

POLICE DEPT.
VILLAGE OF MALONE

2 Park Place • Malone, New York 12953 • (518) 483-2424 • FAX (518) 483-2426

James E. Phillips
Chief of Police

Vernon N. Marlow Jr.
Assistant Chief

Memo To: James Feeley - Mayor
Village of Malone

From: James E. Phillips - Chief
Malone Police Department

Date: August 5, 1993

Ref: Disciplinary Charges against Ptlm.
Patrick Nichols

The following disciplinary charges are preferred against Officer Patrick Nichols. (see attached pages.) In accordance with the provisions of Section 75 of the Civil Service Law of the State of New York.

I recommend that Officer Nichols be suspended immediately.

HUGHES & STEWART, P. C.

Attorneys and Counselors at Law

31 Elm Street
P.O. Box #788
Malone, New York 12953

August 26, 1993

BRYAN J. HUGHES
BRIAN S. STEWART

Telephone: (518) 483-4330
Fax: (518) 483-4005

Thomas P. Halley, Esq.
297 Mill Street
Poughkeepsie, New York 12601

Re: Village of Malone v. Patrick Nichols

Dear Tom:

Enclosed please find a statement of charges against Pat. They are relatively simple and should be relatively easy to prove.

The Village would still be willing to settle this matter by dropping the charges and repaying Pat for his thirty days lost wages in exchange for his resignation from the force and his agreement not to reapply. I have not made the written charges public in the hopes that Pat will change his mind. If Pat doesn't change his mind, then I will probably have to release the charges to the press in light of Pat's written request that the entire proceeding be disclosed to the press.

Very truly yours,



HUGHES & STEWART, P.C.
by Brian S. Stewart

BSS/tlw
enclosure
cc: Mayor James Feeley
Chief Phillips

State of New York
Village of Malone Civil Service Law §75

Village of Malone,

Complainant,

v.

Patrick Nichols,

Respondent.

CHARGES

The Village of Malone hereby charges Police Officer Patrick Nichols pursuant to Civil Service Law §75 as follows:

- 1) On or about July 13, 1993, Patrick Nichols filed with the Chief of Police a written complaint against a fellow officer regarding an incident on April 2, 1993 which was lacking in grounds sufficient to result in discipline and which was filed purely as a retaliatory act in reaction to a letter of reprimand placed in respondent's personnel file on July 13, 1993. This action violated the following departmental rules and regulations:

- 6.2.33 Requirement to immediately notify Desk Officer of an unusual occurrence.
- 10.1.1 Discredit upon Department.
- 10.1.4 Insubordination or disrespect to a superior officer.

- 2) On or about July 16, 1993, respondent met with a non-member of the Department, the Franklin County District Attorney, to discuss the charges relating to the April 2, 1993 incident, without the permission of a superior officer. This action violated the following departmental rules and regulations:

- 10.1.1 Discredit to Department.
- 10.1.4 Insubordination or disrespect to a superior officer.
- 10.1.27 Public criticism of a member of the Department.
- 10.1.28 Releasing departmental information without permission.

10.1.40 Communicating with other police agencies concerning police matters except as provided by departmental procedures.

10.1.77 Seeking the influence or intervention of a person outside the Department for purpose of advantage.

11.5 Disclosing official business of the Department without permission.

3) On or about July 27, 1993, the respondent called Police Chief Phillips "stupid" in the presence of Detective Michael Fleury. This action violated the following departmental rules and regulations.

6.2.7 Treat members of the Department with respect.

10.1.4 Insubordination or disrespect to a superior officer.

10.1.17 Failure to treat any person civilly.

4) On or about July 27, 1993, without reasonable grounds, respondent accused Police Chief Phillips of engaging in a "cover-up" in front of Patrolman Clyde LaChance. This action violated the following departmental rules and regulations:

6.2.7 Treat members of the Department with respect.

10.1.4 Insubordination or disrespect to a superior officer.

10.1.17 Failure to treat any person civilly.

5) Once, between July 13, 1993 and August 5, 1993, the respondent met with a civilian, former Police Chief Richard Brown, to discuss the alleged incident on April 2, 1993. This meeting occurred in the presence of Patrolman Scott Mulverhill. This action violated the following departmental rules and regulations:

10.1.1 Discredit to Department.

10.1.4 Insubordination or disrespect to a superior officer.

10.1.27 Public criticism of a member of the Department.

10.1.28 Releasing departmental information without permission.

10.1.77 Seeking the influence or intervention of a person outside the Department for purpose of advantage.

11.5 Disclosing official business of Department without permission.

6) Between July 13, 1993 and August 5, 1993, respondent met with a civilian, Scott Mattimore, to discuss the April 2, 1993 incident for the purpose of conducting an unauthorized investigation. This action violated the following departmental rules and regulations:

8.1 Patrol officers shall be under the direction and control of...[the] commanding officer...

10.1.1 Discredit to the Department

10.1.4 Insubordination or disrespect to a superior officer.

10.1.27 Public criticism of a member of the Department.

10.1.28 Releasing departmental information without permission.

10.1.77 Seeking the influence or intervention of a person outside the Department for purpose of advantage.

11.5 Disclosing official business of the Department without permission.

7) On August 2, 1993, the respondent met with Malone Village Mayor James Feeley to discuss the April 2, 1993 incident, without the permission of a superior officer. This action violated the following departmental rules and regulations:

10.1.1 Discredit to the Department.

10.1.4 Insubordination or disrespect to a superior officer.

10.1.28 Releasing information without permission.

10.1.77 Seeking the influence or intervention of a person outside the Department for purpose of advantage.

11.5 Disclosing official business of the
Police Department without permission.

8) On August 4, 1993, the respondent telephoned Malone
Village Mayor James Feeley to discuss the April 2, 1993
incident, without the permission of a superior officer. This
action violated the following rules and regulations:

10.1.1 Discredit to the Department.

10.1.4 Insubordination or disrespect to a
superior officer.

10.1.28 Releasing information without permission.

10.1.77 Seeking the influence or intervention of
a person outside the Department for
purpose of advantage.

11.5 Disclosing official business of the
Police Department without permission.

WHEREFORE the Village of Malone recommends that the respondent
be punished pursuant to the provisions of Civil Service Law §75.

Brian S. Stewart, Esq.
HUGHES & STEWART, P.C.
Special Village Attorney
P.O. Box 788 - 31 Elm Street
Malone, New York 12953
(518) 483-4330

TO: Patrolman Patrick Nichols
146 Webster Street
Malone, New York 12953

Thomas P. Halley, Esq.
297 Mill Street
Poughkeepsie, New York 12601

8) On August 2, 1993, the respondent met with Malone Village Mayor James Feeley to discuss his termination as the DARE Officer without the permission of a superior officer. This action violated the following department rules and regulations:

- 10.1.1 Discredit to the department.
- 10.1.4 Insubordination or disrespect to a superior officer.
- 10.1.28 Releasing information without permission.
- 10.1.77 Seeking the influence or intervention of a person outside of the Department for purpose of advantage.
- 10.1.78 Contacting the Board of Trustees on police problems without permission from the Chief of Police.

9) In Malone Telegram publication Vol. 88 No. 216 on August 17, 1993, the respondent did criticize the police department stating "There's somebody else who should be suspended for 30 days"

- 11.5 A member of the Force or Department shall treat as confidential the official business of the police department. He shall not talk for publication, nor be interviewed, nor make public speeches, nor shall impart information relating to the official business of the department.
- 10.1.27 Publicly criticizing the official actions of a Department member.

10) In Plattsburgh Press Republican publication dated August 17, 1993, the respondent did publicly criticize the actions of the police department stating " In June 1988, I took an oath to serve the public. I did what I did because it was in the best interest of the public, and this attempt to shut me up isn't going to work,". "Does it make sense to take a man out of work for 30 days for doing the right thing?".

11.5 A member of the force shall treat as confidential the official business of the department. He shall not talk for publication.

10.1.27 Publicly criticizing the official actions of a department member.

11) In the Plattsburgh Press Republican publication dated August 18, 1993, respondent did publicly criticize the official business of the police department stating that he feared retaliation from the Chief of Police and also stated " Retaliation is the number one reason I waited so long", " That's the reason a lot of others are waiting before they say anything. They fear retaliation too. But I made the decision I'd see this through, and I want the public to know what's going on." Respondent also confirmed that he also filed a complaint against another officer earlier in the year regarding another unrelated incident.

11.5 A member of the force shall treat as confidential the official business of the police department. He shall not talk for publication.

10.1.27 Publicly criticizing the official actions of a Department member.

Under section (6) of amended charges.

Section 10.1.66 should be added to the charges listed.

10.1.66 Associating or fraternizing with known
 criminals or persons of ill repute except
 in the immediate discharge of official
 duties or with authorization of the Chief
 of Police.

Also: Section 10.1.78 should be added to charge #(8)
 and each charge that Ptl. Nichols made contact with
 the Mayor.

This is the section that he was reprimanded on during the
DARE Program in Feb. 1993.

Village of Malone New York

16 Elm Street
MALONE, NEW YORK 12953

Telephone: (518) 483-4570

August 5, 1993

Mr. Patrick Nichols
146 Webster Street
Malone, New York 12953

Dear Sir:

In accordance with the provisions of Section 75 of the Civil Service Law, and provisions of your collective bargaining agreement, you are hereby notified that the following charges are preferred against you.

