video. Using my personal smartphone, this investigator attempted to “tag” the video and then closed out, failing to hit save. The audit trail showed a time of 08:40Am and indicated my activity with “**Evidence accessed using Axon application**”. These markers do not appear in the videos CLO Choffin was requested to “tag” by Lt Matthew Vaienti.
 - See # 3 and 4 in the audit trail for this investigators video.

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GENEVA CITY POLICE DEPT.
GENEVA, NY, US



Document generated: 13 Nov 2019 - 08:53:17 -05:00 by Potter, Jeffrey(803)

EVIDENCE AUDIT TRAIL

Evidence		Source	
Evidence ID		Device Type	Axon Body 2
Categories		Device Name	X81349330
Title	AXON Body 2 Video 2019-11-13 0839	Serial Number	X81349330
		Other	Axon Body 2
Checksum	Sha2- 3e6ce712e694fdd4584ebd32eccf186dec778c5be179c512b12 5398814123693		
Record Start	13 Nov 2019 08:39:37		
Uploaded	13 Nov 2019 08:47:14	Usage	
Uploader	Potter, Jeffrey (Badge ID: 803)		
Unique ID		Page views	2
		File downloads	
		Video playbacks	1
		Last Viewed Or Downloaded On	13 Nov 2019 08:53:17

TEST VIDEO FOR THIS INVESTIGATION.

#	Date	Time	User	Activity
1	13 Nov 2019	08:39:37 (-05:00)	System	Recording started due to event button press
2	13 Nov 2019	08:39:55 (-05:00)	System	Recording stopped due to event button hold
3	13 Nov 2019	08:40:17 (-05:00)	System	Evidence accessed using Axon application
4	13 Nov 2019	08:40:40 (-05:00)	System	Evidence accessed using Axon application
5	13 Nov 2019	08:47:14 (-05:00)	System	Evidence Record Created
6	13 Nov 2019	08:47:51 (-05:00)	Potter, Jeffrey (Badge ID: 803) Username: jpotter@geneva.ny.us User ID: c33e70dc2bfd4bb9a1cffb26379eb889	Evidence Record Accessed. Client IP Address: 66.192.38.2
7	13 Nov 2019	08:47:52 (-05:00)	Potter, Jeffrey (Badge ID: 803) Username: jpotter@geneva.ny.us User ID: c33e70dc2bfd4bb9a1cffb26379eb889	Media File Buffered by System at Page Load. Client IP 66.192.38.2
8	13 Nov 2019	08:48:53 (-05:00)	Potter, Jeffrey (Badge ID: 803) Username: jpotter@geneva.ny.us User ID: c33e70dc2bfd4bb9a1cffb26379eb889	Evidence Record Streamed. Client IP Address: 66.192.38.2
9	13 Nov 2019	08:53:12 (-05:00)	Potter, Jeffrey (Badge ID: 803) Username: jpotter@geneva.ny.us User ID: c33e70dc2bfd4bb9a1cffb26379eb889	Evidence Record Accessed. Client IP Address: 66.192.38.2
10	13 Nov 2019	08:53:12 (-05:00)	Potter, Jeffrey (Badge ID: 803) Username: jpotter@geneva.ny.us User ID: c33e70dc2bfd4bb9a1cffb26379eb889	Media File Buffered by System at Page Load. Client IP 66.192.38.2

- On videos 2019-18778 and 2019-18793 (2 videos, next 2 pages), the same marker on the investigators video do not appear on CLO Choffin's videos. This information indicates CLO Choffin never attempted to "tag" these video until October 16, 2019.

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GENEVA CITY POLICE DEPT.
GENEVA, NY, US



Document generated: 16 Oct 2019 - 11:45:37 -04:00 by Valenti, Matthew(802)

EVIDENCE AUDIT TRAIL

Evidence		Source	
Evidence ID	822	Device Type	Axon Body 2
Categories	Felony	Device Name	X81349327
Title	2019-18778	Serial Number	X81349327
		Other	Axon Body 2
Checksum	Sha2- c11a933ac9ea7cd971884f5e0b4992c79d7ebf63165a86386ecfcf76540465		
Record Start	28 Aug 2019 10:47:15		
Uploaded	19 Sep 2019 14:26:16	Usage	
Uploader	Choffin, Brian (Badge ID: 822)		
Unique ID	[REDACTED]		
		Page views	3
		File downloads	
		Video playbacks	2
		Last Viewed Or Downloaded On	16 Oct 2019 11:45:37

