Supervisor: MVAL VALENTI Dispatcher: TPET PETERS Call Taker: TPET PETERS Date/Time: 03/31/16 13:51

Reported Signal: PERSONNEL COMPLAINT/COMMENDATION 101 Actual Signal: PERSONNEL COMPLAINT/COMMENDATION 101

Received: 13:51:13

Received By: WALK-IN

Vehicle Description:

Plate No.:

State: NY

Dispositions: P, P

Action Taken: Reference No. 1: Disp. Date: 03/31/16 13:52

Report Taken: NO

Reference No. 2:

LOCATION

Location Name: PUBLIC SAFETY BUILDING

Address: 255 EXCHANGE ST

Alt. Address: Apt. No .: Phone No.: (

City: GENEVA

Direction:

Zone: EAST

Intersection:

CALLER INFORMATION

Unit/Officer

Dispatched

En Route Arrived

Cleared

ASSOCIATED PERSONS

Name

Alias

DOB

Address

Phone

Sex Inv.

NOTES

CALLER REQUESTING A COMPLAINT FORM

Supervisor: TTUR TURNER

Dispatcher: RBAS BASKIN Date/Time: 04/29/16 17:33

Call Taker: RBAS BASKIN Reported Signal: PERSONNEL COMPLAINT/COMMENDATION 101

Actual Signal: PERSONNEL COMPLAINT/COMMENDATION 101

Received By:

Received: 17:33:34

Cleared: 17:35

Vehicle Description:

Plate No.:

State: NY

Dispositions: H. H.

Disp. Date: 04/29/16 17:35

Report Taken: NO

Action Taken: Reference No. 1:

Reference No. 2:

LOCATION

Location Name: GENEVA POLICE DEPT.

Address: 255 EXCHANGE ST

Alt. Address:

Apt. No.: Phone No.: (315) 789-1111 City: GENEVA

Zone: GV7

Direction: Intersection:

CALLER INFORMATION

Last Name: TURNER

Alias/Maiden Name:

Address: GPD City: GENEVA

Phone: (315) 789-1111

First Name: SGT

DOB

Middle Name/Suffix:

DOB:

State: NY Anonymous: NO Zip: 14456

RESPONDING UNITS/OFFICERS

Unit/Officer

Dispatched

Address

En Route Arrived

Phone

Cleared

Sex Inv.

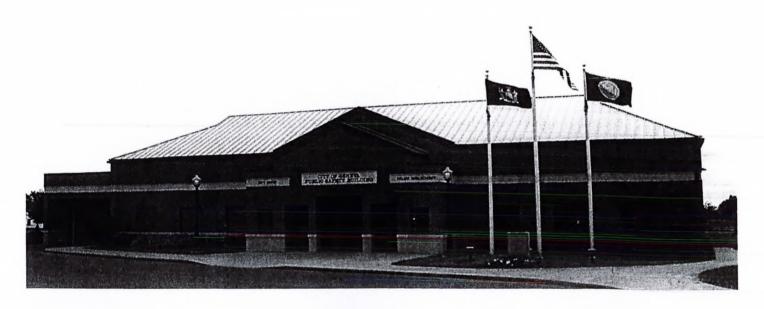
ASSOCIATED PERSONS

NOTES

AP DROPPED OFF A PERSONNEL COMPLAINT TO SGT TURNER

GENEVA POLICE DEPARTMENT

Citizens Complaint Form









Chief J. Trickler

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

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.

-		 	AIT
,,,,	NAD	 11/11/	TNA

Name:	
Address:	
Occupation	
Work Add	
Email Add	
CCUSED OFFICER(S)	
Name: MONTESANTO	Badge Number
Name: WINTER BARRETT	Badge Number
ICIDENT	
CIDENT	
	ons
Time/Date:Location	
Time/Date:	
Time/Date:	NTO, WINTER, BARRETT
Time/Date: Location Nature of Complaint ABUST BY MUNTES A ITNESS(ES)	NTO, WINTER, BARNETT
Time/Date:Location Nature of Complaint NBUST BY MUNTES A VITNESS(ES) Name:	NTO, WINTER, BARRETT Phone Number
Time/Date:Location Nature of Complaint NBUST BY MUNTESA PITNESS(ES) Name: Address:	NTO, WINTER, BARRETT Phone Number
Time/Date: Location Nature of Complaint ABUST BY MUNTES ABUST Name: Address: Name: Address:	Phone Number (H)(W)
Time/Date:	Phone Number (H)(W)
Time/Date: Location Nature of Complaint ABUST BY MUNTUS A //ITNESS(ES) Name: Address: Name: Address: Are you making this complaint of your own free will:	NTO, WINTER, MARINET Phone Number (H)(W) (H)(W)