CHARGES

Malone Village Police Department Rules & Regulations:

- 10.1.4 Insubordination or disrespect towards superior officer
- 10.1.28 Releasing information contained in a department record
- 10.1.34 Deliberate violation of regulations pertaining to police management and control
- 10.1.57 Removing departmental records except as for in departmental orders
- 11.5 Member of department shall treat as confidential the official business of the police department. He shall not impart information relating to the official business of the department to anyone except under due process of law and as directed, or with the permission of the Chief of Police.
- 10.1.40 Communicating with other police agencies concerning police matters except as provided by departmental procedures
- 10.1.77 Seeking influence or intervention of any person outside the department for the purpose of personal preferment
- 10.1.78 No member or members of the department shall initially contact the Board of Trustees on Police problems except through regular channels or by permission of the Chief of Police

Civil Rights Law:

50.a Right of privacy, personnel records of police officers

Public Officers Law:

87 Freedom of Information Law, access to agency records

95 Personal Privacy Protection, access to records

New York State Penal Law:

156.10 Computer trespass

156.30 Unlawful duplication of computer related material

SPECIFICATIONS

(Received from Police Chief James Phillips)

Information from Mayor Feeley stating that Patrolman Nichols scheduled a meeting with the Mayor. Mayor Feeley thought that the meeting was to discuss the recent disciplinary action that was brought against Patrolman Nichols. Mayor Feeley stated that it took him off guard with Patrolman Nichols started talking about the Mattimore incident. During this meeting Patrolman Nichols also discussed his feelings that the incident was being covered up by myself. Patrolman Nichols then turned over a copy of a document from our department's new computer. This document was a copy of my personal notes that I made while conducting the personnel investigation on one of my subordinates.

This document was stored in my personal computer that could only be accessed from the other computers by calling up my computer which is computer number six. On screens would have shown CHIEF'S PERSONAL COMPUTER. Next WORD PROCESSING program would have to be entered. Once inside my word processing, the files that I had in memory could be accessed. The file was labeled JIM. Once JIM was entered, the screen would have shown notes for a personnel investigation that I was conducting on another officer. At the top of the screen were the words "PERSONAL COMPLAINT".

Patrolman Nichols let another officer under my command know that he was able to access my personal computer. Patrolman Nichols also made the comment to this officer that he couldn't believe how stupid I was for leaving the notes in my computer.

Patrolman Nichols submitted a memo on July 21, 1993 requesting the results of the personnel complaint that he filed against another officer. I responded to his memo explaining that investigations on personnel were covered under the Privacy Act and he was assured that the investigation was being conducted.

Even after being advised that Personnel Investigations were covered under the Privacy Act, Patrolman Nichols took it upon himself to hand over a document involving the personnel investigation of another officer without permission or authorization. Due to Patrolman Nichols actions and comments, I feel that the above departmental rules and laws may have been violated.

Information from Franklin County District Attorney, Richard Edwards, stating that Patrolman Nichols came to his office about two weeks ago to discuss the Mattimore incident. Patrolman Nichols handed over a copy of the statement that he submitted to me and his accusations against Assistant Chief Gerald Moll. The statement had "whiteout" used to block the name of Assistant Chief Moll. Patrolman Nichols discussed his concerns of a cover-up with my investigation into the incident and what course of action he could take.

Patrolman Nichols took it upon himself to meet with the District Attorney shortly after he submitted his statement to me. His allegations were being investigated. Mayor was advised and statements were being taken. A preliminary interview was conducted over the phone with Assistant Chief Moll and a statement was to be secured when he returned from vacation.

Information from Mayor Feeley stating that Patrolman Nichols had stopped at the Mayor's house on the night of August 2, 1993 while working the night shift. Patrolman Nichols discussed that he was being terminated from the DARE Program and that Patrolman Simonsen was going to take his place.

Patrolman Nichols has made it well known among the department that he no longer wishes to be involved with the DARE Program. Patrolman Nichols also stated this on February 4, 1993 to Assistant Chief Moll and myself.

The night that Patrolman Nichols met with the Mayor, there was no final determination as to the 1993-94 DARE Program. Nothing was confirmed as to Patrolman Simonsen teaching DARE or Patrolman Nichols terminated from DARE. This meeting with the Mayor was not authorized and the information released to the Mayor by Patrolman Nichols was premature and against policy.

Patrolman Nichols did not seek permission from myself to set up these meetings. His comments and actions were an attempt to bring discredit to this police department and myself. The above rules and regulations of the department may have been violated.

You are allowed until the 16th day of August, 1993, within which you may make and file your answer in writing to these charges. Such answer should reach the office of the undersigned at 16 Elm Street, Malone, New York, at or before four o'clock in the afternoon on said 16th day of August, 1993.

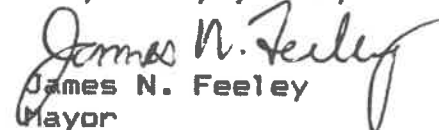
You are entitled to a hearing on the above charges and to be represented at such hearing by an attorney, or a representative of your union. You should be prepared at such hearing to present such witnesses and other proof as you may have in your defense against these charges. Such hearing will be held at six o'clock in the evening on August 24, 1993, in the Malone Village Meeting Room located at 14 Elm Street, Malone, New York.

If you are found guilty of any of the above charges, the penalty or punishment imposed on you may consist of either dismissal from the service, demotion in grade and title, suspension without pay for a period not exceeding two months, a fine not exceeding \$100., or a reprimand.

Pending the determination of these charges, you are suspended without pay for an indefinite period (not exceeding 30 days), effective immediately upon service on you of a copy of this notice and statement of charges.

All further notices and communications addressed to you in connection with these charges will be mailed to your latest address on record in the personnel office of the Village of Malone, which is 146 Webster Street, Malone, New York, unless you request in writing that the same be sent to you at a different address.

Very truly yours,


James N. Feeley
Mayor

JNF:ejb

State of New York
Village of Malone Civil Service Law §75

Village of Malone,

Complainant,

v.

Patrick Nichols,

Respondent.

CHARGES

COPY

The Village of Malone hereby charges Police Officer Patrick Nichols pursuant to Civil Service Law §75 as follows:

- 1) On or about July 13, 1993, Patrick Nichols filed with the Chief of Police a written complaint against a fellow officer regarding an incident on April 2, 1993 which was lacking in grounds sufficient to result to result in discipline and which was filed purely as a retaliatory act in reaction to a letter of reprimand placed in respondent's personnel file on July 13, 1993. This action violated the following departmental rules and regulations:

- 6.2.33 Requirement to immediately notify Desk Officer of an unusual occurrence.
- 10.1.1 Discredit upon Department.
- 10.1.4 Insubordination or disrespect to a superior officer.

- 2) On or about July 16, 1993, respondent met with a non-member of the Department, the Franklin County District Attorney, to discuss the charges relating to the April 2, 1993 incident, without the permission of a superior officer. This action violated the following departmental rules and regulations:

- 10.1.1 Discredit to Department.
- 10.1.4 Insubordination or disrespect to a superior officer.
- 10.1.27 Public criticism of a member of the Department.
- 10.1.28 Releasing departmental information without permission.

10.1.40 Communicating with other police agencies concerning police matters except as provided by departmental procedures.

10.1.77 Seeking the influence or intervention of a person outside the Department for purpose of advantage.

11.5 Disclosing official business of the Department without permission.

3) On or about July 27, 1993, the respondent called Police Chief Phillips "stupid" in the presence of Detective Michael Fleury. This action violated the following departmental rules and regulations.

6.2.7 Treat members of the Department with respect.

10.1.4 Insubordination or disrespect to a superior officer.

10.1.17 Failure to treat any person civilly.

4) On or about July 27, 1993, without reasonable grounds, respondent accused Police Chief Phillips of engaging in a "cover-up" in front of Patrolman Clyde LaChance. This action violated the following departmental rules and regulations:

6.2.7 Treat members of the Department with respect.

10.1.4 Insubordination or disrespect to a superior officer.

10.1.17 Failure to treat any person civilly.

5) Once, between July 13, 1993 and August 5, 1993, the respondent met with a civilian, former Police Chief Richard Brown, to discuss the alleged incident on April 2, 1993. This meeting occurred in the presence of Patrolman Scott Mulverhill. This action violated the following departmental rules and regulations:

10.1.1 Discredit to Department.

10.1.4 Insubordination or disrespect to a superior officer.

10.1.27 Public criticism of a member of the Department.

10.1.28 Releasing departmental information without permission.

10.1.77 Seeking the influence or intervention of a person outside the Department for purpose of advantage.

11.5 Disclosing official business of Department without permission.

6) Between July 13, 1993 and August 5, 1993, respondent met with a civilian, Scott Mattimore, to discuss the April 2, 1993 incident for the purpose of conducting an unauthorized investigation. This action violated the following departmental rules and regulations:

8.1 Patrol officers shall be under the direction and control of...[the] commanding officer...

10.1.1 Discredit to the Department

10.1.4 Insubordination or disrespect to a superior officer.

10.1.27 Public criticism of a member of the Department.

10.1.28 Releasing departmental information without permission.

10.1.77 Seeking the influence or intervention of a person outside the Department for purpose of advantage.

11.5 Disclosing official business of the Department without permission.

7) On August 2, 1993, the respondent met with Malone Village Mayor James Feeley to discuss the April 2, 1993 incident, without the permission of a superior officer. This action violated the following departmental rules and regulations:

10.1.1 Discredit to the Department.

10.1.4 Insubordination or disrespect to a superior officer.

10.1.28 Releasing information without permission.

10.1.77 Seeking the influence or intervention of a person outside the Department for purpose of advantage.

10.1.78 Contacting the Board of Trustees on police problems without permission from the Chief of Police.

11.5 Disclosing official business of the Police Department without permission.

8) On August 4, 1993, the respondent telephoned Malone Village Mayor James Feeley to discuss the April 2, 1993 incident, without the permission of a superior officer. This action violated the following rules and regulations:

10.1.1 Discredit to the Department.

10.1.4 Insubordination or disrespect to a superior officer.

10.1.28 Releasing information without permission.

10.1.77 Seeking the influence or intervention of a person outside the Department for purpose of advantage.

10.1.78 Contacting the Board of Trustees on police problems without permission from the Chief of Police.

11.5 Disclosing official business of the Police Department without permission.

9) On August 2, 1993, the respondent met with Malone Village Mayor James Feeley to discuss his termination as the DARE officer without the permission of a superior officer. The respondent had been previously counseled for the identical offense. This section violated the following departmental rules and regulations:

10.1.1 Discredit to the Department.

10.1.4 Insubordination or disrespect to a superior officer.

10.1.28 Releasing information without permission.

10.1.77 Seeking the influence or intervention of a person outside the Department for purpose of advantage.

10.1.78 Contacting the Board of Trustees on police problems without permission from the Chief of Police.

WHEREFORE the Village of Malone recommends that the respondent
be punished pursuant to the provisions of Civil Service Law §75.