#	Date	Time	User	Activity
1	28 Aug 2019	10:47:15 (-04:00)	System	Recording started due to event button press
2	28 Aug 2019	11:20:57 (-04:00)	System	Recording stopped due to event button hold
3	19 Sep 2019	14:11:15 (-04:00)	System	Evidence successfully uploaded using Axon Dock
4	19 Sep 2019	14:26:16 (-04:00)	System	Evidence automatically deleted from camera after successful upload using Axon Dock
5	19 Sep 2019	14:26:16 (-04:00)	System	Evidence Record Created
6	24 Sep 2019	13:35:20 (-04:00)	Valenti, Matthew (Badge ID: 802) Username: mjb@geneva.ny.us User ID: 35b15d3e68ac47c384e42679e5a6eef9	Evidence Record Accessed. Client IP Address: 66.192.38.2
7	24 Sep 2019	13:35:21 (-04:00)	Valenti, Matthew (Badge ID: 802) Username: mjb@geneva.ny.us User ID: 35b15d3e68ac47c384e42679e5a6eef9	Media File Buffered by System at Page Load. Client IP 66.192.38.2
8	24 Sep 2019	13:36:16 (-04:00)	Valenti, Matthew (Badge ID: 802) Username: mjb@geneva.ny.us User ID: 35b15d3e68ac47c384e42679e5a6eef9	Evidence Record Streamed. Client IP Address: 66.192.38.2
9	16 Oct 2019	11:32:17 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	Evidence Record Accessed. Client IP Address: 66.192.38.2
10	16 Oct 2019	11:32:18 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	Media File Buffered by System at Page Load. Client IP 66.192.38.2
11	16 Oct 2019	11:32:25 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	Evidence Record Streamed. Client IP Address: 66.192.38.2

#	Date	Time	User	Activity
12	16 Oct 2019	11:34:53 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	External ID '822' added
13	16 Oct 2019	11:34:53 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	Evidence title updated to '2019-18778'
14	16 Oct 2019	11:35:02 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	Category 'Felony' Added Deletion is now scheduled for 29 Dec 3018 09:47:15 (-05:00)
15	16 Oct 2019	11:35:02 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	Retention Level Updated Deletion is now scheduled for 29 Dec 3018 09:47:15 (-05:00)
16	16 Oct 2019	11:45:04 (-04:00)	Valenti, Matthew (Badge ID: 802) Username: mjb@geneva.ny.us User ID: 35b15d3e68ac47c384e42679e5a6eef9	Evidence Record Accessed. Client IP Address: 66.192.38.2
17	16 Oct 2019	11:45:05 (-04:00)	Valenti, Matthew (Badge ID: 802) Username: mjb@geneva.ny.us User ID: 35b15d3e68ac47c384e42679e5a6eef9	Media File Buffered by System at Page Load. Client IP 66.192.38.2



GENEVA CITY POLICE DEPT.
GENEVA, NY, US



Document generated: 16 Oct 2019 - 11:44:45 -04:00 by Valenti, Matthew(802)

EVIDENCE AUDIT TRAIL

Evidence		Source	
Evidence ID	822	Device Type	Axon Body 2
Categories	Misdemeanor	Device Name	X81349327
Title	2019-18793	Serial Number	X81349327
		Other	Axon Body 2
Checksum	Sha2- 02cbee9cd541b7fd4055010ccf08670909ed5a32d0179e8a18fc 7b55239b659b		
Record Start	28 Aug 2019 14:12:42		
Uploaded	19 Sep 2019 14:26:38	Usage	
Uploader	Choffin, Brian (Badge ID: 822)		
Unique ID			
		Page views	3
		File downloads	
		Video playbacks	1
		Last Viewed Or Downloaded On	16 Oct 2019 11:44:45

#	Date	Time	User	Activity
1	28 Aug 2019	14:12:42 (-04:00)	System	Recording started after Axon Signal activation using trigger(s) 5
2	28 Aug 2019	14:12:48 (-04:00)	System	Recording stopped due to event button hold
3	19 Sep 2019	14:26:17 (-04:00)	System	Evidence successfully uploaded using Axon Dock
4	19 Sep 2019	14:26:38 (-04:00)	System	Evidence automatically deleted from camera after successful upload using Axon Dock
5	19 Sep 2019	14:26:38 (-04:00)	System	Evidence Record Created
6	11 Oct 2019	11:31:08 (-04:00)	Valenti, Matthew (Badge ID: 802) Username: mjv@geneva.ny.us User ID: 35b15d3e68ac47c384e42679e5a6eef9	Evidence Record Accessed. Client IP Address: 66.192.38.2
7	11 Oct 2019	11:31:09 (-04:00)	Valenti, Matthew (Badge ID: 802) Username: mjv@geneva.ny.us User ID: 35b15d3e68ac47c384e42679e5a6eef9	Media File Buffered by System at Page Load. Client IP 66.192.38.2
8	11 Oct 2019	11:31:24 (-04:00)	Valenti, Matthew (Badge ID: 802) Username: mjv@geneva.ny.us User ID: 35b15d3e68ac47c384e42679e5a6eef9	Evidence Record Streamed. Client IP Address: 66.192.38.2
9	16 Oct 2019	11:31:30 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	Evidence Record Accessed. Client IP Address: 66.192.38.2
10	16 Oct 2019	11:31:31 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	Media File Buffered by System at Page Load. Client IP 66.192.38.2
11	16 Oct 2019	11:31:53 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	Evidence title updated to '2019-18793'