imprisonment, etc.):
3. Are you willing to appear and give testimony under oath at a department hearing and/or crimina
proceeding: Yes No
COMPLAINT - state exact circumstances of the complaint
1) 11 11 1 BC 1016 BC OCC 1 10 CC 1 10 CC 1 10 CC 10 C
LEANTA ORDINOS TOURS IN GITT LAST WEEK SRG. MONT
THEN INFORMES ME
11 x 5 min x n n co co co co
BADGERING ME. MOH YOU SCUM-BAG, HOW YOU GO MONEY,
YOU NEVER WURILED A DAY IN YOUR LIFE
OB MAN DA VIII CAN DE CAN
From Your Variton, SO I Asison Itim IF HE WAS MY CAA AND
He SAIN YES, I TOUR HIM HE WAS FIRED, HE SAID I CAN'T
FINE HIM BECAUSE HES GOT ACI NITE TO BUST MY BALLAS AND
IF HE FREUS LIKE IT HE'LL MAKE SURE I SEE A TUDGE AND SPOND
THE RIST OF THE DAY IN JAIL WITH NO BAIL - NOW OFFICER
WINTER AND BARREY MUST THINK THIS II THE FUNNIEST MITTING
THEY ITEMS ALL DAY, IT A 3 RING BUSI MY BALLS, ARREST ME
FOR COMITTING A CRIME WHICH I DID. BUT TELL YOUR SRG, AND
PLUS TO SHOW A LITTLE CLASS WHEN BOOKING SOMEONE
ALL I WANT IS A APOLICY SAYING ALL 3 WERE WHOM AND
MUNTESANTO ESPICALLY WAS NOT PROFESSINAL, A FACE TO
FREE APOLIGY BY SAG. MURESANTO

** 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 <u> </u>	
(must be signed in presence of Supervisor, <i>if not notarized</i>) Time5:24pm	
Supervisor Receiving Complaint: SGTTTT	861
ADMINISTRATIVE USE ONLY Reviewed By: Name & Rank Date Reviewed: GPD Log No.:	☐ NO FURTHER ACTION ☐ INVESTIGATION ASSIGNED TO:
CERTIFICATE OF ACKNOWLEDGMENT OF NOTA	RY 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 Yor	rk
My commission expires:	



To: Chief Jeffrey Trickler

From: Lt. Eric Heieck

Date: 7.19.2016

Subject: Internal Investigation - 2016-7086 Sgt. Jack Montesanto

Introductory Paragraph

On 5.1.2016 this Officer did receive a Geneva Police Department Complaint Action Form from a alleges the following issues occurred upon his arrest and processing while being held at the City of Geneva Public Safety Building.

His complaints are as follows:

- Sergeant Montesanto used the term "scum-bag" while processing the defendant.
- 3. Sergeant Montesanto used the term "never worked a day in your life" while processing the defendant.
- 4. Sergeant Montesanto stated
- 5. Sergeant Montesanto stated the arrested party stole the bail money from his father.

Findings Section for the Specific Violations

The facts of the investigation support the findings of:

- 1. Unfounded -
- 2. Sustained Officer JD Winter did self-admit to calling
- Sustained Sgt. Montesanto did self-admit to alleging life.

