

EMPLOYEE WARNING RECORD

Employee Name PO Michael Passalacqua Clock Payroll No. Dept. Police
Shift 3p-11p Time: 10:50 ^{am} pm Date of Warning 5/10/07

WARNING

Date of Violation 4-30-07 Nature ☐ Substandard Work ☐ Conduct ☐ Tardiness ☐ Uncooperative
Time of Violation 10:15am Or
Place Violation Occurred City Court Violation ☐ Carelessness ☐ Disobedience ☒ missed Court Appearance

COMPANY REMARKS

Officer was scheduled for a Court Appearance in Geneva City Court for a Trial. Officer received a subpoena for the matter and failed to appear for C

Has Employee Been Warned	Form of Warning	When Warned and By Whom		
		1 st Warning	2 nd Warning	3 rd Warning
Previously?	Oral	12-8-05-Counseling		
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Written	Memo		

EMPLOYEE'S REMARKS RE: VIOLATION

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

See attached letter of explanation...

ACTION TO BE TAKEN

Written Warning: Sergeants Phillips and Picchi will counsel Officer Passalacqua regarding his Court appearance.

Approved by <u>Frank J. Pave</u>	<u>Chief</u>	<u>5-9-07</u>
Name	Title	Date
I have read this "warning" and understand it.		
Employee Signature <u>PO Michael Passalacqua</u>	Signature of Person <u>Sgt. [Signature]</u>	Date <u>5-8-07</u>
Date <u>5/10/07</u>	Title	Date
DISTRIBUTION OF COPIES		
<input type="checkbox"/> Employee	<input type="checkbox"/> Personnel Dept.	<input type="checkbox"/> Foreman/Supervisor
<input type="checkbox"/> Department Head	<input type="checkbox"/> Employee's Union Rep	Supervisor's Signature <u>[Signature]</u>
		Date <u>5-9-07</u>

FROM THE DESK OF LT. PETER J. LIBERATORE

TO: PO MICHAEL PASSALACQUA
FROM: LT. PETER J. LIBERATORE
SUBJECT: SCHEDULED CITY COURT APPEARANCE [REDACTED]
DATE: 5/8/2007
CC: SGT. PICCHI/SGT. PHILLIPS



Please advise why you did not appear for a scheduled City Court Trial on [REDACTED]
[REDACTED] for which a Subpoena was issued by CLO Winnek on 4-9-07.

[REDACTED] **No Plate Lamp: Trial**

Advise in writing to Sgt. Picchi and CC to my attention no later than 5-9-07.

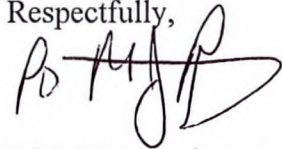
Thank-you

To: Sgt, Jim Picchi
From: PO Michael J. Passalacqua
Re: Court Appearance on [REDACTED]
Date: May 7, 2007
CC: Lieutenant Peter Liberatore

Sgt. Picchi,

I did receive a subpoena regarding the above mentioned court date from CLO Winnek. I was recently assigned to the narcotics unit back in February and have since been removed and placed back in uniform due to a personnel shortage on the 3pm-11pm shift. I fully understand that it is my responsibility to appear in court when I am served a subpoena, but can only attribute the fact that I missed this court date to the fact that my schedule has been changed due to the switch, with D.A.R.E. graduation and events surrounding the program, and also that I am trying to run a neighborhood watch program as well with meetings that I am attending on my days off sometimes. I am willing and accepting to any and all punishment that will come as a result of my absence from court on that day. I would also like to apologize for making the Geneva Police Department look the way that I did by not appearing when I should have been here.
Thank you in advance.

Respectfully,

A handwritten signature in black ink, appearing to read 'PO M.J. Passalacqua', written in a cursive style.

PO M.J. Passalacqua

EMPLOYEE WARNING RECORD

Employee Name MICHAEL PRASSERCOVA Clock am
Payroll No. _____ Dept. POLICE
Shift 3P-11P Time: 12-30 pm Date of Warning 12-08-05

WARNING

Date of Violation 11-08-05 Nature ☐ Substandard Work ☐ Conduct ☐ Tardiness ☐ Uncooperative
Time of Violation _____ Of Violation ☐ Carelessness ☐ Disobedience ☒ MISSING COURT
Place Violation Occurred PSB

COMPANY REMARKS

Has Employee Been Warned Previously?	Form of Warning	When Warned and By Whom		
<input type="checkbox"/> Yes <input type="checkbox"/> No	Oral Written	1 st Warning	2 nd Warning	3 rd Warning