#	Date	Time	User	Activity
12	16 Oct 2019	11:31:58 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	External ID '822' added
13	16 Oct 2019	11:32:07 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	Category 'Misdemeanor' Added Deletion is now scheduled for 26 Aug 2024 14:12:42 (-04:00)
14	16 Oct 2019	11:32:07 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	Retention Level Updated Deletion is now scheduled for 26 Aug 2024 14:12:42 (-04:00)
15	16 Oct 2019	11:44:42 (-04:00)	Valenti, Matthew (Badge ID: 802) Username: mjb@geneva.ny.us User ID: 35b15d3e68ac47c384e42679e5a6eef9	Evidence Record Accessed. Client IP Address: 66.192.38.2
16	16 Oct 2019	11:44:43 (-04:00)	Valenti, Matthew (Badge ID: 802) Username: mjb@geneva.ny.us User ID: 35b15d3e68ac47c384e42679e5a6eef9	Media File Buffered by System at Page Load. Client IP 66.192.38.2



GENEVA CITY POLICE DEPT.
GENEVA, NY, US

Document generated: 16 Oct 2019 - 11:43:24 -04:00 by Valenti, Matthew(802)



EVIDENCE AUDIT TRAIL

Evidence		Source	
Evidence ID	822	Device Type	Axon Body 2
Categories	Misdemeanor	Device Name	X81349327
Title	2019-18793	Serial Number	X81349327
		Other	Axon Body 2
Checksum	Sha2- d9e5a6ef93f89a600944b93af13952dd09ca841e11505f60fa090 0bbb1063d79		
Record Start	28 Aug 2019 14:14:40		
Uploaded	19 Sep 2019 15:12:01	Usage	
Uploader	Choffin, Brian (Badge ID: 822)		
Unique ID	[REDACTED]		
		Page views	4
		File downloads	
		Video playbacks	3
		Last Viewed Or Downloaded On	16 Oct 2019 11:43:24

#	Date	Time	User	Activity
1	28 Aug 2019	14:14:40 (-04:00)	System	Recording started due to event button press
2	28 Aug 2019	15:46:33 (-04:00)	System	Recording stopped due to event button hold
3	19 Sep 2019	14:26:38 (-04:00)	System	Evidence successfully uploaded using Axon Dock
4	19 Sep 2019	15:12:00 (-04:00)	System	Evidence automatically deleted from camera after successful upload using Axon Dock
5	19 Sep 2019	15:12:01 (-04:00)	System	Evidence Record Created
6	11 Oct 2019	11:31:59 (-04:00)	Valenti, Matthew (Badge ID: 802) Username: mjb@geneva.ny.us User ID: 35b15d3e68ac47c384e42679e5a6eef9	Evidence Record Accessed. Client IP Address: 66.192.38.2
7	11 Oct 2019	11:32:00 (-04:00)	Valenti, Matthew (Badge ID: 802) Username: mjb@geneva.ny.us User ID: 35b15d3e68ac47c384e42679e5a6eef9	Media File Buffered by System at Page Load. Client IP 66.192.38.2
8	11 Oct 2019	11:32:08 (-04:00)	Valenti, Matthew (Badge ID: 802) Username: mjb@geneva.ny.us User ID: 35b15d3e68ac47c384e42679e5a6eef9	Evidence Record Streamed. Client IP Address: 66.192.38.2
9	11 Oct 2019	11:35:34 (-04:00)	Valenti, Matthew (Badge ID: 802) Username: mjb@geneva.ny.us User ID: 35b15d3e68ac47c384e42679e5a6eef9	Annotation 'Viewed for audit purposes' Added
10	11 Oct 2019	11:58:23 (-04:00)	Valenti, Matthew (Badge ID: 802) Username: mjb@geneva.ny.us User ID: 35b15d3e68ac47c384e42679e5a6eef9	Evidence Record Streamed. Client IP Address: 66.192.38.2
11	16 Oct 2019	11:24:44 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	Evidence Record Accessed. Client IP Address: 66.192.38.2