"scumbag" never worked a day in his

Detective Bureau

PSB, 255 Exchange Street- GENEVA, NEW YORK 14456 (315) 789-1111 - FAX (315) 789-1814 - www.geneva.ny.us

- 4. Not-Sustained This Officer can neither prove nor disprove that this action occurred.
- 5. Sustained Sgt. Montesanto Sgt. Montesanto did self-admit to alleging stole the bail money, by explaining that he has taken many calls for service that involved grand larceny, where the owner (father) alleges the

Evidence to Support the Specific Allegations

This Officers investigation in and for the City of Geneva and the attached signed statement received as part of this investigation.

Evidence to Refute the Specific Allegations

None

Attachments

- 1. Response Sgt. Jack Montesanto
 - 2. Complaint Action Form
 - 3. Letter to Officer Sarah Barrett
 - 4. Letter to Sgt. Montesanto
 - 5. Letter to Officer JD Winter
- 6. Response from Officer JD Winter
- 7. Response from Officer Sarah Barrett
 - 8. Letter to Officer Sarah Barrett
- 9. CR# 2016-7162 Personnel Complaint
- 10 Arrest of Complainant
- 11. Impound After Arrest
- 12. Arrest of Complainant
 - 13. MVA Hit and Run

Respectfully Sub nitted,

Lt. Eric R. Heieck



Officer Sarah Barrett
Geneva Police Department
Subject: Complaint Action Form –

Officer Barrett:

On 5.1.2016 this Officer did receive a Geneva Police Department Complaint Action Form from a

alleges the following issues occurred upon his arrest and processing while being held at the City of Geneva Public Safety Building. As a witness to these alleged acts please provide me a written response NLT 7.26.2016.

His complaints are as follows:

- 1.
- 2. Sergeant Montesanto used the term "scum-bag" while processing the defendant.
- 3. Sergeant Montesanto used the term "never worked a day in your life" while processing the defendant.
- 4. Sergeant Montesanto stated
- 5. Sergeant Montesanto stated the arrested party stole the bail money from his father.

Respectfully,

Erei R. Haink

Lt. Eric R. Heieck



Officer JD Winter Geneva Police Department Subject: Complaint Action Form -Officer Winter On 5.1.2016 this Officer did receive a Geneva Police Department Complaint Action Form from a of: alleges the following issues occurred upon his arrest and processing while being held at the City of Geneva Public Safety Building. As a witness to these alleged acts please provide me a written response NLT 7.26.2016. His complaints are as follows: 1. 2. Sergeant Montesanto used the term "scum-bag" while processing the defendant. 3. Sergeant Montesanto used the term "never worked a day in your life" while processing the defendant. 4. Sergeant Montesanto stated 5. Sergeant Montesanto stated the arrested party stole the bail money from his father. Respectfully,

Lt. Eric R. Heieck

Esci R. Hamil



Sergeant Jack Montesanto:

Geneva Police Department

Subject: Complaint Action Form —

Sergeant Montesanto:

I am in receipt of a complaint action form dated 4.28.2016, against you and the Geneva Police Department. I have been entrusted by the Chief of Police in investigating this matter. Please respond to me in writing NLT 5.23.2106 based upon the following questions alleges in his complaint.

1.

2. Did you ever use the term scum-bag when referring to the arrested party?

3. Did you ever indicate that the arrested party never worked a day in his life?

4. Did you ever indicate that the arrested stole the bail money from his father?

Respectfully,

Ruit Ra. Spins

Lt. Eric R. Heieck



Lt. Heieck.

Lı.	Heleck,
	e following is the submission of my witness response in regards to the Personnel mplaint filed, against Sergeant Montesanto, on April 28 th , 2016 by
1.	
2.	Sergeant Montesanto used the term "scum-bag" while processing the defendant. I do not recall Sergeant Montesanto calling a "scum-bag". was very irate and agitated while in custody. was screaming at me while I processed his arrest paperwork, calling me a "bull dyke" and telling me to "shove those papers up your ass." It was very difficult to communicate with
3.	Sergeant Montesanto stated
	I do not recall Sergeant Montesanto stating
4.	Sergeant Montesanto stated the arrested party stole the bail money from his father. I do not recall Sergeant Montesanto stating that the arrested party stole the bail money from his father. I assisted in making contact with his father in order to obtain bail money.
	Respectfully submitted,
	Officer Sarah Barrett 07/19/2016



