



City of Geneva POLICE DEPARTMENT

ORIGINAL

Michael Passalacqua
Chief of Police

255 Exchange Street
Geneva, New York 14456
Phone: (315) 828-6771 Fax: (315) 789-1814

TO: Chief Passalacqua
FROM: PO. T. Wagner
DATE: 04/07/2021
RE: Discipline

Chief Passalacqua I have taken time to consider our previous conversation and except the discipline. This was not an easy decision for me as this punishment will not only affect me but my family as well. I would like to request to meet with you before the punishment is handed out to me, if necessary, I would be more that happy to stop in on one of my days off to do so.

Thank You

Officer Trevor Wagner



To: Police Officer Trevor Wagner
From: Chief Michael J. Passalacqua
Re: Summary Discipline
Date: March 30, 2021

Officer Wagner,

I am in receipt of a file from Sergeant Bielowicz regarding [REDACTED] Suspicious Condition complaint. Along with that, I have pulled two Counseling Memos from your file within the last 18 months. First one relating to Substandard Work dated January 9th, 2020 which you signed for on January 17th, 2020 regarding a complaint at [REDACTED]. The second Counseling Memo was relating to Neglect of Duty which you signed for on February 15th, 2020 regarding a vehicle pursuit. I also reviewed Supervisory documentation of incidents pertaining to issues of Substandard Work on October 23rd, 2019 regarding not responding to a Suspicious Person complaint along with several other issues. There was also Supervisory documentation on October 31st, 2020 regarding an investigation [REDACTED].

The Geneva Police Department has taken informal disciplinary measures against you in an attempt to correct your work and allow you to begin performing as expected as a Police Officer for the City of Geneva Police Department. Informal discipline is a measure taken to correct work behaviors that are substandard or violate Department General Orders.

Based on the information available to me, the information I have received from your direct Supervisors, and review of Body Worn Camera footage the following General Orders have been violated by you within the past 18 months:

1. GO 415 III (c) 1 under Patrol Procedures [REDACTED] complaint)
2. GO 305 III (11) under Rules of Conduct [REDACTED] complaint)
3. GO 305 III (11) under Rules of Conduct [REDACTED] complaint)
4. GO 305 (3) A under Rules of Conduct (Vehicle Pursuit)

As the Chief of Police part of my responsibility is to ensure that all officers of the Geneva Police Department are operating in their capacity while conforming to all standing Geneva Police Department General Orders. Your failure to correct your performance when informal disciplinary measures were taken against you has brought us to this point today.



Geneva Police Department
MICHAEL J. PASSALACQUA
Chief of Police

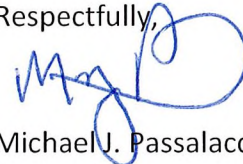
255 Exchange St. - Geneva, New York 14456
(315) 828-6771 - Fax (315) 789-1814 - cityofgenevany.com



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

Conclusion of Disciplinary Action: I am offering Summary Discipline amounting to five (5) full days without pay and future violations of this type may result in further or more progressive discipline. Please respond to my office by the end of the business day (4:00pm) on April 7th, 2021 regarding your decision consistent with contract language in Article 19.2 of the Geneva Police Officer's current contract.

Respectfully,

A handwritten signature in blue ink, appearing to read "Michael J. Passalacqua", with a large circular flourish at the end.

Michael J. Passalacqua
Chief of Police



City of Geneva POLICE DEPARTMENT

255 Exchange Street
Geneva, New York 14456
Phone: (315) 828-6771 Fax: (315) 789-1814

Michael Passalacqua
Chief of Police

TO: Chief Passalacqua
FROM: Sergeant Bielowicz
DATE: 3/24/2021
RE: [REDACTED]

Chief, I have attached an employee warning record for Officer Trevor Wagner in regards to the [REDACTED] complaint. Officer Trevor Wagner has been counseled for substandard work on 3/26/2019 (failing to check statuses of parties on a domestic, but checked the boxes that he did), 1/17/2020 (failing to assume his job responsibilities), 2/9/2020 (watching movies during a chase). I also submitted memos with verbal reprimands for substandard work on 10/23/19 (doing nothing on his burglary complaint and watching movies), 7/10/19 (not finding drugs in an arrestees purse), and 10/31/2020 (no investigation at [REDACTED]). I believe it is time for progressive discipline to increase due to the repeated and continued violations. I have also attached Officer Trevor Wagner's previous disciplinary record.