#	Date	Time	User	Activity
12	16 Oct 2019	11:24:45 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	Media File Buffered by System at Page Load. Client IP 66.192.38.2
13	16 Oct 2019	11:24:57 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	Evidence Record Streamed. Client IP Address: 66.192.38.2
14	16 Oct 2019	11:29:13 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	Evidence title updated to '2019-18793'
15	16 Oct 2019	11:29:20 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	External ID '822' added
16	16 Oct 2019	11:30:25 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	Category 'Misdemeanor' Added Deletion is now scheduled for 26 Aug 2024 14:14:40 (-04:00)
17	16 Oct 2019	11:30:25 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	Retention Level Updated Deletion is now scheduled for 26 Aug 2024 14:14:40 (-04:00)
18	16 Oct 2019	11:30:47 (-04:00)	Choffin, Brian (Badge ID: 822) Username: bchoffin@geneva.ny.us User ID: 6276799321324292999148278db11e57	Evidence Record Accessed. Client IP Address: 66.192.38.2
19	16 Oct 2019	11:43:19 (-04:00)	Valenti, Matthew (Badge ID: 802) Username: mjb@geneva.ny.us User ID: 35b15d3e68ac47c384e42679e5a6eef9	Evidence Record Accessed. Client IP Address: 66.192.38.2
20	16 Oct 2019	11:43:20 (-04:00)	Valenti, Matthew (Badge ID: 802) Username: mjb@geneva.ny.us User ID: 35b15d3e68ac47c384e42679e5a6eef9	Media File Buffered by System at Page Load. Client IP 66.192.38.2

Recommended Finding:

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

G.O. 409, VI, Operational Protocols

M. Officer Responsibilities

- 4. Officers will download and tag every video recorded by the issued BWC as soon as practical after the completion of each recording. If exigent circumstances exist that will not allow this, the downloading and tagging must still be completed as soon as practical.

SUSTAINED

CLO Choffin reports he is not a regular/daily BWC user due to his CLO status, thus had not become accustomed to putting his BWC in the charger in the Muster Room at the conclusions of his tour of duty. CLO Choffin failed to dock his BWC camera for 22 days following the August 28, 2019 video being produced. CLO Choffin has stated in a letter this will be "corrected immediately."

G.O. 305, III, Rules of Conduct

42. Truthfulness

- Upon the order of the Chief, the Chief's designee or a superior officer, officers shall truthfully answer all questions specifically directed and narrowly related to the scope of employment and operations of the department which may be asked of them.

SUSTAINED

CLO Choffin wrote:

- "Once I received the emails, (from Lt Matthew Valenti) I checked into the axon application on my cell phone, synched my phone with the camera and attempted to log videos. As I have done several times before, and you can verify with Sgt. Keyser, as he has corrected my log ins before, I failed to hit save."
 - This statement is false. This investigator tested this situation with a personal video and every time I open the application on my phone or computer, it marked the video activity log/ audit trail with **Evidence accessed using Axon application** or my name if I signed in on the computer.
 - This information/procedure was reviewed with Sgt Keyser, who is the Axon administrator, confirming that any time a video is opened, it is logged in the audit trail, whether on a smartphone or computer.

Complete and Submitted,

Lt Potter, 803

Lt Jeffrey M Potter, 803
Uniformed Lieutenant
Internal Affairs Investigator

Attachments

1. CR 2019-22318 (Confidential Investigation)
2. Notification of Administrative Investigation to CLO Brian Choffin
3. I.A.: BWC Video – 2019-18778, 2019-18793 – Letter requesting written response
 - a. TO CLO Choffin
4. Written Response from CLO Choffin
5. 3 Emails from Lt Matthew Valenti to CLO Choffin
 - a. October 7, 2019
 - b. October 9, 2019
 - c. October 16, 2019
 - i. Requested written response from CLO Choffin
6. Axon Audit Trail for CR 2019-18778
7. Axon Audit Trail for CR 2019-18793 @ 14:12:42
8. Axon Audit Trail for CR 2019-18793 @ 14:14:40
9. Axon Audit Trail for Training Video produced by this Investigator.

**GENERAL INFORMATION**

Supervisor: TTUR TURNER Dispatcher: SBAR BARRETT Call Taker: SBAR BARRETT
Date/Time: 03/18/16 18:11 Reported Signal: PERSONNEL COMPLAINT/COMMENDATION 101
Actual Signal: PERSONNEL COMPLAINT/COMMENDATION 101 Received By: WALK-IN
Received: 18:11:54

Cleared: 18:12

Vehicle Description:

Plate No.:

State: NY

Disposition: H

Disp. Date: 03/18/16 18:16

Report Taken: NO

Action Taken:

Reference No. 1:

Reference No. 2:

LOCATION

Location Name: GENEVA POLICE DEPT.