Lt. Heieck,

The following is the response for the Personnel Complaint filed by
1.
 Sergeant Montesanto used the term "scum-bag" while processing the defendant. I cannot say that I remember Sgt Montesanto calling a "scum-bag" but I know that I did call him that due to the constant irate verbal abuse that myself and PO Barrett did endure. was constantly calling myself a fucking asshole and a disgrace to the badge along with calling PO Barrett a bull dyke numerous times.
 3. Sergeant Montesanto used the term "never worked a day in your life" while processing the defendant. Sgt Montesanto did state that had not worked a day in his life. I don't recall the specifics of why Sgt Montesanto stated such.
4. Sergeant Montesanto stated
 5. Sergeant Montesanto stated that the arrested party stole bail money from his father. Sgt Montesanto did state that he, Sgt Montesanto, did take larceny complaints of stealing coins from Sgt Montesanto never stated that stole the bail money.
PO J Winter
July 25, 2016



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





Lt Heieck,

	e following is the submission of my response in regard to the Personnel mplaint filed, against me, on April 28, 2016 by
1.	
2.	Did you ever use the term scum-bag when referring to the arrested party? I don't specifically recall if I used the term scum-bag when speaking with
3.	Did you ever indicate that the arrested party never worked a day in his life? Yes I did say that to
4.	Did you ever indicate that the arrested party

5. Did you ever indicate that the arrested party stole the bail money from his father?

I believe that my previous answer should also cover my response to this question. I made reference to the numerous calls for service over the 7 years I've been employed by the Geneva Police Department where it was alleged that has stolen from his father. There was not mention of stealing the bail money from his father.

Sergeant Jack Montesanto



TO:

Chief Trickler

FROM:

Lt. M. Valenti

RE:

Officer JD Winter

DATE:

October 20, 2016

Dear Chief,

On October 20, 2016 at or about 8:47am I spoke with Officer JD Winter in my office regarding the Personnel Complaint from where where claimed claimed Officer Winter called him a "Scumbag". Lt. Heieck conducted an internal investigation and determined that the alleged complaint against Officer Winter was substantial.

During my conversation, Officer Winter did stated that he did lose his temper on due to due to continuous disrespect to Officer Barrett where called Officer Barrett a "Bull Dike" numerous times. I advised Officer Winter of General Orders Section 305 III (25) – Rules of Conduct (Courtesy) where officers "shall control their tempers and exercise the utmost patience and discretion, and shall not engage in argumentative discussions even in the face of extreme provocation." & "officers shall not use insolent language".

Officer Winter agreed that his actions went too far and that his temper "got the best of him". Officer Winter apologized and stated that actions like this would not happen again.

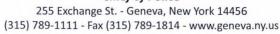
Respectfully,

Lt. Matthew J. Valenti

LT. Matt Valt



Geneva Police Department
JEFFREY E. TRICKLER
Chief of Police





Chief Trickler, On March 31, 2016 at or about 9:00am I gave PO Cole a City Court Order for appear in City Court on There was no address on the Certificate of Service for . On the Certificate of Service was a note indicating that a may be at the lunch program at the Methodist Church at Main St and Seneca St. When I gave PO Cole the paperwork I advised him of the lunch program. PO Cole stated that he was not familiar with who was. I gave PO Cole a brief description of and the description I advised PO Cole that if he sees a truck matching that of his description in the area of the church then **the second is a most likely there.** On March 31, 2016 at or about 1:45pm came to the PSB and requested to make a personnel complaint on Officer Cole. Prior to speaking with I contacted PO Cole regarding what occurred with PO Cole stated that when he walked into the church he looked around and didn't recognize so he asked a worker if was around. The employee directed PO . PO Cole stated that after confirming that the individual was, PO Cole gave him the City Court Order and gave a brief description as to what it was. PO Cole stated that he asked his address so this type of incident wouldn't happen again and we could go to his house or call him in the future. PO Cole stated that was apprehensive about giving his address and just argued with PO Cole regarding coming to the church and embarrassing him. PO Cole stated that he then left. When I spoke with the lates in the hallway of the PSB. He was expressing his concern for the way that the paperwork was served. I explained to that PO Cole was directed by me to go to the church due to not having his address nor knowing how to get ahold of him or finding him. I explained to that we and as department do not like going to public places to serve paperwork however sometimes it is the only way to. I asked what his address was so we wouldn't have to serve him that way again if we are required to. was apprehensive to give me his address. He kept stating that we have his information and that the Court has his information and he is easy to get a hold of. I explained to him that we do not share information with the Court and we do not have his address. I asked him again for his address for any future paperwork that may come up and he changed the subject again this time was explaining to me about his health. His son however stated before gestured him to stop. stated that his attorney was upset that received the paperwork prior to his attorney. I advised that is something his attorney needs to bring up with the City Attorney as we received the paperwork and were instructed to serve . also stated that his attorney advised him to come to the PSB and fill out a personnel complaint. I gave a