Brian S. Stewart, Esq.
HUGHES & STEWART, P.C.
Special Village Attorney
P.O. Box 788 - 31 Elm Street
Malone, New York 12953
(518) 483-4330

TO: Patrolman Patrick Nichols
146 Webster Street
Malone, New York 12953

Thomas P. Halley, Esq.
297 Mill Street
Poughkeepsie, New York 12601

PATRICK NICHOLS

I, THE UNDERSIGNED, ACKNOWLEDGE THAT I HAVE RECEIVED A COPY
OF THE SET OF CHARGES PREFERRED AGAINST ME BY THE VILLAGE OF
MALONE, NEW YORK AND SET FORTH IN A LETTER TO ME DATED ON THE
5 DAY OF AUGUST 1993.

DATED 8-5 1993

WITNESS

WITNESS

Patrick Nichols

James J. Supina
John J. Supina

McKee and James
Investigative and Security Services
Incorporated
11 Charles Street
Malone, New York 12953

J. Brian McKee
Luddrick M. James, Jr.



(518) 483-4998
(518) 483-4200

15 October 1993

Honorable James N. Feeley
Mayor, Village of Malone
16 Elm Street
Malone, New York 12953

Re: Village of Malone vs.
Patrick Myron Nichols

Dear Mayor Feeley:

Reference is made to my letter of 13 October 1993, captioned as above.

I forward herewith an unsigned brief received by Federal Express this afternoon which is identified as a brief prepared by Mr. Thomas P. Halley, attorney for the Respondent in cited case, in support of his closing arguments in the 16-17 September 1993 hearing.

I have closely reviewed the aforementioned brief and given full consideration to the statements included therein. There is nothing contained therein which was not already raised during the hearing and, accordingly, I am not compelled to make any change to my memorandum report of 13 October 1993.

Respectfully,

J. BRIAN MCKEE



QUESTIONS? CALL 800-238-5355 TOLL FREE.

AIRBILL
PACKAGE
TRACKING NUMBER

4742781422

4742781422

RECIPIENT'S COPY

From (Your Name) Please Print HALLEY, THOMAS ATTY		Your Phone Number (Very Important) (514) 452-9120		To (Recipient's Name) Please Print J. Brien McKee		Recipient's Phone Number (Very Important) 518 483-4998			
Company HALLEY, THOMAS ATTY		Department/Floor No. 2		Company McKee & James Inves & Sec Svcs		Department/Floor No. 518			
Street Address 297 MILL STREET FL 2		Exact Street Address (We Cannot Deliver to P.O. Boxes or P.O. Zip Codes.) Finney Blvd Rt 30							
City POUGHKEEPSIE		State NY		City Malone		State NY			
ZIP Required 1 2 6 0 1		ZIP Required 1 2 9 5 3							
YOUR INTERNAL BILLING REFERENCE INFORMATION (optional) (First 24 characters will appear on invoice.)				IF HOLD FOR PICK-UP, Print FEDEX Address Here Street Address [REDACTED] City [REDACTED] State [REDACTED] ZIP Required [REDACTED]					
PAYMENT 1 <input type="checkbox"/> Bill Sender 2 <input checked="" type="checkbox"/> Bill Recipient's FedEx Acct. No. 3 <input type="checkbox"/> Bill 3rd Party FedEx Acct. No. 4 <input type="checkbox"/> Bill Credit Card									
5 <input type="checkbox"/> Cash/Check									
4 SERVICES (Check only one box)		5 DELIVERY AND SPECIAL HANDLING (Check services required)		6 PACKAGES		7			
Priority Overnight (Delivery by next business morning) 11 <input type="checkbox"/> YOUR PACKAGING 16 <input checked="" type="checkbox"/> FEDEX LETTER* 12 <input type="checkbox"/> FEDEX PAK* 13 <input type="checkbox"/> FEDEX BOX 14 <input type="checkbox"/> FEDEX TUBE Economy Two-Day (Delivery by second business day) 30 <input type="checkbox"/> ECONOMY		Standard Overnight (Delivery by next business afternoon. No Saturday delivery) 51 <input type="checkbox"/> YOUR PACKAGING 56 <input type="checkbox"/> FEDEX LETTER* 52 <input type="checkbox"/> FEDEX PAK* 53 <input type="checkbox"/> FEDEX BOX 54 <input type="checkbox"/> FEDEX TUBE Government Overnight (Restricted for authorized users only) 46 <input type="checkbox"/> GOVT LETTER 41 <input type="checkbox"/> GOVT PACKAGE Freight Service (for packages over 150 lbs.) 70 <input type="checkbox"/> OVERNIGHT FREIGHT** 80 <input type="checkbox"/> TWO-DAY FREIGHT**		1 <input type="checkbox"/> HOLD FOR PICK-UP (Fill in Box H) 2 <input checked="" type="checkbox"/> DELIVER WEEKDAY 3 <input type="checkbox"/> DELIVER SATURDAY (Extra charge) (Not available to all locations) 4 <input type="checkbox"/> DANGEROUS GOODS (Extra charge) 5 <input type="checkbox"/> DRY ICE _____ lbs. 6 <input type="checkbox"/> OTHER SPECIAL SERVICE 7 <input type="checkbox"/> SATURDAY PICK-UP (Extra charge) 8 <input type="checkbox"/> 9 <input type="checkbox"/> 10 <input type="checkbox"/> 12 <input type="checkbox"/> HOLIDAY DELIVERY (if offered) (Extra charge)		WEIGHT In Pounds Only YOUR DECLARED VALUE Total Total Total DIM SHIPMENT (Chargeable Weight) <input type="checkbox"/> _____ lbs. L x W x H Received At 1 <input type="checkbox"/> Regular Stop 2 <input type="checkbox"/> Drop Box 3 <input type="checkbox"/> B.S.C. 4 <input type="checkbox"/> On-Call Stop 5 <input type="checkbox"/> Station		Emp. No. Date Federal Express Use <input type="checkbox"/> Cash Received <input type="checkbox"/> Return Shipment <input type="checkbox"/> Third Party <input type="checkbox"/> Chg. To Del. <input type="checkbox"/> Chg. To Hold Street Address City State Zip Received By: X Date/Time Received FedEx Employee Number Release Signature:	

REVISION DATE 2/82
PART #137204 NCREC 5/9
FORMAT #126
126
© 1991-92 FEDEX
PRINTED IN
U.S.A.

State of New York
Village of Malone Civil Services Law Section 75

Village of Malone,
Complaint,

-against-

Patrick Nichols,

Respondent.

Respondent, by his attorney THOMAS P. HALLEY, submits this brief in support of closing arguments with regard to the charges issued pursuant to the Civil Service Law, and following the hearing conducted on the September 16th, and 17, 1993 in the Village of Malone.

Officer Nichols is charged with various violations of the rules and regulations of the Police Department of the Village of Malone. For the reasons set forth herein, he should not be found guilty of the charges and specifications, or, in the alternative, if he is found guilty, he should be entitled to the defense provided by Section 75-b of the Civil Service Law, also known as the "Whistle Blower Law".

Charge number one alleges that Officer Nichols filed a written complaint against a fellow officer on July 13, 1993 regarding an April 2nd incident " which was lacking in grounds sufficient to result in discipline and which was filed purely as a retaliatory act" in reaction to a letter of reprimand. The testimony and evidence indicates otherwise.

Numerous village police officers agreed that Officer Nichols was investigating the April 2nd incident well before the July 13, 1993 complaint. Indeed, one officer specifically testified that he advised the Chief of Police several days before the letter of reprimand was issued that Officer Nichols was investigating the incident and was going to file a report. Thus, it cannot be said that the filing of the complaint was "purely as a retaliatory act" because the complaint was the product of an investigation which under way and almost complete. As to the claim that the complaint was "lacking in grounds sufficient to result in discipline" this has not been demonstrated. Clearly, an incident occurred which gave rise to some harm to Scott Mattimore. The District Attorney indicated that if the facts shown were proven to be true, he believed that a crime has been committed. Scott Mattimore himself testified that he had been recently questioned by the FBI regarding the incident. The fact that these two agencies have seen fit to render such opinions or take such action clearly demonstrates that this is not a case which "was lacking in grounds sufficient to result in discipline". Whether or not such a disciplinary proceeding would give rise to a finding of guilt or innocence is not the question before us. Indeed, this officer contends that this Civil Service proceeding should not give rise to a

finding of guilt. Nonetheless, the filing of the complaint was not only appropriate, but justified and necessary under the circumstances which were known to Officer Nichols at the time. For these reasons, this charge should be dismissed.

Charge number two accuses Officer Nichols of meeting with the Franklin County District Attorney to discuss the bleach incident. This action is clearly protected by the Whistle Blower Law as will be subsequently developed. In any event, the evidence demonstrated that the discussion by Officer Nichols with the District Attorney's office did not name the particular individuals, but rather referred to a report which had names deleted therefrom. Such action can hardly be called a discredit to the department, or a public criticism of members of the department. For the reasons set forth above, this charge should be dismissed.