Zone: GV7

Address: 255 EXCHANGE ST

Alt. Address:

Direction:

Apt. No.:

City: GENEVA

Intersection:

Phone No.: (315) 789-1111

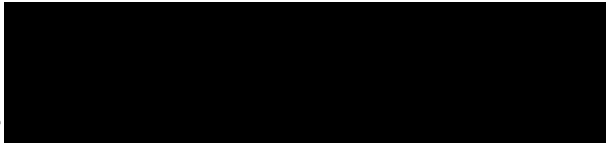
CALLER INFORMATION**RESPONDING UNITS/OFFICERS**Unit/OfficerDispatchedEn RouteArrivedCleared**ASSOCIATED PERSONS**NameAliasDOBAddressPhoneSex Inv.**NOTES**

SUBJECT HERE AT THE PSB BECAUSE HE BELIEVES THAT HIS NYS BENEFITS CARD AND NEW JERSEY DRIVERS LICENSE WERE NOT RETURNED TO HIM AFTER HE WAS RELEASED FROM GPD CUSTODY ON A HARASSMENT 2ND APPEARANCE TICKET.

CALLER GIVEN COMPLAINT FORM AND ADVISED OF HIS OPTIONS.

**** 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 3-21-16

(must be signed in presence of Supervisor, *if not notarized*)

Time 10:33 AM

Supervisor Receiving Complaint: LT M. Valli

ADMINISTRATIVE USE ONLY

Reviewed By: T. P. [Signature] V. R. [Signature]
Name & Rank

Date Reviewed: 03/21/16 GPD Log No.: 2114-4642

☐ NO FURTHER ACTION

☒ INVESTIGATION ASSIGNED TO:

LT H. [Signature]

CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC

State of New York

COUNTY OF _____

This document was acknowledged before me on _____ [Date] by
_____ [name of principal].

[Notary Seal, if any]:

(Signature of Notarial Officer)

Notary Public for the State of New York

My commission expires: _____

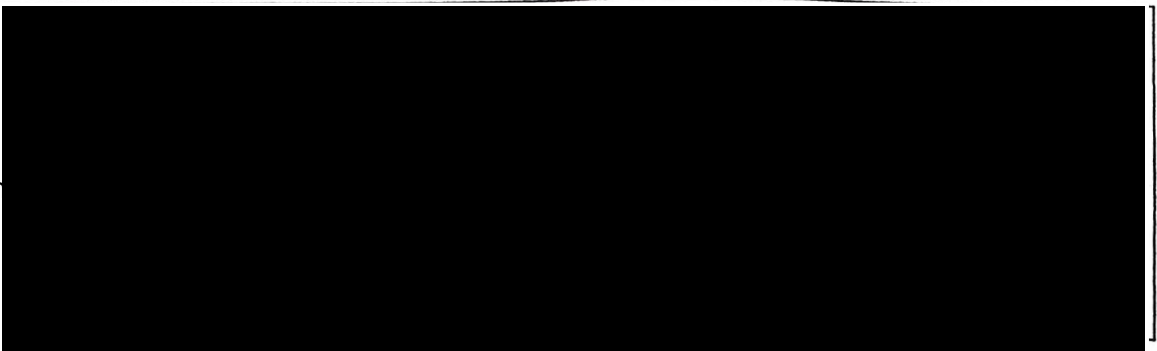
GENEVA POLICE DEPARTMENT

CR# _____

Complaint Action Form

(E) This form is to be completed in full and signed by the complaining citizen and a notary republic, if not signed by a Sergeant or Lieutenant of the Geneva Police Department. **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>Choffin</u>	Badge Number <u>807</u>
Name: _____	Badge Number _____

INCIDENT

Time/Date:	
Nature of Complaint:	<u>officer took my benefit (NYS) NY Driver's license</u>

WITNESS(ES)

Name:	
Address:	
Name: _____	_____ (H) _____ (W)
Address: _____	

1. Are you making this complaint of your own free will: Yes ☒ No ☐

2. Were you arrested as a result of this incident: Yes ☐ No ☐

If yes, what charge: _____

Date: _____

Disposition (fine, imprisonment, etc.): _____

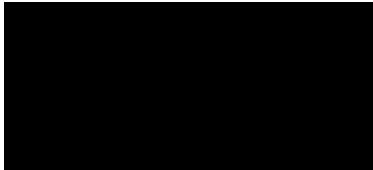
3. Are you willing to appear and give testimony under oath at a department hearing and/or criminal proceeding: Yes ☒ No ☐