Respectfully,

Sgt. Nicholas Bielowicz



GENEVA POLICE DEPARTMENT

EMPLOYEE WARNING RECORD



Employee Name: Trevor Wagner

Shift: Nights 10:30p-7a

Time:

Date of Warning:

WARNING

Date of Violation:

Nature of Violation: Substandard Work

Time of Violation:

02:54

(If Other – Explain): GO 415 Violation, GO 305 Violation

Place of Violation:

COMPANY REMARKS

Officer Wagner responded to [REDACTED] for a suspicious condition complaint. Upon arrival, [REDACTED] made a criminal complaint to Officer Wagner about a male reaching in his window and grabbing his hair while he slept. Officer Wagner did not examine the window for fingerprints or call for an evidence technician, did not secure a supporting deposition from the victim, did not inquire if the victim wanted to press charges, and did not attempt to locate the suspects and closed out the call with a "GOA."

Officer Wagner failed to conduct a vigorous and thorough investigation of all information observed or brought to his attention (G.O. 415 III C 1).

Officer Wagner conducted an unsatisfactory performance when officers shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Officers shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the department. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the officer's rank, grade, or position; the failure to take appropriate action, the occasion of a crime, disorder, or other condition deserving police attention (G.O. 305 III 11).

Employee Has Been Warned Previously: ☒ YES ☐ NO

Form of Warning: Counseling Memo X3

Date of Previous Warnings: 3/26/19, 1/7/20, 2/9/20

Warned by Whom: Sgt. Nolin, Sgt. Bielowicz

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

5 day Un-paid Suspension based on this incident + others over the past 18 months as cited in Summary Discipline letter

Approved by: _____ Chief of Police
Name Signature Title

Date: _____

I have read this "warning" and understand it.

Employee Signature Date Supervisor Signature Date

DISTRIBUTION OF COPIES:

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

EMPLOYEE COUNSELING MEMO

TO: Officer Trevor Wagner
FROM: Sergeant Nicholas Bielowicz
RE: Suspicious Condition at [REDACTED]
DATE: [REDACTED]



Officer Wagner responded to [REDACTED] around 0254 on [REDACTED] for suspicious condition complaint. Upon arrival, [REDACTED] made a criminal complaint to Officer Wagner about a male reaching in his window and grabbing his hair while he slept. Officer Wagner did not examine the window for fingerprints or call for an evidence technician, did not secure a supporting deposition from the victim, did not inquire if the victim wanted to press charges, and did not attempt to locate the suspects and closed out the call with a "GOA."

Officer Wagner failed to conduct a vigorous and thorough investigation of all information observed or brought to his attention (G.O. 415 III C 1).

Officer Wagner violated G.O. 305 Rules of Conduct III 11 by unsatisfactory performance when officers shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions. Officers shall perform their duties in a manner which will maintain the highest standards of efficiency in carrying out the functions and objectives of the department. Unsatisfactory performance may be demonstrated by a lack of knowledge of the application of laws required to be enforced; an unwillingness or inability to perform assigned tasks; the failure to conform to work standards established for the officer's rank, grade, or position; the failure to take appropriate action, the occasion of a crime, disorder, or other condition deserving police attention.

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

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

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

DATED: _____

Employee's Signature

Supervisor's Signature



City of Geneva POLICE DEPARTMENT

255 Exchange Street
Geneva, New York 14456
Phone: (315) 828-6771 Fax: (315) 789-1814

Michael Passalacqua
Chief of Police

TO: Officer Wagner
FROM: Sergeant Bielowicz
DATE: 3/15/2021
RE: [REDACTED]

Officer Wagner, you were assigned to the west patrol and responded to [REDACTED] on [REDACTED]. In writing, please explain the following:

1. The victim is reporting a criminal offense, what type of criminal investigation did you conduct and why?
2. Why didn't you secure a supporting deposition from the victim?
3. Did you make any attempt to contact the suspects to see if there's any validity to the victim's story?