Charge number three was dismissed on consent by the Village.

Charge number four alleges that Officer Nichols accused the Chief of Police of a "cover-up" in front of another officer. The accusation was made "without reasonable grounds." It is respectfully submitted that the testimony did not show that such an incident occurred. Even if it were to be shown that such a statement were made, it can hardly be said that such a claim was "without reasonable grounds."

Again, as will be further developed, Officer Nichols had every reason to believe that there was going to be and continues to be a cover-up of the April 2, 1993 incident so as to exonerate the Assistant Chief.

Charge number five alleges that Officer Nichols met with former Chief Richard Brown to discuss the April 2, 1993 incident. The evidence is distinctly lacking in regard to this charge. While there is no dispute that Officer Nichols had a conversation with the former Chief at a local diner, there was nothing more than a general discussion regarding police procedures. There was absolutely no showing that the incident of April 2, 1993 was discussed with the former Chief. For the reasons set forth above, this charge should be dismissed.

Charge six alleges that Officer Nichols met with Scott Mattimore on a unspecified number of occasions "for the purpose of conducting an unauthorized investigation." The evidence, however, distinctly shows that the meetings were chance encounters. The conversations between Officer Nichols and Scott Mattimore amounted to nothing more than general statements relating to the incident. Obviously, both Mattimore and Nichols knew about the incident as they were both present. There was hardly an unauthorized investigation being conducted. There was no criticism or discredit

rendered toward the Department in these conversations. There was no information released, or influence sought. For the reasons set forth above, this charge should be dismissed.

Charge number seven relates to a meeting with Mayor James Feeley during which Officer Nichols and the Mayor discussed a number of items, including, but not limited to, the bleach incident. It should be noted that this meeting took place on August 2, 1993, after the complaint had been filed with the Chief of Police. The Mayor at no time discouraged or dissuaded Officer Nichols from discussing the matter with him. Certainly if any departmental rules were being violated, the Mayor would have immediately informed Officer Nichols on this occasion. He did not. It was not until several days later that he advised Officer Nichols that he did not wish to discuss the matter any further. For these reasons, this charge should be dismissed.

Charge number eight alleges that on August 4, 1993 Officer Nichols discussed the April 2nd incident with Mayor Feeley. The context of the discussion does not disclose any discredit to the Department, or seeking of outside influence. Indeed, Officer Nichols had this second discussion with the Mayor after advising that he would get back to him with further information. Again, the Mayor at no time advised Officer Nichols that such a conversation was in violation of

the rules and regulations. For the reasons set forth, this charge should be dismissed.

Charge number nine, alleges that on August 2, 1993 Officer Nichols meet with the Mayor to discuss his termination as a DARE officer. As is noted above, if such a conversation were against departmental rules and regulation, the Mayor would have or should have so advised Officer Nichols . The mayor did not. It is alleged that the respondent had previously been counseled for the identical offense. This is incorrect. As was developed during the course of the hearing, it was a Village Board Member who initiated the contact with Officer Nichols regarding the DARE Program. While this may have been embarrassing to the Chief of Police, the fact that a Village Board calls a Police Officer does not constitute a violation of departmental rules and regulations. The same could be said with the regard to the August 2nd meeting with the Mayor. This was hardly an attempt to seek outside influence or intervention. It was a casual conversation which was freely joined in by the Mayor, and was never reported by the Mayor to the Chief of Police as a violation of the rules and regulations. For the reasons set forth above, this charge should be dismissed.

In any event, the Respondent is entitled the protections of the Whistle Blower Law. This law provides that a public

employer shall not dismiss or take other disciplinary action against a public employee because the employee discloses to a "governmental body" matters which the employee "reasonably believes to be true" and "reasonably believes" constitutes improper governmental action. The term "governmental body" is defined as, among other things, an officer of a public employer, a member of the legislative body of a village, a law enforcement agency, or any member or employee of a law enforcement agency. Thus, the disclosures to the District Attorney and/or to Mayor Feeley come within the definition of "governmental body." As was demonstrated at the hearing, Officer Nichols had a reasonable belief that the complaint was true. He observed a number of things first hand, he spoke to Scott Mattimore to confirm them, and he saw statements filed by two other officers which confirmed the account. He further reasonably believed that there was improper governmental action taking place because he had knowledge of a prior claim of a cover up. As he indicated in his report to the Chief, which constituted the formal complaint against Assistant Chief Moll, various rules and regulations of the department had been violated, as well as the Penal Law of the State of New York.

There is no dispute that the employee must make a good faith effort to provide the appointing authority a reasonable

time to take appropriate action. In this case, there is no dispute that the Assistant Chief knew about the incident as soon as it occurred. Further, supervisory personnel testified at the hearing that they were aware of the incident within a matter of days after it occurred. Therefore, the incident was common knowledge throughout the police department as of mid April 1993. It is respectfully submitted that the period of time from April of 1993 through the middle of July 1993, three months, constitutes a more than reasonable time to take appropriate action. The action taken against Officer Nichols, for example, as a result of his activities in July of 1993, gave rise to charges approximately one month later. Why did the Village Chief of Police wait over three months to conclude this investigation of Moll? The information regarding the incident was in the hands of the Village almost instantaneously. The so called "thorough investigation" conducted by the Chief of Police distinctly failed to include interviewing the victim, and failed to include information from Officer Nichols, who initiated and conducted the investigation.

The Whistleblower Law, in Section 75-b, subsection 3 (a) specifically provides that an employee may assert the law as a defense before the hearing officer. It further provides that the merits of such defense shall be considered

and determined as part of the hearing officer's decision on the matter. It is therefore respectfully requested that in the event that the respondent is found guilty of any of the charges or specifications, that his defense under Section 75-b be discussed and considered and determined.

The Village will undoubtedly argue that Officer Nichols cannot return to work because of the disruption that will be caused. However, there was no disruption caused by any of Officer Nichols activities. There is only a bad feeling within the Department because of a belief that the Chief of Police will watch Officer Nichols very closely in the future. However, this should not serve as a reason to deny Officer Nichols his return to the police officer.

If there was any improper activity in this case, it was caused or occasioned by the actions or inactions of the Chief of Police and his Assistant. It is the Assistant Chief who directly participated in the bleach incident. It is the Chief and the Assistant Chief who then did a perfunctory investigation in an effort to clear the Assistant Chief and not bring discredit on the department. Unfortunately, such activities have brought discredit upon the department. However, the blame should not lie with Officer Nichols. Further, in an effort to cause Officer Nichols to back off his investigation, a reprimand was illegally issued to him.

Civil Service Law Section 75 specifically provides that an employee shall not be subjected "to any disciplinary penalty provided in this Section" except after a hearing upon stated charges pursuant to the Section. The disciplinary penalty provided for in that Law ranges from "reprimand" to "dismissal." Thus, the issuance of a reprimand to Officer Nichols, without complying with the requirements of Section 75 of the Civil Service Law, was improper and should have no bearing on this case.

Officer Nichols was shown to be a dedicated and competent police officer. He was shown to be an honest law abiding citizen. While many of the aspects of this entire proceeding are unfortunate, and reflect badly upon the Village Police Department, Officer Nichols should not be terminated, suspended, or otherwise disciplined. He acted in a manner which he believed to correct, and in conformity with the Law Enforcement Code of Ethics which he took upon becoming a police officer. The Village of Malone would be well served in continuing to have Officer Nichols as a member of its Police Department.

DATED: Poughkeepsie, New York
October 13, 1993

THOMAS P. HALLEY
ATTORNEY FOR RESPONDENT
297 MILL STREET
POUGHKEEPSIE, NY 12601
(914) 452-9120

Patrick M Nichols
146 Webster St.
Malone, N.Y. 12953

Chief Phillips,
I would like to use 3 personal days for November 22, 23 and
24th. Please advise. Thank You.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick M Nichols", written over the typed name.

Patrick M Nichols

POLICE DEPT.
VILLAGE OF MALONE

2 Park Place • Malone, New York 12953 • (518) 483-2424 • FAX (518) 483-2426

James E. Phillips
Chief of Police

Vernon N. Marlow Jr.
Assistant Chief

November 9, 1993

Patrick Nichols
146 Webster Street
Malone, NY 12953

Ptln. Nichols:

In regards to my letter dated November 4, 1993 to you about your vacation. I have been informed by the mayor and budget officer that you were on paid leave during your scheduled vacation in September and as such are not entitled to another one. There were no restrictions as to where you could go and couldn't go.

Enclosed you will find a copy of your schedule. I would like you to report to the station on November 17, 1993 at 9:00AM for a meeting in my office and also to get your uniforms ready for work, and to get issued your leather gear.


James E. Phillips
Chief of Police

November 8, 1993
Patrick M Nichols
146 Webster St.
Malone, N.Y. 12953

Chief Phillips
2 Park Place
Malone, N.Y. 12953

Chief,

As of this date I have not received a copy of the schedule as you indicated by phone you would be sending via mail. Could you please forward a copy of same at your earliest convenience. Thank you.

Sincerely,



Patrick M Nichols

Chief James E. Phillips

Date: August 3rd 1993

Patrolman Patrick Nichols

Information from Mayor Feeley stating that Ptl. Nichols scheduled a meeting with the Mayor. Mayor Feeley thought that the meeting was to discuss the recent disciplinary action that was brought against Ptl. Nichols. Mayor Feeley stated that it took him off guard when Ptl. Nichols started talking about the Mattimore incident. During this meeting Ptl. Nichols also discussed his feelings that the incident was being covered up by myself. Ptl. Nichols then turned over a copy of a document from our department's new computer. This document was a copy of my personal notes that I made while conducting the personnel investigation on one of my subordinates.