Personnel Complaint Form and he left.

Sincerely,

Lt. Matthew Valenti

Know to Frequent Free Lunch Program

CERTIFICATE OF SERVICE

2016_5407

STATE OF NEW YORK) COUNTY OF ONTARIO)ss.: CITY OF GENEVA) I hereby certify that I served the w	within
GENEVA CITY COURT ORDER on	on
the <u>3(day of MARCH</u> , 2016 at <u>34</u>	(Street, Avenue)
in the City/Town/Village of	, New York, by
delivering to and leaving with (him/her)	personally a true copy thereof.
	Time Served 1200

Supervisor: JMON MONTESANTO

Dispatcher: MMAH MAHONEY

Reported Signal: ARREST/SUBJECT IN CUSTODY 15 Date/Time: 04/23/16 16:31

Responding Officer: MMAH MAHONEY

Actual Signal: ARREST/SUBJECT IN CUSTODY 15

Received By:

Received: 16:31:00

Arrest: 16:31

Cleared: 16:31

Disposition: AR-A

Disp. Date: 04/23/16 16:31

Report Taken: NO

Reference No. 2:

LOCATION

Action Taken:

Last Name: BARRETT

Alias/Maiden Name:

First Name: PO

Middle Name/Suffix:

Address: GENEVA POLICE DEPARTMENT

City: GENEVA Phone: (315) 789-1111 State: NY

Anonymous: NO

Zip: 14456-_

DOB:

RESPONDING UNITS/OFFICERS

Unit/Officer

BARRETT, SARAH

Dispatched

Arrived

Cleared 16:31

16:31

ASSOCIATED PERSONS

Name

Alias

DOB

Address

Phone

Sex Inv. MA

NOTES

PO BARRETT 15-1 WITH UNDER ARREST FOR AUO 2ND DEGREE, UNLICENSED OPERATOR AND LEAVING THE SCENE OF AN MVA. SUBJECT PROCESSED AND RELEASED ON \$250 CASH BAIL.

REF CR#

MVA / REPORT 1ST ARREST **IMPOUND**

Supervisor: JMON MONTESANTO

Date/Time: 04/23/16 16:32

Actual Signal: VEHICLE - IMPOUNDED 64

Received: 16:32:00

Dispatcher: MMAH MAHONEY

Responding Officer: MMAH MAHONEY

Reported Signal: VEHICLE - IMPOUNDED 64

Received By: RADIO

Cleared: 16:32

Disposition: P Action Taken: Disp. Date: 04/23/16 16:42

Report Taken: NO

Reference No. 2: 2016-6824

LOCATION

Last Name: WINTER

Alias/Maiden Name:

Address: GPD City: GENEVA

Phone: (315) 789-1111

First Name: PO

State: NY

Anonymous: NO

Middle Name/Suffix:

DOB:

Zip: 14456-____

RESPONDING UNITS/OFFICERS

Unit/Officer WINTER, JOHN

Dispatched 16:32

Arrived

Cleared 16:32

ASSOCIATED PERSONS



NOTES

PO WINTER REQUESTS A TOW FOR NY REG ARREST FOR AUO.

FROM

DUE TO DRIVER'S

SGT MONTESANTO ADVISED ...

GENEVA FOREIGN & SPORTS DETAILED...