COMPLAINT - state exact circumstances of the complaint

on the [REDACTED] I was having a heated conversation with my brother on the phone in which I [REDACTED] inadvertently became loud and excited while walking out the [REDACTED] when I reached outside I was no longer talking to my brother on the phone I was talking to my step father [REDACTED] when the officer pulled up and asked me for my Id. I handed him my NYS benefit card. so later on during this occurrence I was never give my Id's back and I notice that my NJ driver's license was missing as well. My father was on the phone all during this incident he heard what happen and while I was in the police car he heard what was going on and had asked me why are they giving me a ticket. He also heard while they were asking me question and loudness from the officers. He was very concerned about me (my father [REDACTED] that I didnt notice until I was release that he left three voice mails. I wouldn't have filed this complaint asking for my Id's. spoke to Desk Sgt at the percent and officer S. Barrett. This is total unprofessional and I suffer mental illness and my symtoms dont allow me to easily calm down like others and I recieve treatment from Ontario county mental Health. The officers were infromed of my conditions and still refused to acknowledge that I have mental problems and I should have been treated with better care. As a note I have treatment Dynoses and symtpons from Ontario County mental health. And this officers and aswell as the other officer's were. unnessecarry ruff with me because I was very loud and hyperactive (I was born with hyperactiveness and ontario county mental health knows this, this is a form of discrimination, and prejudice treatment because of how I look and act.



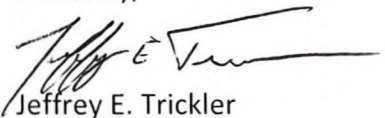
July 5, 2016



Relative to your complaint an investigation was conducted by Lt. Heieck. During the course of the investigation the items you reported missing were located and returned to you. It was concluded the items were misplaced by officers during the course of your arrest.

Thank you for calling your concerns to my office. I apologize for the inconvenience this may have caused you.

Sincerely,


Jeffrey E. Trickler
Chief of Police



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





July 19th, 2013

Det. Choffin:

I reviewed an internal investigation conducted regarding an incident that occurred on [REDACTED]
[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] after 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 26th, 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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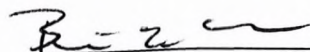




July 26, 2013

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
(315) 789-1111 - Fax (315) 789-1814 - 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 as your offer for EAP during this time. 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





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

A handwritten signature in black ink, appearing to read "Jeffrey E. Trickler". The signature is fluid and cursive, with a prominent "J" and "T".



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



To: Chief Trickler

June 11, 2013

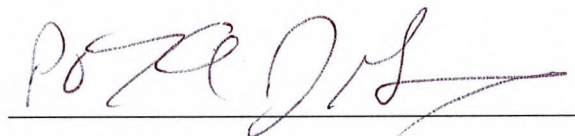
From: P.O. Kenneth J. Greer

Re: Complaint # [REDACTED] Det. Choffin

Chief Trickler,

On [REDACTED] at about 12:55pm, I responded to the area of [REDACTED] to assist Officers on a disturbance call. Upon my arrival, Officers were entering the apartment at [REDACTED]. This apartment belonged to [REDACTED]. I entered the apartment to assist Officers present as there was a large group of people inside. As I entered, there were about 4-5 male subjects sitting on a couch area, and one subject was holding a small infant. Present were P.O.'s Felice and Steve, Sgt. Valenti, and Det. Choffin. I remained in the front door area of the apartment as other Officers interviewed several of the subjects. At one point P.O. Steve located [REDACTED] inside the apartment. This subject had a large cut on the top of his head. P.O. Steve began to escort [REDACTED] out the front door to an ambulance for a check over. At this time Det. Choffin was near my location at the front door area inside the apartment. As [REDACTED] walked past myself and Det. Choffin, I heard Det. Choffin say "Keep Smiling Motherfucker" to him. At this time [REDACTED] left the residence with P.O. Steve. At this point Det. Choffin walked back towards the 4-5 subjects sitting on the couch area and other officers left the apartment. I remained in the front living room area. Det. Choffin stated to the subjects "Who are we going to arrest today?" One subject stated "We didn't do anything" and Det. Choffin responded "You can all be arrested for endangering the welfare of a child because there is a baby here." At this point, Det. Choffin began to argue with a subject that was sitting on the couch about the whereabouts of [REDACTED]. I could not hear what was being said at this point, but I could tell that all the subjects on the couch were becoming angry. I then walked to the open front door to signal to P.O. Felice to come inside the residence for safety reasons due to the fact that myself and Det. Choffin were the only ones inside the apartment at this time. P.O. Felice and other officers came inside the residence and after a few minutes Det. Choffin left the Apartment. I remained inside the apartment at this time. After several minutes P.O. Steve reported he did not need to go back inside the apartment, so I then left the apartment. I walked to the area

of the ambulance on [REDACTED] and spoke with P.O. Steve, he stated he was all set. At this point I returned to my patrol car and left the area. I did not see Det. Choffin in the outside area of the apartment. At this time I do not know the names of the subjects that were inside the residence.