Respectfully,

Sgt. Bielowicz



City of Geneva POLICE DEPARTMENT

255 Exchange Street
Geneva, New York 14456
Phone: (315) 828-6771 Fax: (315) 789-1814

Michael Passalacqua
Chief of Police

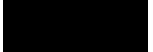
TO: Sgt. Bielowicz
FROM: PO. Trevor Wagner
DATE: 03/23/2021
RE: [REDACTED]

On [REDACTED] at about [REDACTED] I was assigned to patrol the west post of the city. I was dispatch to [REDACTED] with PO Resendiz for back up, for a suspicious condition at [REDACTED] house. My response route to the house took me west bound on [REDACTED] north bound on [REDACTED] and west bound on [REDACTED]. I did not observe the large group of youth that [REDACTED] reported on any of the streets. When I arrived on scene [REDACTED] stated that someone had opened his bedroom window, reached in and pulled his hair. I estimated the window to be 6.5 to 7 feet off of the ground. I observed that there were no footprints in the flower bed below the window and that my own footprints were being left in the flower bed. There were also no footprints on any objects in the flower bed that could have been used to stand on to possibly reach the window. Officer Resendiz arrived on scene as I was speaking to [REDACTED] who was stating that the kids took off towards [REDACTED]. I asked Officer Resendiz what route he took to get to the scene and he said that he came west bound on [REDACTED], then south bound on [REDACTED], then west bound on [REDACTED], then south bound on [REDACTED], and west bound on [REDACTED]. Officer Resendiz said that he did not see anyone running or even walking down [REDACTED].

[REDACTED] showed us some pictures on his phone of the people who he believed were there. He showed us photos of [REDACTED] and then a picture of [REDACTED] came out and Officer Resendiz asked if she had heard a commotion outside. [REDACTED] stated that she did not hear anything and her dog would have reacted if it heard something. [REDACTED] stated also that [REDACTED] mom lives on [REDACTED] and that [REDACTED] father lives on [REDACTED]. Then [REDACTED] again showed us another picture of [REDACTED] asked that we try to find the kids but was not sure of the exact addresses. After leaving the scene I drove through both streets and then checked [REDACTED] just in case they had taken a different route. I saw no one walking in any of the areas and no signs of activity on [REDACTED] or [REDACTED]. Shortly after clearing the call, [REDACTED] called back stating that he wanted to show me a voicemail left by [REDACTED] father prior to the incident. He was claiming that the message was threatening. I read the message which did not have any threat in the text. I explained to him that I could understand why he felt that the message was threatening and explained why under NYS law that it was not. [REDACTED] then stated that he was going to call [REDACTED] father and leave similar messages. I advised him against doing this.

Supporting depositions were not secured because [REDACTED] stated that he just wanted the kids found, the only time he asked for someone to be arrested was for the message which did not constitute a crime. I was unable to locate the suspect to speak to him.

P.O. Trevor Wagner #837

**GENERAL INFORMATION**

Supervisor: NRIE BIELOWICZ

Dispatcher: 00 BIELOWICZ

Responding Officer: TWAG WAGNER

Date/Time: [REDACTED]

Reported Signal: SUSPICIOUS-CONDITION/VEH/PERS

Actual Signal: SUSPICIOUS-CONDITION/VEH/PERS

Received By:

Received: 02:54:36

Cleared: 03:13

Vehicle Description:

Plate No.:

Disposition: GOA

Action Taken:

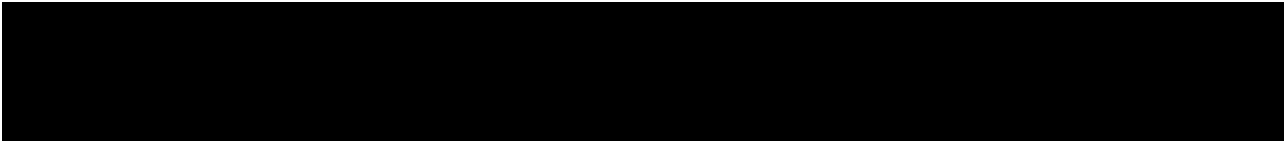
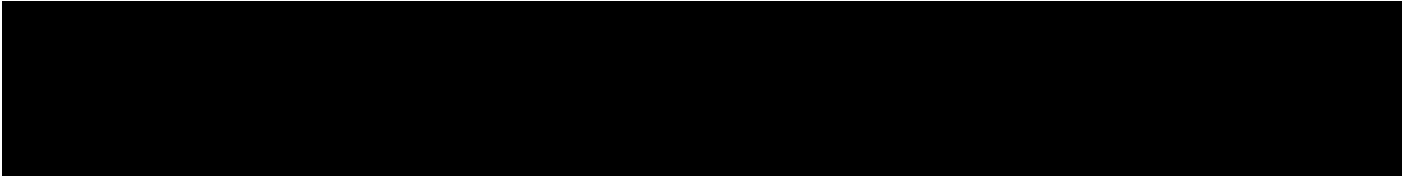
Reference No. 1:

State:

Disp. Date: [REDACTED]

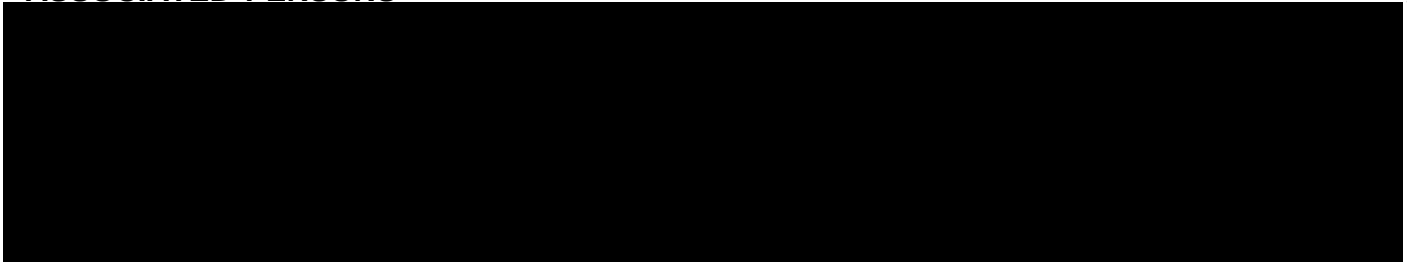
Report Taken: NO

Reference No. 2: G210690016

LOCATION**CALLER INFORMATION****RESPONDING UNITS/OFFICERS**Unit/Officer

G837

G843

ASSOCIATED PERSONSInv.
SUB

SUB

NOTES

CALLER STATES THAT [REDACTED] AND 5 TO 6 OTHER KIDS SHOWED UP AT HIS HOUSE. CALLER STATES THAT [REDACTED] REACHED INTO HIS BEDROOM WINDOW AND PULLED HIS HAIR. CALLER LAST SAW THE GROUP WALKING TOWARD [REDACTED]

NO ONE SEEN WALKING ON [REDACTED] WHEN I RESPONDED TO THE CALL AND OFFICER RESENDIZ DID NOT SEE ANYONE ON [REDACTED] CALLER HAS CAMERAS BUT STATED THAT THEY ARE NOT WORKING AT THIS TIME.

CALLER HAD A VOICEMAIL FROM (SUB) [REDACTED] FATHER THAT HE BELIEVED TO BE THEATENING. NO THREAT MADE IN THE VOICEMAIL, IT JUST ASKED THAT THE CALLER LEAVE FAMILY OUT OF THEIR DISAGREEMENT.



GENEVA POLICE
DEPARTMENT
EMPLOYEE WARNING
RECORD



Employee Name: PO Trevor Wagner
Shift: 22:30-07:00 Time: 2:46AM Date of Warning: 02/09/2020

WARNING

Date of Violation: 01/16/2020 Nature of Violation: Neglect of Duty GO 305, III, a
Time of Violation: 02:46 am (If Other – Explain): -
Place Violation Occurred: Public Safety Building

COMPANY REMARKS

Officer was watching streaming video service on vehicle MDT. Employee was previously reprimanded to about using streaming media on the MDT 10/23/2019.

Refer to attached documents

Employee Has Been Warned Previously: ☒ YES ☐ NO

Form of Warning: Verbal

Date of Previous Warnings: 10/23/2020 19

Warned by Whom: SGT Bielowicz

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****

~~Refer to attached statement.~~

ACTION TO BE TAKEN

Counseling Memo + Sit Down Discussion w/
803 + Shift Supervisor

Approved by: Michael J. Passalungha POP [Signature] 2/10/2020
Name Title Date

I have read this "warning" and understand it.

P.C. Trevor Wagner 2/15/20
Employee Signature Date

[Signature] #862 2/15/2020
Supervisor Signature Date

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

EMPLOYEE COUNSELING MEMO

TO: Police Officer Trevor Wagner



FROM: Sergeant Patrick Nolin

RE: [REDACTED]

On [REDACTED] at about 02:46 hours Uniform Officer Trevor Wagner was in operation of marked Geneva Police Patrol Vehicle GV-8. He engaged in a vehicle pursuit on [REDACTED]. Prior to engaging in the pursuit Officer Wagner had neglected his duty by viewing streaming internet video media for personal use on the computer in the car. Officer Wagner had been verbally counseled by Sergeant Bielowicz on the use of streaming internet video media for personal use on the computer in the patrol vehicle on [REDACTED].