1642 TOW TRUCK ON SCENE

REF CR MVA / REPORT 1ST ARREST 2ND ARREST

Supervisor: JMON MONTESANTO

Dispatcher: MMAH MAHONEY

Responding Officer: MMAH MAHONEY

Date/Time: 04/23/16 16:31

Reported Signal: ARREST/SUBJECT IN CUSTODY 15

Received By: RADIO

Received: 16:31:00

Actual Signal: ARREST/SUBJECT IN CUSTODY 15

Arrest: 16:31

Cleared: 16:31

Disposition: AR-A

Disp. Date: 04/23/16 16:31

Report Taken: NO

Reference No. 2: 2016-6825

LOCATION

Action Taken:

Last Name: WINTER

Alias/Maiden Name:

Address: GPD City: GENEVA

Phone: (315) 789-1111

First Name: PO

State: NY

Anonymous: NO

Middle Name/Suffix:

DOB:

Zip: 14456-____

RESPONDING UNITS/OFFICERS

Unit/Officer WINTER, JOHN Dispatched 16:31 <u>Arrived</u>

Cleared 16:31

ASSOCIATED PERSONS

<u>Name</u>

Alias DOB Address Phone Sex Inv. M RO

NOTES

PO WINTER 15-1 WITH UNDER ARREST FOR AUO 2ND DEGREE, UNLICENSED OPERATOR, FAILURE TO STOP AT A STOP SIGN. NO SIGNAL AND NO SEATBELT DRIVER. SUBJECT PROCESSED AND RELEASED

REF CR#

- MVA / REPORT

- IMPOUND

- 2ND ARREST

Supervisor: JMON MONTESANTO

Date/Time: 04/23/16 16:12

Actual Signal: MVA/HIT AND RUN 52

Received: 16:12:00

Arrived: 16:16

Dispatcher: MMAH MAHONEY

Reported Signal: MVA/HIT AND RUN 52

Dispatched: 16:12

Responding Officer: MMAH MAHONEY

Received By: CELL En Route: 16:12

Cleared: 16:42

Vehicle Description:

Plate No.:

Disposition: R-MVA

Action Taken:

State: NY

Disp. Date: 04/26/16 20:35

Report Taken: NO

Reference No. 2: 2016-6825

LOCATION

RESPONDING UNITS/OFFICERS

Unit/Officer

BARRETT, SARAH

Dispatched 16:12

Arrived 16:16

Cleared 16:42

ASSOCIATED PERSONS

Name	Alias	DOB	Address	Phone	Sex Inv.
					RO
					Α
					RO
					WI

NOTES

COMPL CALLED THE PD TO REPORT AN MVA NEAR

COMPL STATES A

HIT A PARKED CAR. THE MALE DRIVER GOT OUT, WENT INSIDE THEN RETURNED TO HIS VEHICLE. AS COMPL WAS APPROACHING THE VEHICLE, THE MALE DROVE OFF **TOWARDS** UNK DIRECTION OF TRAVEL ON COMPL STATES THE VEHICLE THAT LEFT IS

PO BARRETT DETAILED...

OFFICER REPORTS STRUCK VEHICLE IS

POSSIBLE DRIVER OF THE VEHICLE THAT LEFT -

1623 PO WINTER REPORTS OUT AT

WITH

1623 PO BARRETT REPORTS COMPL'S DESCRIPTION OF THE MALE DRIVER IS A

1631 PO WINTER 15-1

REPORT TO FOLLOW

REF CR# - 1ST ARREST - IMPOUND - 2ND ARREST



September 02, 2106



Dear :

Relative to your personnel complaint the following investigation was undertaken by Police Lieutenant Eric Heieck:

- Review of complaint action form
- Response Sgt. Jack Montesanto
- Response PO JD Winter
- Response PO Sarah Barrett
- Review of arrest of complainant

Specific Complaint -

1

2. Officers were unprofessional in their interaction with complainant

Finding -

- 1. Unfounded -
- 2. Sustained The act complained of did occur and constituted a violation of policy, procedure, rules, regulations, or statute

The officers mentioned in your complaint will be dealt with internally by my office.

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

Sincerely,

Yeffrey 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