A handwritten signature in dark ink, appearing to read "P.O. Greer", is written over a horizontal line.

P.O. KENNETH J. GREER



City of Geneva POLICE DEPARTMENT

255 Exchange Street
Geneva, New York 14456
Phone: (315) 789-1111 Fax: (315) 789-1814

Jeffrey Trickler
Chief of Police

06-07-13

To: CHIEF TRICKLER
From: BRET STEVE

ON [REDACTED] THIS OFFICER ENTERED [REDACTED] WITH DET. CHOFFIN [REDACTED]
WHILE INSIDE THIS OFFICER WAS SPEAKING TO (VI) [REDACTED] [REDACTED].
DET. CHOFFIN ASKED (VI) SOMETHING TO EFFECTS OF "WHO HIT YOU?" (VI)
[REDACTED] TOLD DET. CHOFFIN HE DID NOT KNOW. DET. CHOFFIN THEN TOLD (VI)
"HE WAS NOTHING, BUT A SCUM BAG AND ON PAROLE." THIS OFFICER THEN
ESCORTED (VI) OUT TO THE AMBULANCE WHERE HE WAS CHECKED OVER FOR HIS
INJURIES. WHILE OUTSIDE THIS OFFICER SAW DET. CHOFFIN TALKING TO [REDACTED]
[REDACTED]. THIS OFFICER COULD NOT MAKE OUT WHAT DET. CHOFFIN WAS SAYING.
THIS OFFICER THEN SAW SGT. VALENTI TRY TO ESCORT DET. CHOFFIN AWAY.

RESPECTFULLY,

P.O. B. Steve
P.O. BRET STEVE

cc:



6.10.2013

RE: Detective Brian Choffin

CR [REDACTED]

Chief Trickler:

Per your directive I offer the following observation of call for service complaint on [REDACTED] and my observations of the incident:

1. Upon arrival Detective Choffin was already making comments with his window down.
2. After Officers had gained access to the residence on [REDACTED] Detective Choffin exited the house and immediately stated in a loud clear voice to [REDACTED] [REDACTED], "You lost your kids [REDACTED]!"
3. He continued to chide and demean [REDACTED] [REDACTED] with his words while be told to stop by both Chief of Police and on-duty Sergeant.
4. He failed to comply for a period of time, but eventually did as he was pushed away by Sergeant Valenti.
5. I never entered the residence.
6. These are my only observations of this incident.

Respectfully,

Eric R. Trickler

Geneva Police Department
Jeffrey E. Trickler



TO: Chief Trickler
FROM: Sgt. M. Valenti
RE: Det. Choffin
DATE: June 9, 2013

Dear Chief,

On [REDACTED] at or about 12:54pm all unit responded to a Disturbance in progress on [REDACTED]. Upon investigating the incident it was determined that the victim had run into [REDACTED] with a head injury. [REDACTED] is the tenant at [REDACTED]. After gaining entry into the residence the victim ([REDACTED]) was located hiding in the basement.

[REDACTED] stated that he was fine and that an unknown male struck him in the head with a hammer. [REDACTED] did have a minor head injury but continued to state that he was fine. [REDACTED] was speaking with Officer Felice in the kitchen of the apartment and had a good demeanor with Officer Felice. The ambulance arrived on scene and Officer Felice asked [REDACTED] to exit the apartment through the front door to get a check over by the ambulance. [REDACTED] was walking through the living room of the apartment which was occupied by approximately 5 other males as well as Det. Choffin, and Officer Greer. Officer Felice was walking behind [REDACTED] and I was immediately behind Officer Felice. As [REDACTED] passed Det. Choffin, Det. Choffin looked at [REDACTED] and stated "Keep smiling Fuck Face." [REDACTED] had his back to me so I could not hear what he immediately said to Det. Choffin but Det. Choffin stated something to [REDACTED] along the lines of selling drugs. I also could not hear that but I advised Det. Choffin to leave [REDACTED] alone and to stop speaking to him.

Several minutes later I was outside the apartment on the sidewalk close by Lt. Heieck, Sgt. Picchi and yourself, when Det. Choffin exited the apartment and yell something to [REDACTED] about "us taking her kids". I do not remember the exact words. [REDACTED] immediately looked in our direction and yelled "Chief! Chief! Do you hear him?! He's harassing me!"