This document was stored in my personal computer that only could be accessed from the other computers by calling up my computer which is computer number six. On screens would have shown CHIEF'S PERSONAL COMPUTER. Next WORD PROCESSING program would have to be entered. Once inside my word processing, the files that I had in memory could be accessed. The file was labeled JIM. Once JIM was entered, the screen would have shown notes for a personnel investigation that I was conducting on another officer. At the top of the screen were the words "PERSONAL COMPLAINT".

Ptl. Nichols let another Officer under my command know that he was able to access my personal computer. Ptl. Nichols also made the comment to this Officer that he couldn't believe how stupid I was for leaving the notes in my computer.

Ptl. Nichols submitted a memo on July 21st 1993 requesting the results of the personnel complaint that he filed against another Officer. I responded to his memo explaining that investigations on personnel were covered under the Privacy Act and he was assured that the investigation was being conducted.

Even after being advised that Personnel Investigations were covered under the Privacy Act, Ptl. Nichols took it upon himself to hand over a document involving the personnel investigation of another Officer without permission or authorization. Due to Ptl. Nichols actions and comments, I feel that the following departmental rules and laws may have been violated.

Malone Village Police Department Rules & Regulations

- 10.1.4 Insubordination or disrespect towards superior Officer
- 10.1.28 Releasing information contained in a department record
- 10.1.34 Deliberate violation of regulations pertaining to police management and control
- 10.1.57 Removing departmental records except as for in departmental orders
- 11.5 Member of department shall treat as confidential the official business of the police department. He shall not impart information relating to the official business of the department to anyone except under due process of law and as directed, or with the permission of the Chief of Police.

CIVIL RIGHTS LAW

- 50.a Right of Privacy, Personnel records of police officers

PUBLIC OFFICERS LAW

- 87 Freedom of information law, Access to agency records
- 95 Personal Privacy Protection, Access to records

N.Y. State Penal Law

- 156.10 Computer trespass Class E Felony
- 156.30 Unlawful duplication of computer related material Class E Felony

Chief James E. Phillips

Date: August 3rd 1993

Patrolman Patrick Nichols

Information from Mayor Feeley stating that Ptl. Nichols had stopped at the Mayor's house on the night of August 2nd 1993 while working the night shift. Ptl. Nichols discussed that he was being terminated from the DARE Program and that Ptl. Simonsen was going to take his place.

Ptl. Nichols has made it well known among the department that he no longer wishes to be involved with the DARE Program. Ptl. Nichols also stated this on February 4th 1993 to Ass't Chief Moll and myself.

The night that Ptl. Nichols met with the Mayor, there was no final determination as to the 1993-94 DARE Program. Nothing was confirmed as to Ptl. Simonsen teaching DARE or Ptl. Nichols terminated from DARE. This meeting with the Mayor was not authorized and the information released to the Mayor by Ptl. Nichols was premature and against policy. The following rules may have been violated.

10.1.78 No member or members of the department shall initially contact the Board of Trustees on police problems except through regular channels or by permission of the Chief of Police

10.1.77 Seeking influence or intervention of any person outside the department for the purpose of personal preferment.

Ptl. Nichols was counseled by myself on February 4th 1993 and handed a copy of Article X 10.1.78 & 10.1.77 of the department rules. Ptl. Nichols was advised that he violated these sections during the complications that took place during the DARE Program. A verbal warning was given to Ptl. Nichols over this incident.

Chief James E. Phillips

Date: August 3rd 1993

Ref: Patrolman Patrick Nichols

Information from Franklin County District Attorney, Richard Edwards, stating that Ptl. Nichols came to his office about two weeks ago to discuss the Mattimore incident. Ptl. Nichols handed over a copy of the statement that he submitted to me and his accusations against Ass't Chief Gerald Moll. The statement had "white out" used to block the name of Ass't Chief Moll. Ptl. Nichols discussed his concerns of a cover up with my investigation into the incident and what course of action he could take.

Ptl. Nichols took this upon himself to meet with the D.A. shortly after he submitted his statement to me. His allegations were being investigated, Mayor was advised and statements were being taken. A preliminary interview was conducted over the phone with Ass't Chief Moll and a statement was to be secured when he returned from vacation.

Ptl. Nichols actions and comments brought discredit to this police department and there is cause to believe that the following sections of rules may have been violated.

- 10.1.4 Insubordination or disrespect towards superior officer
- 10.1.28 Releasing information contained in a department record
- 10.1.34 Deliberate violation of regulations pertaining to police management and control
- 10.1.40 Communicating with other police agencies concerning police matters except as provided by departmental procedures
- 10.1.57 Removing, altering or changing any official departmental record except as provided for in department orders
- 10.1.77 Seeking influence or intervention of any person outside the department for the purpose of personal preferment.
- 11.5 Member of the department shall treat as confidential the official business of the police department. He shall not impart information relating to the official business of the department to anyone except under due process of law and as directed, or with the permission of the Chief of Police.

Chief James E. Phillips

Date: August 3rd 1993

Ref: Patrolman Patrick Nichols

Information from Mayor James Feeley stating that Ptl. Nichols scheduled a meeting with the Mayor. Mayor Feeley thought that Ptl. Nichols wanted to discuss the recent disciplinary action that was brought against Ptl. Nichols. Mayor Feeley stated that it took him off guard when Ptl. Nichols started discussing the Mattimore incident. Ptl. Nichols discussed the incident and further stated that he has been to the District Attorney's office and Mattimore himself.

Ptl. Nichols also turned over a copy of a document from our department's new computer. This document was a copy of my personal notes that I made during the personnel investigation on the Mattimore incident. Ptl. Nichols also discussed his feelings that the incident was being covered up by myself and further stated that he was going to the D.A. again and go with Federal charges.

Ptl. Nichols did not seek the permission from myself to set up this meeting. His comments and actions was an attempt to bring discredit to this police department and myself. The following rules and regulations of the department may have been violated.

- 10.1.4 Insubordination or disrespect towards superior officer
- 10.1.28 Releasing information contained in a department record
- 10.1.34 Deliberate violation of regulations pertaining to police management and control
- 10.1.57 Removing departmental records except as for in departmental orders
- 11.5 Member of department shall treat as confidential the official business of the police department. He shall not impart information relating to the official business of the department to anyone except under due process of law and as directed, or with the permission of the Chief of Police.

10.1.78 No member or members of the department shall initially contact the Board of Trustees on Police problems except through regular channels or by permission of the Chief of Police.

PtIm. Nichols was counseled by myself on 02-14-93 and handed a copy of Article X 10.1.78 of the Department rules. PtIm. Nichols was advised that he violated this section during the complication that took place during the DARE Program. A verbal Warning was given to PtIm. Nichols over this incident.

PtIm. Nichols reviewed the rules and regulations on 05-11-93 and he verified that he had by his initials.

PtIm. Nichols was given a letter of reprimand on 07-10-93 and again he was told to review the rules and regulations he signed a receipt stating that he received such letter.

POLICE DEPT.
VILLAGE OF MALONE

2 Park Place • Malone, New York 12953 • (518) 483-2424 • FAX (518) 483-2426

James E. Phillips
Chief of Police

Vernon N. Marlow Jr.
Assistant Chief


November 4, 1993

Patrick Nichols
146 Webster Street
Malone, NY 12953

Pt1m. Nichols:

I'm in receipt of your letter dated November 3, 1993 where you requested the first (5) working days that you return to work to be your unused vacation time. I have to deny your request. The weeks of Dec. 5, 1993 and Dec. 12, 1993 and Dec. 26 , 1993 are the only weeks that are available. You can inform me when you come back to work which one of those weeks that you want.

Sincerely,


James E. Phillips
Chief of Police

November 3, 1993

Chief James Phillips
Village Police Dept.
2 Park Place
Malone, NY 12953

Chief Phillips:

I am requesting in writing that a vacation scheduled in September that I was unable to use be rescheduled. I request the first five (5) working days I am scheduled to return to work be considered the unused vacation time.

Please let me know if this is acceptable to you.

Sincerely,

Patrick M. Nichols



cc; Thomas Halley

POLICE DEPT.
VILLAGE OF MALONE

2 Park Place • Malone, New York 12953 • (518) 483-2424 • FAX (518) 483-2426

James E. Phillips
Chief of Police

Vernon N. Marlow Jr.
Assistant Chief

Chief Phillips,

10/24/93

I would like to inform you by letter totally against the idea of having to work with Patrick Nichols. My reasons for feeling this way are as follows.

I spent 4yrs of my life in the military and almost 4yrs now as a member of the Malone Village Police Department. During these last 8yrs, I've learned to depend on the people I work with for the safety of my life and their's. With the way Pat has brought down the morale and respect of the Police Department, I don't feel I can count on him when it really counts. He has betrayed my trust in him as a fellow Police Officer and he can never regain that trust I once had in him.

I don't think I can be productive at work, feeling that every decision or arrest I make could possibly be subject to close scrutiny by a fellow member looking for something to get me in trouble. Feeling this way could jeopardize my safety when a split second decision is needed when answering a call.

In closing, I feel having Pat back on the job will do more harm then good and would be disruptive to the entire Police Force.