EMPLOYEE'S REMARKS RE: VIOLATION

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

ACTION TO BE TAKEN

COUNSELLING MEMO 12-08-05

Approved by Frank T. Paine Chief of Police 12-14-05
Name Title Date
I have read this "warning" and understand it.
Employee Signature [Signature] Date 12/13/05
Signature of Person [Signature] Title SA Date 12-13-05
Who Prepared Warning
DISTRIBUTION OF COPIES
☒ Employee ☒ Personnel Dept. ☐ Foreman/Supervisor
☒ Department Head ☐ Employee's Union Rep
Supervisor's Signature [Signature] Date 12-14-08

EMPLOYEE COUNSELING MEMO

TO: PO Michael J. Passalacqua

FROM: Sergeant T. Biesenbach/Sergeant J. Picchi

RE: Failure to appear in Geneva City Court-Trial

Written Narrative: On November 08, 2005 you received Geneva City Court subpoena to appear in Geneva City Court @ [REDACTED] 2005 for a trial involving [REDACTED] for Right of Way violation. At [REDACTED] you failed to appear in Geneva City Court for said trial. At this time the Assistant District Attorney and the City Court Judge were ready to proceed. Although the cases were adjudicated, your failure to appear is a direct violation of general order 750, Court Appearance and Testimony section 3-procedures, of the Geneva Police Departments Policy and Procedure Manual.

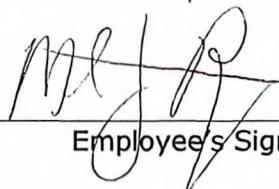
You must understand that this counseling memo is being served upon you so you may take corrective measures so it does not happen again.

We realize that your non-appearance was not intentional on your part, but when this type of incident occurs, it not only burdens City Court and in this case the District Attorney's Office, it also effects the standing of the officer and other members of the Geneva Police Department in the eyes of the judge and other court officials.

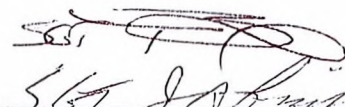
As you may or may not be aware further violation of this General Order may result in disiplinary action taken against you.

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

DATED: 12/8/05



Employee's Signature



Supervisor's Signature

Memo

To: PO Passalacqua
From: Lt. Peter J Liberatore
CC: Sgt.'s Biesenbach/Picchi
Date: 11/28/05
Re: Scheduled Court Appearance for [REDACTED]



Please advise why you did not appear for a scheduled Geneva City Court Trial this date.

See attached Court Subpoena

[REDACTED] : RT of Way Violation Trial.

Please advise in writing as soon as possible.

Thank-you

GENEVA CITY COURT SUBPOENA

GENEVA POLICE DEPT./ GENEVA CITY COURT
255 EXCHANGE ST.
GENEVA, NY 14456
(315) 789-1111/ (315) 789-6560

TO: P.O. PASSALACQUA

SUBJECT: [REDACTED] : RT OF WAY VIOL :TRIAL

DATE : 11-08-05

MESSAGE

MIKE,

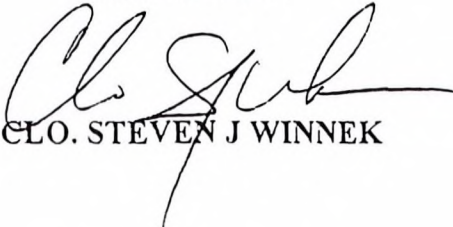
YOUR PRESENCE IS REQUIRED IN GENEVA CITY COURT ON

[REDACTED] FOR A SCHEDULED TRIAL ON THE ABOVE

SUBJECT. PLEASE ADVISE ME OF ANY CIVILIAN &/OR POLICE

OFFICER WITNESSES YOU MAY NEED FOR THIS TRIAL.

THANK YOU!


CLO. STEVEN J WINNEK

CC:
7AM-3PM SHIFT SUPERVISOR
3PM-11PM SHIFT SUPERVISOR
11PM-7AM SHIFT SUPERVISOR
CLO FILE

A.D.A. WILLIAM HART
CITY ATTNY A. CLARK CANNON

To: Lieutenant Peter J. Liberatore

From: PO Michael J. Passalacqua

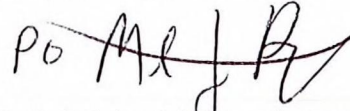
Date: 11/28/05

Re: Scheduled court appearance on [REDACTED]

Lieutenant Liberatore,

I was scheduled to be in court at [REDACTED] on the above date and failed to appear on this matter. I have to tell you that my court appearance slipped my mind and I forgot that I had a scheduled Vehicle and Traffic trial on [REDACTED]. I take pride in the way I perform as a Police Officer and part of that is being punctual, on time, and not forgetting things such as today's court appearance. I will do my very best to see that it does not happen anymore in the future. Thank you in advance

Respectfully submitted,

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

P.O. Michael J. Passalacqua