

GENERAL INFORMATION

Supervisor: TTUR TURNER Dispatcher: TTUR TURNER Call Taker: TTUR TURNER
Date/Time: 08/31/14 19:49 Reported Signal: PERSONNEL COMPLAINT/COMMENDATION 101
Actual Signal: PERSONNEL COMPLAINT/COMMENDATION 101 Received By: WALK-IN
Received: 19:49:01

Vehicle Description:

Plate No.: State: NY
Disposition: P Disp. Date: 08/31/14 20:01 Report Taken: NO
Action Taken:
Reference No. 1: Reference No. 2:

LOCATION

Location Name: Zone:
Address:
Alt. Address: Direction:
Apt. No.: City: GENEVA Intersection:
Phone No.: (315) ____-____

CALLER INFORMATION

Last Name: TURNER First Name: SGT Middle Name/Suffix:
Alias/Maiden Name: DOB:
Address: GPD
City: GENEVA State: NY Zip: 14456 ____
Phone: (315) 789-1111 Anonymous: NO

RESPONDING UNITS/OFFICERS

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

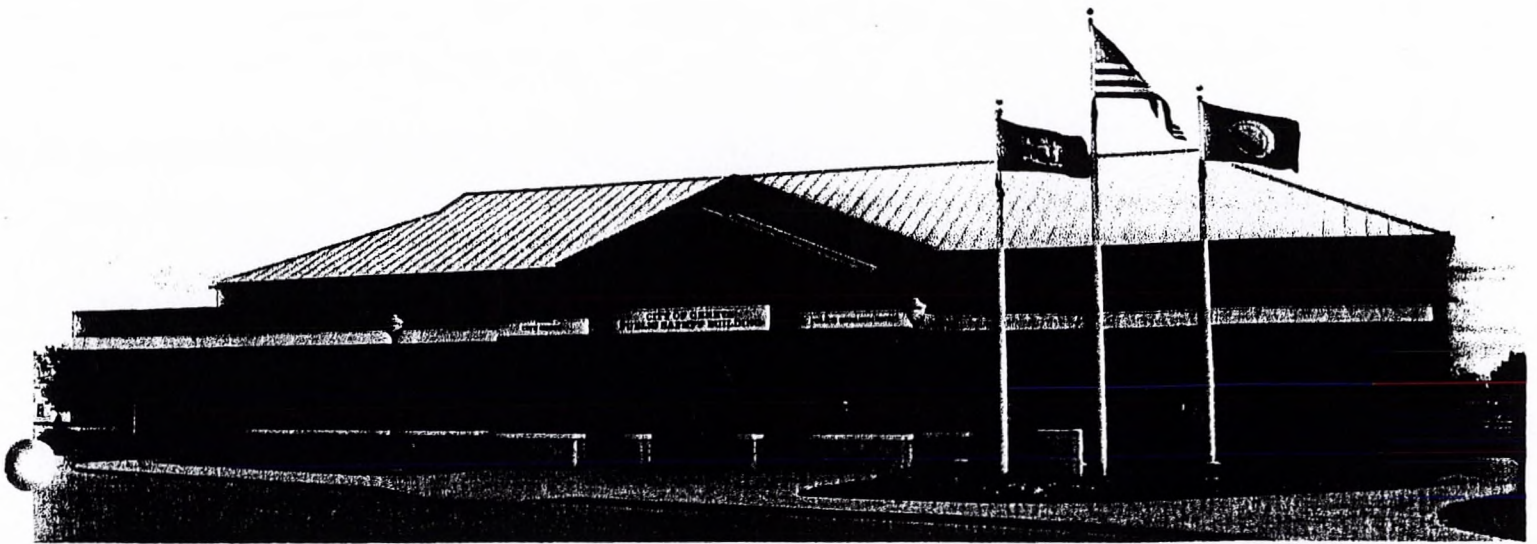
<u>Name</u>	<u>Alias</u>	<u>DOB</u>	<u>Address</u>	<u>Phone</u>	<u>Sex</u>	<u>Inv.</u>
HINMAN, EMILY			, , NY 14456-____	(315) ____-____		CO