Respectfully,


Patrolman James J. Russell

POLICE DEPT.
VILLAGE OF MALONE

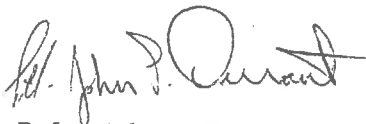
2 Park Place • Malone, New York 12953 • (518) 483-2424 • FAX (518) 483-2426

James E. Phillips
Chief of Police

Vernon N. Marlow Jr.
Assistant Chief

To Chief Phillips and whomever it concerns:

In regards to Ptl Nichols returning to duty with the Malone Village Police Dept I would like to state that I am in Protest of working with this individual. I have worked with Ptl. Nichols in the past and have had nothing but problems, I have two great partners at this time and wish to keep them. Ptl. Nichols is a person whom can't be trusted and whom I would rather stay away from because of his hard head ideas and the fact that he believes that he is always right, and everyone else is wrong. Ptl. Nichols doesn't even like this job and has stated so several times if he is placed with somebody like myself whom does like the job ~~and~~ (the work that I perform) it would only lead to disaster. I don't want to become a victim of his big ideas and his media position every time he doesn't get what he wants. In this type of job I feel that Ptl. Nichols is a problem to himself and anybody in direct contact with him. I don't think that it is right nor just to ask anybody to work 8hrs in a car with someone whom you don't even talk to, it is impossible. I am afraid for myself and family for what could happen if he tries to slander my name threw the headlines of the telegram, I don't believe that this is in my job description to have to be subject to this. I will protest every day that I have to work with Ptl. Nichols and if something does occur while working with him I wish it to be noted that I will not be held responsible. I would appreciate your consideration in this matter and hope that I can resume my position with the partners that I have at this present time.



Ptl. John P Durant

MALONE POLICE DEPARTMENT
INCIDENT REPORT

8-A-4613

COMPLAINANT: Bernie Davis/Flemings Furniture

CASE# 8-A-4613

ADDRESS: 47 East Main St

LOG: 3452

PHONE: 483-0114

OFFENSE: Criminal Mischief

INCIDENT LOCATION: Behind Flemings

RECEIVED BY: MVF

AT: 0750

DATE: 10/27/93

DATE/TIME COMITTED

DATE/TIME INVESTIGATED:

OFFICER ASSIGNED: Simonsen

SUSPECT/PERSON ARRESTED:

DETAILS OF INCIDENT: Complainant called and reported that two tires on the company vehicle had been cut. Complainant further stated that he reported the same type of incident on 10/26. He then went on to say that this police department was something else and that if Officer Nichols was working this type of thing wouldn't have happened.

Patrol spoke to Mr. Davis who was upset that his tires on his new delivery truck were punctured. He could not believe that with the taxes he pays that we can't watch his vehicles. The front passengers and drivers tires were flat. I tried to talk to him but he would not talk. I went to take pictures and puncture hole that I found in the drivers tire. I spoke to Russell's Taxi drivers who told me that they saw nothing but will keep an eye out and if they see something they will contact the department. I talked to people that live in the aptment on Mill street but they did not see anything either. I then went back and talked with the complaint and told him that we would need estimates of the damage. It was found later that the inside back duels were also flat. The complainant said that he was going to contact the Mayor. I asked him if there was anyone that he was having problems with and he told me that he could think of anyone. I told him that we would try to check behind his building more often. Will have night shift keep an extra eye on the building.

MRS

MALONE POLICE DEPARTMENT
OFFENSE REPORT

COMPLAINANT: Bernie Davis

CASE:

8-B-150

ADDRESS: Fleming's Fine Furniture

LOG: 3419

PHONE: 483-0114

OFFENSE: Criminal Tampering

INCIDENT LOCATION: Rear parking lot off Mechanic St.

REPORT RECEIVED BY: SJS AT: 0853hrs DATE: 10/25/93

DATE/TIME COMMITTED:

DATE/TIME INVESTIGATION:

OFFICERS ASSIGNED : Simenson

SUSPECT/PERSON ARRESTED:

DETAILS OF COMPLAINT: Complainant called to report that when he got to work this AM he found two flat tires on his new 1994 truck. Caps were taken off the stems and the air let out, tire where inflated and held the air. Complainant requests that patrols check his lot more often to keep an watch on his business and equipment.

0930 Hrs. Davis called back and stated one of the tires would not keep air in it and the tire was at Jim Perry's Service Station. Spoke with Perry and he stated that one tire just had the valve cap taken off and was not flat but the other had two puncture holes in its sidewall and the tire would have to be replaced. SJS

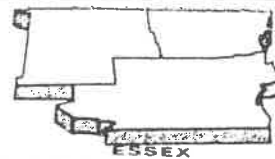
Spoke with Jack Russell and his drivers they stated they saw no one in the area of the truck, did see some kids over by Shakers. Russell stated he was at the stand the latest and does not remember anyone being in the area last night, he went up to his apt. around 12:30 AM. SJS

SUPERVISOR:

REPORT BY:

CR

WEDNESDAY,
AUGUST 18, 1993



REG

Suspended cop feared reprisals

By ALISON CALKINS
Staff Writer
Malone Bureau

MALONE — The fear of retaliation by Malone officials was what kept recently suspended Malone Village Police Officer Patrick Nichols from speaking out sooner about the alleged mistreatment of a prisoner in police custody.

In a formal complaint earlier this month to Malone Mayor James Feeley, Nichols charged that on April 3, a police officer on duty threw bleach into the police station's holding cell, which is a small room with a solid door, after a prisoner who was not allowed to go the bathroom urinated on the floor. Three days after the complaint was lodged, Nichols was suspended by Feeley for up to 30 days for violating departmental regulations.

Nichols said Tuesday that although he will wait until the Civil Service hearing to tell the whole story, he waited until recently to report the incident because he feared retaliation by Police Chief James Phillips, and because he wanted to be sure he had a good case.

"Retaliation is the number one reason I waited so long," he said. "That's the same reason a lot of others are waiting before they say anything. They fear retaliation too. But I made the decision I'd see this through, and I want the public to know what's going on."

Although officials and Nichols's attorney have refused to name the officer in Nichols's complaint, Nichols's brother-in-law was willing to tell all. He identified the officer as Assistant Chief Gerald Moll.

"I learned it was Moll from a source in the police department. Everyone in town knows it's Moll. It's not a secret," said Doug Vensil, who works for the New York State Department of Corrections. "I'm a bit peeved at the whole situation, and there's a lot of other people who are upset at the way this whole situation came about. Gerry Moll is the

"He contacted me and showed me a memoranda with names whited out. He said he'd allow his police department to investigate and he might come back. That's all I've heard," Edwards said. "I was asked if I'd review the situation and I responded that if he came back I'd look into it. He never came back."

Edwards also said that the man allegedly mistreated, Scott, Mattimore, hasn't filed any charges against the village police for violations of his rights. According to the police blotter, Nichols and Moll were both on duty April 3 when the alleged incident occurred along with officers Steve Stone and Scott Mulverhill. Mattimore was arrested on burglary charges, and Edwards said Mattimore later pleaded guilty to criminal mischief for breaking a window in the holding cell. Phillips, Moll and Mattimore couldn't be contacted for com-

ment Tuesday.

Nichols confirmed that he also filed a complaint against another officer earlier in the year regarding another unrelated incident, but refused further comment because the matter is still pending. Vensil said he knew Nichols had filed a previous complaint about another issue he believed was covered up by police officials.

"There are a lot of things that have been swept under the rug and Pat hates to see these types of things going on, that's all," he said. "I believe now they're just trying to get even with him for saying anything."

Both sides await hearing

By ALISON CALKINS
Staff Writer
Malone Bureau

MALONE — The charges against suspended Malone Village Police Officer Patrick Nichols are being amended before the case goes to a Civil Service hearing.

Monday, Mayor James Feeley said he signed the order suspending Nichols under Article 75 of the Civil Service law, the section of law that states the rules for removing and disciplining civil service employees. Tuesday, Feeley said those charges were being amended. According to Tom Hally, Nichols's attorney with the Federation of Police union, the list of charges against Nichols is lengthy and includes: insubordination, removing departmental records, communicating with other agencies without going through proper channels, violating the Freedom of Information law, and violating the right to privacy.

Feeley said that under Civil Service law it is permissible to amend the charges and that Village Attorney Brian Stewart is at work doing so. He also said he won't discuss the changes until they are completed and that a hearing date sometime in early to mid-September is being arranged.

Article 75 also states the rules by which the hearing officer is selected and according to those rules, the Village Board is the body that does the selecting, according to Feeley. He said the board chose Malone businessman and former U.S. Navy internal investigations officer Brian McKee for the job.

"My perception is that this individual might have an in-depth understanding of personnel problems and an understanding of the chain of command and need for discipline," Feeley said, adding that he has only a minor acquaintance with McKee. "I'm more aware of his public resume. The board made the decision and there was more than one person discussed."

Feeley also said that as he understands the rules, there is no provision allowing Nichols to

Nichols Suspended

TOM GRADY
SUN EDITOR

MALONE - Pat Nichols, a five-year veteran of the Malone Police Department and currently a candidate for the office of Malone Town Councilman has been suspended from duty for 30 days.

Nichols was suspended on Aug. 5 without pay, according to his attorney, Thomas P. Halley, of Poughkeepsie. A hearing scheduled for Aug. 24 has been adjourned and no future date has been set.

Nichols was suspended for "violation of the rules and regs of the police department" according to Halley.

Halley said the incident which led to the suspension was caused when Nichols reported "mistreatment of a prisoner by another Malone Police Department officer," to the Franklin County District Attorney and the Federal Bureau of Investigation. That officer has not been identified.

"This could be retaliation against him for blowing the whistle," said Halley, who cur-

rently is under the Federation of Police Unions in representing Nichols.

Police department spokesman Assistant Chief Gerald Moll refused to discuss the issue and referred all comments to Malone Village Mayor James Feeley.

Feeley said that Nichols, "would be afforded all the rights accorded to him under Article 75 of the Civil Service Law."

"If he is found not guilty, then he will be entitled to full reinstatement and all back pay minus any unemployment compensation he receives, said Feeley.

Feeley was unwilling to discuss the specifics of the case. He stated "no comment" to a question about the federal "Whistleblower Law" which protects public employees when reporting possible illegal acts.