That is when you walked over to diffuse the situation. I clearly heard you advise Det. Choffin several times to walk away from [REDACTED] and to stop talking. You then began to speak with [REDACTED] and Det. Choffin continued to say things to [REDACTED]. I then walked over in an attempt to remove Det. Choffin from the area. I put my hand on Det. Choffin's shoulder and stated "Brian, let's go. Get away from the Chief." Det. Choffin did then look at me and stated "Don't put your hands on me Matt". I again advised Det. Choffin to stop and leave. Det.



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



Choffin just stood there staring off and I could tell that he was angry. That is when you turned around from [REDACTED] and advised Det. Choffin again to leave which he complied.

Sincerely,

Sgt Matt J. Valenti

Sgt. Matthew J. Valenti

Dear Chief Trickler,

On [REDACTED] I was assigned to work the day shift as the west car from 6:30am to 3:00pm. I responded to the assault complaint on [REDACTED] along with other uniformed and plainclothes officers. I did not make entry into [REDACTED] when the other officers initially went inside, as I was checking [REDACTED] and the surrounding area for the victim of the assault. When I made entry to the rear of the residence myself and Sgt. Valenti located [REDACTED] [REDACTED] coming upstairs from the basement. This officer assisted PO Steve with speaking to the victim [REDACTED] [REDACTED] who was uncooperative in regards to pressing charges and giving information. This officer heard Det. Choffin asking other people in the living room where [REDACTED] was, and that [REDACTED] [REDACTED] is still talking to him. Det. Choffin and other officers left shortly thereafter. I heard Det. Choffin say something about calling CPS on [REDACTED] and having her children removed as he was exiting the residence.

Sincerely,

PO David Felice

A handwritten signature in dark ink, appearing to read "PO David Felice", with a stylized flourish at the end.

To: Chief Trickler

From: Sgt. Michael J. Passalacqua

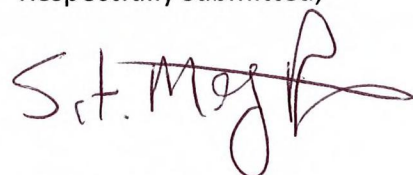
Date: June 11, 2013

Re: Detective Choffin

Chief,

On [REDACTED] I assisted units on [REDACTED] at the disturbance involving [REDACTED] [REDACTED]. While on scene and inside the house I cleared the house with Detective Choffin and had all parties located in the residence go to the living room on the first floor. [REDACTED] [REDACTED] was located in the basement of the residence when I had stepped outside after clearing the 1st and 2nd floors. As I walked back into the house, I observed [REDACTED] [REDACTED] walking from the dining room area towards the front door. Detective Choffin told [REDACTED] [REDACTED] he was a piece of shit and told him to get the "fuck" outside. After [REDACTED] left the house to go outside, Detective Choffin asked me if I knew where [REDACTED] [REDACTED] was and I advised him that I last saw her standing in the driveway on the west side of the house. Detective Choffin headed for the front door to go outside so I followed him. When Detective Choffin got outside to the front porch he immediately was yelling for [REDACTED] and asking other officer's where she was. Once Detective Choffin located her, he told her that he was going to take her kids away from her and came off the front porch and approached her. I observed Chief Trickler try to intervene and stop Detective Choffin from getting any closer to her. I then heard Chief Trickler tell Detective Choffin numerous times to walk away and get away from where [REDACTED] was. Sgt Valenti had gone over at that point and was trying to get Detective Choffin to walk away and told him to stop talking to [REDACTED]. Detective Choffin disregarded both the Chief and Sergeant Valenti and kept verbally harassing [REDACTED]. Detective Choffin told Sgt Valenti, "I don't care Matt, she knows where [REDACTED] is and that's what this is all about. Detective Choffin was insubordinate to both Chief Trickler and Sgt. Valenti while on scene on [REDACTED] Detective Choffin has since apologized to me for his actions on [REDACTED] on the day in question.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Sgt. M. Passalacqua", with a stylized flourish at the end.

Sgt. Michael J. Passalacqua



Geneva Police Dept. Day Shift



Memo

To: Chief Jeff Trickler

From: Sgt. Picchi

Date: June 10, 2013

Re: Detective Choffin

On [REDACTED] at about 1300, I was on scene with several other officers, of a disturbance on [REDACTED]. During that time, I observed Detective Brian Choffin exit the residence at [REDACTED] and say to [REDACTED] something about losing her kids. [REDACTED] who was standing near you, yelled something to the effect of "Did you hear that Chief, he's harassing me". Detective Choffin then walked up to [REDACTED] and was conversing with her but I did not hear their conversation. I then heard you say several times for Detective Choffin to stop and walk or get away from [REDACTED]. Sgt. Valenti then walked over and talked with Detective Choffin saying something to the effect of "come on, enough" before both of them walked away from [REDACTED].

Sgt. J. Picchi
Sgt. J. Picchi