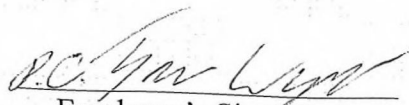
In the future, you will not use any internet streaming media service for personal use on computers in police vehicles. If the use of an internet streaming media service is needed for a work-related matter you will receive clearance from your on-duty supervisor to use such a service. This type of activity builds a complacent mindset for an officer. This leads to a safety risk for the public your fellow officers and yourself.

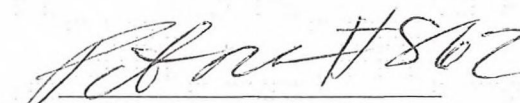
You must understand that this counseling memo is being completed so that you may take immediate corrective measures so it does not happen again. You must take precautions as stated in GO 305 III a Neglect of Duty, so that this type of situation does not occur again.

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

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

DATED: 2/15/20


Employee's Signature


Supervisor's Signature

TO: PO Wagner' File

From: Sergeant Nolin

Date: July 20, 2019

Subject: [REDACTED] Verbal Counseling

On [REDACTED] at about 00:44 hours Officer Wagner arrested [REDACTED] on a warrant for failure to appear on VTL offenses. The subject was processed at the PSB and then transported to OCJ to be held for arraignment.

On [REDACTED] at about 05:24 hours I was advised by dispatch to contact Jail Sergeant [REDACTED]. I contacted him via phone. He reported that when the jailors were conducting intake of [REDACTED] an envelope containing marihuana was located in her purse.

On [REDACTED] at about 05:26 hours Officer Wagner came into my office I advised him of the marihuana being found. He reported that he did not observe it when he checked her property. I advised Officer Wagner that he should dump the purse out and go through the contents carefully. Officer Wagner concurred and matter was resolved with verbal counseling.

Submitted to Po Wagner's File [REDACTED]

A handwritten signature in black ink, appearing to read "Patrick Nolin #862". The signature is fluid and cursive, with the number "862" clearly visible at the end.

SGT Patrick Nolin #862



GENEVA POLICE DEPARTMENT

EMPLOYEE WARNING RECORD



Employee Name: Trevor Wagner

Shift: Nights 10:30p-7a

Time: 5:30AM

Date of Warning: 3/26/19

WARNING

Date of Violation:

[REDACTED]

Nature of Violation: Substandard Work

Time of Violation:

2314

(If Other - Explain): GO 425 V A 3

Place of Violation:

[REDACTED]

COMPANY REMARKS

PO Wagner completed a domestic incident report and checked the following boxes: Suspect supervised, DIR repository checked, order of protection checked, order of protection in effect. PO Wagner never actually checked the status of the parties involved and when asked he stated "It must have just slipped my mind."

PO Wagner violated GO 425 V A 3 that states "Any required departmental report or form will be written promptly, accurately, comprehensibly and legibly."

****See attached domestic incident report****

Employee Has Been Warned Previously: ☐ YES ☒ NO

Form of Warning: -

Date of Previous Warnings:-

Warned by Whom:-

EMPLOYEE'S REMARKS RE: VIOLATION

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

ACTION TO BE TAKEN

Counseling Memo + GO 425 review

Approved by:

Michael J. Passalacqua

Name

Signature

[Signature]

Chief of Police

Title

Date:

3/18/19

I have read this "warning" and understand it.

EMPLOYEE COUNSELING MEMO

TO: PO Trevor Wagner
FROM: Sergeant Nicholas Bielowicz
RE: [REDACTED]
DATE: [REDACTED]



PO Wagner responded to [REDACTED] for a domestic. At the completion of the investigation, PO Wagner completed a domestic incident report and submitted it into the night sergeant's box for review. Upon further investigation by myself, I noticed both parties information wasn't on police mobile or ejustice, but PO Wagner did check the following boxes: Suspect supervisor box, dir repository checked, order of protection registry checked, order of protection in effect. I then messaged PO Wagner to respond to my office. I then asked PO Wagner when he checked the parties status and PO Wagner stated "It must have just slipped my mind."

PO Wagner violated GO 425 V A 3 that states "Any required departmental report or form will be written promptly, accurately, comprehensibly and legibly.


****See attached domestic incident report****

You must understand that this counseling memo is being completed so that you may take immediate corrective measures so it does not happen again. You must take precautions as stated in GO 230 II (A and C), so that this type of situation does not occur again.