"This is very definitely a situation the Whistleblower Law covers," said Halley.

Feeley said the village has retained the services of Brian Stewart as an outside counsel for this case.

"Basically, I have done nothing inappropriate and I stood by that decision then," said Nichols. "And I stand by it now, and will until my hearing, which will be public. I am doing what a police officer is required, unfortunately, a 30-day suspension was taken out on me, and this is where we stand. I have done nothing wrong."

Nichols said he initiated it being put out to the press.

"I felt that the public has a right to know everything up to my suspension," said Nichols.

Sept. 7, 1993
Telegram
Front page

Police Discipline

Village Releases List of Charges

SHARON K. HUGHES
Telegram Staff Writer

Mayor James Feeley has released a long list of amended charges against a local police officer, Patrick Nichols, claiming he violated departmental rules while making a complaint against Malone's assistant chief of police.

The disciplinary hearing for Nichols will be held at 9 a.m. Thursday, Sept. 16, in the village board room, according to Mayor James Feeley. If the hearing doesn't finish Thursday it will continue Friday.

Feeley suspended Nichols for 30 days without pay Aug. 5, on charges tied to his complaint of Assistant Chief Gerald Moll's treatment of a prisoner. Moll was cleared of mistreatment by the village board, which based its decision on a report prepared by Police Chief James Phillips.

The list of 46 charges against Nichols include insubordina-



Pat Nichols

tion, discrediting the department, public criticism of a member of the department, seeking the influence or intervention of a person outside the department, disclosing official business of the department, failure to treat members of the department with respect, and releasing departmental information without permission.

According to Nichols, the amended list of charges does not include five criminal charges that were on the original list. The original charges were never released by the village.

"I just hope people show up and listen to what was done and form their own opinion," Nichols said of the hearing, which he requested be open to the public. "It's a shame that it's come this far."

"I still have my hopes up," he said. "I feel confident that this will be resolved without my losing my position."

Nichols added he hopes Brian McKee's friendship with Police Chief James Phillips wouldn't interfere with his judgment.

McKee will be the hearing officer. He is the retired head of Naval Investigative Services, owner of the Gateway Motel and a former village police officer.

McKee said that he is as much a friend of Nichols as he is of Phillips and he wouldn't let his friendship with either man influence his feelings.

"I certainly don't want anyone to think that I would sacrifice my integrity," he said.

"I'm not the issue, here," Nichols asserted. "I never should have been the issue."

Nichols wouldn't comment on Moll's being cleared of any wrongdoing, except to say he hoped the village didn't act prematurely.

The 30 days of Nichols suspension ended Sunday. He said he is now back on the pay roll, but has not returned to work.

Sept. 13, 1993

Malone

Telegram

Letter to the Editor

13/93

Support Police Officer

To the editor:

Why is Patrick Nichols being punished for protecting the rights of the people? I always thought police were hired to protect us.

Pat has become someone that our children respect by working with the DARE program, now he is being persecuted for being a good officer.

Must we live in fear that the police officer's first priority is to cover up for his fellow officers' mistakes instead of protecting the citizens he is paid to protect? Several people have had the misfortune of feeling the affects of police cover-ups before.

If the people complain about the wrongful acts of one police agency, two more agencies just may take over. This act used to be called harassment, today it is the buddy system for police officers and their associates.

I have been part of one of these cover-ups before at the tune of a cost to our family of about \$80,000. We contacted everyone we could possibly think of, but the buddy system was at work.

If Pat had not contacted an outside agency no one would have ever realized what the departmental regulations of our great county jail are.

What are your regulations?

Why would you degrade a good officer that the children respect?

B. Smith
Malone

P.S. I cannot understand why anyone should be punished for doing what is right.

It's pretty bad when people are afraid to comment in Pat's favor because of the repercussions that might follow.

Please attend the hearing.

Sept. 15, 1993
Malone
Telegram

Letters to the Editor

9/15/93 Questions About Police Incident

To the editor:

As a taxpayer of Franklin County, I have several questions to ask Mayor (Jim) Feeley and the Village of Malone on the Nichols-Moll incident.

First, I would like to ask a simple question of Mayor Feeley. What would your attitude have been if the prisoner in the holding cell that night would have been your son? Do you think Officer Moll, who was the officer in charge, acted on the best interest of the prisoner, Scott Mattimore?

Scott may have been intoxicated that night, but when he gave his story to the Malone Telegram, he was sober. Do you think it was correct for the window of the holding cell to be taped, so Scott could not see out? And why wasn't Scott allowed to go to the toilet facility that night to urinate? If anyone has ever read the warning label on a Clorox bottle, they would know enough not to use it on urine without diluting it first. It is toxic and when used in an

unventilated room, can be very hazardous to your health.

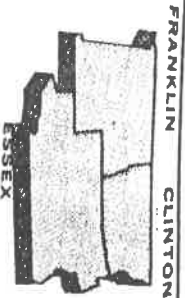
Scott was gasping for air, and finally broke the taped window for air and was later arrested on criminal mischief charges for breaking the window. If you were in Mr. Mattimore's shoes, Mr. Feeley, what would you have done? I'm sure there are many people who would like to know! Why was Officer Nichols suspended within 24 hours after this incident and a thorough investigation was done on Ralph Jesmer before he was suspended? Pat Nichols is a good man and had done a fine job as a police officer. He went to Chief (James) Phillips and nothing was done. So I don't blame Pat for going someplace else. Why do you call that improper procedures? Is the police department covering things up?

What gives the village the right to exonerate Officer Moll? There are many people who believe Mr. Nichols did the right thing. Gossip has it that several officers in the department went to Officer Nichols' home and offered him their paychecks to help him out, but they are fearful to say anything on Mr. Nichols' behalf because they fear for their jobs.

Pat Nichols, I support you all the way. What you did was right. What Officer Moll did was wrong, and there are lots of us who know it! Keep your chin up Pat. I mean, Officer Nichols.

Linda Jackson
Westville

SATURDAY,
SEPTEMBER 18, 1993



REGION

Suspended Malone police officer

By ALISON CALKINS
Staff Writer
Malone Bureau

MALONE — Suspended Malone Village Police Officer Patrick Nichols charged Police Chief James Phillips and Mayor James Feeley with covering up an incident of prisoner mistreatment at the police station during testimony at his civil service disciplinary hearing Friday.

Nichols is facing a list of charges after allegedly violating police department rules by reporting the incident to people outside the department without following the proper chain of command.

Friday, Nichols said he had no choice but to tell others, because he feared a coverup and retaliation by the police chief after filing a report against Assistant Chief Gerald Moll with the chief. "In May and June of 1993, I started to think there was a coverup because allegations were made by a resident of Malone regarding another coverup of an incident between himself and an officer. Things happened that were falsely reported to the Village Board," Nichols said, adding that he was supported in his views by other members of the Police Department who warned him to be careful. "Everybody knew what I was doing."

Nichols named officers Scott

Mulverhill, Clyde LaChance, Stephen Stone and Sgt. William Richie as among the supporters with whom he discussed the matter, even though Mulverhill, LaChance, and Richie couldn't remember many details about those discussions while on the stand Thursday. Union President Sgt. Chris Fountain also advised him to speak to the mayor, according to Nichols.

Nichols said that at one point, Richie called him at home and said he'd received an intimidating phone call from Moll. Nichols said he reported that to Feeley on Aug. 2.

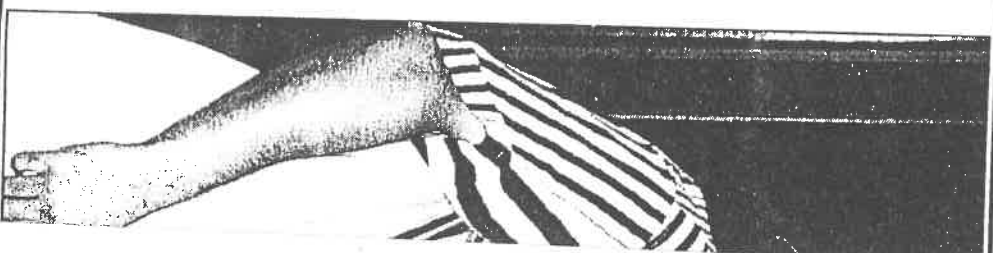
"I told the mayor that another member of the department was being harassed because of his position. I told him about the differences in my report and the chief's investigation into the incident and that I feared retaliation. The mayor said to keep him advised of any harassment or retribution," Nichols said.

But after talking with Feeley, Nichols said other officers told him there was a lengthy meeting between Phillips and Feeley.

"Then on Aug. 5, I went to work and got suspended," he said, adding that he believed his previous removal from the DARE program, reprimand about a prior incident at the Elks Club and his subsequent suspension from the department were clearly retaliatory.

“I told the mayor that another member of the department was being harassed because of his position. I told him about the differences in my report and the chief's investigation into the incident and that I feared retaliation. The mayor said to keep him advised of any harassment or retribution.”

Patrick Nichols



Nichols also chuckled at talking with Nichols' testimony that after feared for his perso

Sept. 29, 1993

Telegram

Points to Ponder In Nichols Case

To the editor:

In regards to Officer Nichols:
Points to Ponder:

1. Officer Nichols has been accused of not following orders and chain of command. Hitler's subordinates followed his orders and chain of commands. At what point do you not follow orders? When someone dies from being gassed? It is unlikely that I would have survived the conditions described by Mattimore.

2. When an experienced, well-trained officer was called upon to testify on behalf of Officer Nichols, his response was "I can not recall." Police officers are trained to make good observations. What happened to all that good training?

3. Officer Nichols' refusal to conform (shut up) brings us back to Point No. 1. When you know something does not smell right, you owe it to yourself and your fellow human beings to look around the corner and check it out. I would never stick my head in the sand like an ostrich, in the hope that the problem would go away.