NOTES

COMPLAINANT AT THE PSB REGARDING A PERSONNEL COMPLAINT
CITIZEN COMPLAINT FORM ISSUED COMPLETED AND SIGNED

GENEVA POLICE DEPARTMENT

Citizens Complaint Form



Chief J. Trickler

Public Safety Building
255 Exchange Street
Geneva, New York 14456
315.789.1111

Summary of Complaint Process

- The complaint can be downloaded from the City of Geneva website: www.geneva.ny.us or picked up at Geneva Police Department, 255 Exchange Street, Geneva, New York.
- After completion of the form it should be notarized by a Notary of your choice or signed in front of Sergeant or Lieutenant of the Geneva Police Department.
- After your complaint has been filed, it is assigned and investigated and given a Case Number. All available witnesses will be contacted, and any physical or other relevant evidence including records, reports, recordings and computer data will be collected and reviewed. You will be personally contacted by a Lieutenant or another person designated by the Chief of Police.
- Once the investigation is completed, the investigation and its report will be forwarded to the Chief of Police for final disposition of the case. When a complaint is sustained, the Chief shall determine and administer appropriate corrective and/or disciplinary action.
- Department policy requires that the complaint investigation to be completed within 45-60 days; however, the Chief of Police can waive the time frame depending on the complexity and sensitivity of the investigation.
- After the investigation has been completed and the Chief of Police has made a final decision on the case, you will be notified of the results by mail.

Most Often Asked Questions

- **HOW DO I FILE A COMPLAINT?** We would prefer to talk with you about your complaint in person; however complaints will be accepted by mail or in person. If they are submitted by mail, please ensure they have been notarized.
- **WHAT IS A COMPLAINT?** A complaint is a belief that a member of the Geneva Police Department has violated a Department Rule or Procedure, a federal or state law, an ordinance of the City of Geneva, or dissatisfaction with a policy or procedure of the Geneva Police Department.
- **WHAT DOES THIS PROCESS NOT HANDLE?** This process does not litigate or decide the outcome of any parking, traffic, criminal or non-criminal offense. These questions should be directed to the court of jurisdiction or your own legal counsel.
- **WHO CAN MAKE A COMPLAINT?** Anyone can file a complaint if they truly and honestly believe a police employee has acted improperly.
- **WHO INVESTIGATES A CITIZEN COMPLAINT?** Complaints of alleged misconduct are investigated by the Internal Affairs Lieutenant and his staff as needed. The investigation is then reviewed by the Chief of Police and Personnel Office if needed.
- **WHAT WILL HAPPEN TO THE EMPLOYEE?** That will depend on the results of the investigation. If the employee is found to be at fault the complaint will be SUSTAINED and the appropriate corrective

and/or disciplinary action will be taken. If they acted properly, they will be EXONERATED. If the facts show that the complaint is false, the complaint will be unfounded. In those cases where the department is unable to determine the validity of the complaint and cannot arrive at any other conclusion, the complaint will be NOT SUSTAINED. If the investigation concludes that the involved employee's conduct was not misconduct but rather an issue of department service or procedure, your complaint will be satisfied as such. In cases of department service or procedure, Geneva Police Department will attempt to clarify or correct the issue.

- **WHAT IF MY COMPLAINT INVOLVES CRIMINAL BEHAVIOR?** The Ontario County District Attorney's Office may be consulted on any complaint that alleges criminal investigation while the internal investigation is pending.
- **WILL I BE TOLD THE RESULTS OF THE INVESTIGATION?** YES – At the conclusion of the investigation and review by the Chief of Police, you will be notified of the results by mail. Due to contractual and legal restrictions, you will be only be given the finding of the investigation of whether your complaint was SUSTAINED, UNFOUNDED, EXONERATED, NOT SUSTAINED, OR IS ONE OF DEPARTMENT SERVICE OR PROCEDURE. The department is prohibited from revealing specific personnel actions taken against the employee.
- **CAN I GET IN TROUBLE FOR MAKING A COMPLAINT?** NO – Every citizen has the right to file a complaint, if it is done in good faith, with an honest belief that an employee of the acted improperly. If a false statement is made you may be charged under the NYS Penal Law Section 210.45.
- **ABOUT THE COMPLAINT FORM.** The attached form should be used to file your complaint. You can attach as many additional pages as necessary, along with any supporting evidence you may have. After you complete the form have it notarized or sworn to by a Sergeant or Lieutenant of the Geneva Police Department. After it being notarized you may also mail it to the following address:

**City of Geneva Police Department
Office of Chief of Police
PSB, 255 Exchange Street
Geneva, New York 14456**

CR#

GENEVA POLICE DEPARTMENT

Complaint Action Form

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: _____

Badge Number _____

Name: _____

Badge Number _____

INCIDENT

Time/Date: _____

Nature of Complaint

Unsafe driving8/14/56

WITNESS(ES)

Name:

Address:

Name:

Address:

(H) _____ (W) _____

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

I was driving coming from Lewis street in Geneva on to main street when two officers were getting into their cars. I let both officers get into their vehicles when I proceeded to turn left. As I pass the first officer he waited and let me pass the other officer however in an unmarked car with license plate GV-9 pulled out in front of me my roommate and her 3 year old god son who were in the car. He was not paying attention and did not look to see if anyone was coming. He nearly took out the front of my car. Seeing as driving is a major part of a police officers day I can only assume that they should always be aware of what they are doing keeping the safety of others in mind. ~~twice~~

**** 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 presence of Supervisor, *if not notarized*)

Time 2002

Supervisor Receiving Complaint: SGT. [Signature]

ADMINISTRATIVE USE ONLY

Reviewed By: _____

Name & Rank

Date Reviewed: _____ GPD Log No.: _____

☐ NO FURTHER ACTION

☐ INVESTIGATION ASSIGNED TO: _____

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: _____



To: Chief Trickler
From: Sergeant Turner
Re: Complaint
[REDACTED]

Chief Trickler,

On today's date 08-31-2014 I was contacted via telephone in regards to a complaint concerning one of our Officer's driving. The complainant was very upset about a Police vehicle pulling out in front of their vehicle. I explained that I could take the complaint over the phone or the complainant could respond to the PSB. The complainant, [REDACTED] came into the PSB with her friend [REDACTED]. They explained that they had turned right off of Lewis Street and as they proceeded North, a Police vehicle GV-9 pulled out directly in front of them almost striking their vehicle. There was NO damage to their vehicle or GV-9. Detective Nolin was operating GV-9 and was just clearing from a complaint at [REDACTED]. The complainant was very upset and requested a complaint form even though I attempted to mediate the situation. The complainant stated that she had a three year old child in the vehicle and that it would have been a serious accident. I gave the complainant a Complaint form and explained the process. The complainant wanted a copy of her complaint, but I explained that we do not give out copies of the form.

I spoke with Officer Knecht who was present and parked directly behind GV-9 when it pulled out. Officer Knecht stated that there was almost a collision and that it was close.

I spoke with Detective Nolin and he stated that he checked his blind spots and looked over his shoulder before pulling out and that there was no near collision.

I was at the complaint at [REDACTED] and I left just prior to the Officers getting into their vehicles, I did not see the complainant's vehicle so she must have been going pretty fast. Detective Nolin is a hard worker and does an excellent job for my shift. I have never observed Detective Nolin operate a Police vehicle in an unsafe manner.

Sergeant T. Turner



Dear [REDACTED]

Relative to your complaint against Officer Nolin, the following investigation was undertaken:

- Review of your complaint
- Interview with Officer Nolin

Specific Complaint –

1. Unsafe Driving

Finding –

1. Complaint is sustained. The matter will be handled internally.

Thank you for calling your concerns to my office. Complaints and inquires often can have a beneficial effect on my department.

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