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

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

DATED: 3/26/19


Employee's Signature


Supervisor's Signature



City of Geneva POLICE DEPARTMENT

255 Exchange Street
Geneva, New York 14456
Phone: (315) 828-6771 Fax: (315) 789-1814

Michael Passalacqua
Chief of Police

TO: Officer Wagner
FROM: Sgt. Bielowicz
DATE: 10/23/2019
RE: [REDACTED] Shift

Officer Wagner, could you please explain your actions in written form by October 30, 2019, for the following:

1. Could you explain to me why you were parked on [REDACTED] while Officer Baskin responded to a call from an off-duty sergeant involving three suspicious males on [REDACTED] when you were the only other available unit to respond.
2. Could you explain to me how you responded to [REDACTED] for a burglary in progress in your area of patrol and why you were the last patrol unit to arrive on scene when you were the closest unit.
3. Could you explain to me why Sergeant Nolin conducted the interview of the suspect, [REDACTED] while you just stood there when it was your complaint.
4. Could you explain to me why from the start of your shift (22:30 to 01:33), the time of the burglary in progress complaint, you only conducted 2 property checks, [REDACTED] at 23:31 and [REDACTED] at 00:32, and did nothing else.
5. Could you explain to me why your vehicle was parked in the GPD parking lot after the burglary in progress call with the computer open and the screen on a streaming video from [REDACTED]

Respectfully,

Sgt. Bielowicz

To: Sgt. Bielowicz
From: P.O. Trevor Wagner
Date: 10/24/2019
RE: [REDACTED]

1. I do not have any excuse for not responding with Officer Baskin to the suspicious person complaint.
2. I don't believe I was last on scene to the burglary in progress at [REDACTED] I was there before Officer Lloyd and was looking for the house when she called on scene. Myself and Officer Lloyd were looking for the house when Officer Baskin called out on scene, he had been to the house earlier in his shift and knew exactly which house to go to.
3. I was tired during this shift and really didn't feel myself, unfortunately it showed in my work.
4. Normally I try to conduct property checks at least once every hour, I had not planned to be tied up for several hours on a complaint so I had only done the two property checks. When I was done with the complaint, I completed my HRA form that I was told to turn in ASAP.
5. I did not intend to have the video screen up. It was up because I had to log into the CAD system in the office which then logged me out in the car bringing up the video screen. I was unaware it did this until I left the PSB and saw it.

 #837
P.O. Trevor Wagner



City of Geneva POLICE DEPARTMENT

255 Exchange Street
Geneva, New York 14456
Phone: (315) 828-6771 Fax: (315) 789-1814


Michael Passalacqua
Chief of Police

TO: Officer Wagner
FROM: Sergeant Bielowicz
DATE: 10/31/2020
RE: [REDACTED]

Please answer the following questions:

1. Why is there no body camera video associated with this complaint as per policy?
2. Who did you speak with, the call for service read "HWS CAMPUS SAFETY?"
3. Why is there no description of the suspect, but in [REDACTED] there is a detailed description?
4. Did you attempt to interview any of the witnesses to see what actually occurred and did you secure any of their names?
5. What did you mean by "What do they want us to do, stop everybody?" I hope that you're not stopping everybody, just the persons that match the description of the suspect.

Respectfully,


Sergeant Bielowicz



City of Geneva POLICE DEPARTMENT

255 Exchange Street
Geneva, New York 14456
Phone: (315) 828-6771 Fax: (315) 789-1814

Michael Passalacqua
Chief of Police

TO: Sergeant Bielowicz
FROM: Officer Wagner
DATE: 10/31/2020
RE: [REDACTED]

1. I did not activate my body camera because I did not see the suspect in the area. I will from now on turn it on during all suspicious activity calls whether or not I observe anything.
2. I spoke with two campus safety officers who did not give their names.
3. [REDACTED] was not my complaint and I could not be sure that it was the same suspect because there was no description given to me for the [REDACTED] job. Officer Farmer spoke to some college students that saw the suspect but they were not able to give a description because they said the suspect was running away.
4. I was present part of the time when Officer Farmer was interviewing the students that were witnesses. They stated that they already gave their information to campus safety and did not give us their information.
5. When I said "What do they want us to do, stop everybody?" I was referring to the lack of a good description from campus safety. I do not stop anyone unless they match a description of a suspect.

Respectfully,

Officer Wagner