Last but not least, why was one of the principal characters,

Ass't Chief Moll, not called to testify?

Watching and Waiting,
**Robert Barton
Malone**

Husband, Officer Did Right Thing

To the editor:

In regards to the public hearing concerning my husband, Patrick Nichols, I wish to personally thank everyone who has supported us through the last six weeks or so. Your caring and concern, shown in several ways, has greatly helped to ease the difficult times and reinforced our reasons for keeping Malone our home.

My husband is a caring, honest, faithful man, dedicated to his career and the other officers whom he serves with. Mr. Stewart and Chief (James) Phillips have accused my husband of acting with malice and for personal gain. Just what have we gained from this? My husband's career and personal values have come under fire, our family is concerned for their personal safety, our financial situation has been made unstable and uncertain, and his relationship with co-workers had been jeopardized.

Those of you who know my husband, know that he is not a "problem cop." If my husband is viewed as a "problem cop" it is because he has problems with wrongdoing within the department and allowing them to be buried. He has a problem with the motto of the police department being "To Protect and Serve" when laws are being blatantly broken. Patrick's actions in this matter were not self-serving, as the retaliation against him obviously was. Patrick can't make waves as long as he is suspended, and I'm sure intimidation was the deciding factor for this suspension.

Just to clarify one point brought out in this public hearing. The prosecution accused my husband of violating the rules and regulations during the DARE incident. Well, Mr. Stewart you accused the wrong person. I was the one who went public with the situation, contacting parents and teachers — unbeknownst to my husband. They contacted trustee Bob Fraser, who, in turn, contacted us.

During the initial meeting, Patrick was under a "gag order" (again allowing the police to hide behind their rules and regulations), making Patrick unable to talk about the turn of events, but I could.

It was obvious the actions taken by the chief and/or assistant chief were unwarranted and unjustified — I say this because during the course of this situation, there were several different reasons given for the hour-switching, ranging from excessive overtime, insubordination (which was unproven — there was nothing to indicate this in Patrick's personnel file) and complaints from other officers about Pat's "easy hours."

We weren't and still aren't sure what the problem was. These were hours assigned to my husband by the chief to prevent Patrick from receiving the excessive overtime as had been realized the previous year and to enable Patrick to instruct the program to the best of his ability. After donating as many

hours as he could at his family's expense and having to fight for everything he got from the department, my husband drew the line and questioned the need to switch. At that point, he was removed from the program, much to Patrick's devastation.

Within 24 hours, JAO Reyome was in the schools to announce the change — jeopardizing the bond that developed between Patrick and the children. My husband, based on comments made to me from teachers, parents and children, is a fabulous DARE teacher, spending lunch hours and recesses interacting with the children — always caring and concerned for his DARE kids. It's as if we not only have two immediate children, but we have almost 500 in our extended family. Assistant Chief (Gerald) Moll and Chief Phillips didn't once consider the feelings of these children, nor did JAO Reyome.

As a certificate DARE instructor, JAO Reyome should have placed the bond Patrick had developed with the children ahead of his own ego and stepped aside.

If my husband is guilty of anything in the DARE situation it is having a wife who supports him, who has a big mouth, and who isn't intimidated by the rules and regs of the police department.

For several months earlier this year, my husband was distracted and distant, deep in his own thoughts. Although I tried several times to draw out what was bothering him, he refused to discuss it with me. The only comment he eventually made was that something had happened at the station that he felt was morally wrong.

My husband actually feared that if he did his job and reported the improper conduct, he would be retaliated against. The effects of the DARE incident were still very vivid in his mind. But after a great deal of soul searching he chose to do the right thing, and filed his report, which resulted in his suspension. Despite the stress and pressure, the suspension has placed on us, I am so very proud of my husband for doing the right thing. It has allowed us to walk with our heads held high.

The disrespect referred to by Chief Phillips that he claims Patrick has brought to the force existed long before this situation. The people in this area are not blind or deaf, many have lived here all their lives, and the workings of the police department are no surprise to them.

There have been many incidents of improper conduct involving the police department reported to Patrick and I over the course of his suspension, but the general feeling is, "why bother to report it, it would only be mishandled or buried completely like they usually are." We need a department that is, by law, not able to investigate their own. That presents too much of a conflict of interest, and personal feelings play too much of a part in any internal investigation.

And we need to have a police department that does not retaliate or punish its officers for reporting wrongdoings within the department.

I personally feel the village was misinformed and pressured to act quickly on this matter, suspending the wrong person. I firmly believe my husband has been made the scapegoat in all this — simply because he filed a complaint concerning the mistreatment of a person in police custody and the official misconduct of a supervisor. He is being punished for upholding the law, that he swore to uphold when he became an officer, while some of the police department supervisors, who are the real problem, are still secure in their positions.

Again, thank you one and all for your continued support. We appreciate the warmth and caring shown to Patrick, myself and our children. There are far too many people to mention, but your well wishes and thoughts have been a great source of comfort to us during this time. You have helped enforce the feeling that what Patrick did was right.

Betsy Nichols
Malone

Oct. 12, 1993

Malone Telegram

Letters to the Editor

Nichols Was Good With Kids

To the editor:

The letter by Mrs. Nichols pointed out just how far-reaching this incident has become.

So many are overlooking all those children. As a parent of one such child, I was very angry

when my daughter came home from school almost crying, saying Officer Nichols had been replaced. This child loved and respected him.

Last year a day didn't go by when she didn't mention the D.A.R.E. program, how much she liked it and that Officer Nichols was the greatest.

For someone to receive that much admiration from just one child when he saw so many in so little time says a lot. She would look in every police car hoping to see him. She would wave her hand like crazy in hopes he would wave back. Even if he didn't see her she would be happy just to have seen a friend.

The D.A.R.E. program involves standing up for yourself and just saying no to drugs, abuse, ect.

So for Pat Nichols to teach this to our children and then ignore his conscience would be a double standard.

I have met Officer Nichols years ago and know that it is not his nature. Nor should it be ours.

My daughter has not lost that bond she had in D.A.R.E. She reads everything in the paper about her "hers" and prays everything will be okay again. She comes to me with questions I cannot answer. I try to tell her doing the right thing pays off in the end. This incident needs to be explained to the 500 or so children, because my child is not the only one who thinks Officer Nichols is the best.

Mary R. Allen
Malone

Oct. 19, 1993

Press
Republican

Impartiality of officer to be contested

By ALISON CALKINS
Staff Writer
Malone Bureau

MALONE — Attorney Thomas Halley intends to prove that Brian McKee was not an impartial hearing officer.

Halley said he has evidence that McKee was ready to do the department's bidding from the start. For starters, he referred to a 1991 letter from McKee to former Police Chief Richard Brown in which he offers "courtesy accommodations" at his Gateway Motel to any Police Department members.

In the letter, McKee wrote that the free rooms were his way of thanking the department after they answered an alarm that was accidentally activated at the front desk.

"Plus, Mr. McKee is a former member of the Malone Police Department. This is the type of character you're dealing with," Halley said. "How can anyone consider that Pat got an impartial hearing?"

McKee said Halley is way off base with his accusations. He said he was so impressed with the way the officers responded to the alarm he wanted to do something.

"Pat Nichols was one of the officers that came. And I donated money to the DARE program when Pat asked me. That could make me partial to Pat if you want to look at it that way," he said, adding that he got his start in law enforcement in Malone where he was an officer for a year.

"Because I have a fondness for police officers and because I was one for 32 years, how does that make me biased? I just fail to see how being supportive of your Police Department is being biased."

McKee said he stands by his recommendations and now it's up to the Village Board. He also said he's required only to submit his report to the mayor, and the mayor is the one who distributes the report to anyone he chooses.

Fire cop in Malone, report says

By ALISON CALKINS
Staff Writer
Malone Bureau

MALONE — The Malone Village Police officer suspended for official misconduct after reporting alleged mistreatment of a prisoner in police custody should lose his job, according to the findings of a Civil Service disciplinary hearing.

Hearing Officer Brian McKee recommended that Officer Patrick Nichols "be demoted in grade and title and reassigned to duties within the government of the village . . . outside the Malone Village Police Department. If this is not possible due to an inability to place (Nichols) elsewhere in village government, then I recommend that he be discharged from employment by the Village of Malone."

Nichols was suspended without pay for 30 days on Aug. 5 after reporting an incident in which he said a prisoner was mistreated by Assistant Chief Gerald Moll. Nichols was charged with numerous violations of departmental regulations after he reported the incident to people outside the department without following the proper chain of command.

His case was heard at a two-day public Civil Service disciplinary hearing in September, and McKee was appointed hearing officer by the Village Board.

In a report to Mayor James Feeley, McKee wrote that Nichols knowingly and without good cause violated the rules of the Police Department and brought "unwarranted discredit" on the department because he accused supervisors and co-workers of misconduct that was never proven.

"I am convinced that (Nichols') misconduct requires serious disciplinary action, but this is tempered, to a degree, by his obvious excellent performance as a DARE instructor for the department," he wrote. "I am not convinced of his ability to perform adequately as a full-time patrol officer . . ."

McKee wrote that there is also enough testimony to believe that returning Nichols to the job would be disruptive to the department, and "lead to additional confrontation of established authority by (Nichols)."

Nichols's argument that he was protected under the whistleblower law was not convincing, according to McKee, because Nichols waited four months before reporting the incident, failed to make a good-faith effort to provide the allegations to Police Chief James Phillips, and didn't allow a reasonable time for Phillips to take appropriate action once the incident was reported.

McKee said that sergeants Vern Marlow, William Ritchie and Chris Fountain should also share the blame. He cited them for not taking supervisory action before Nichols filed his allegations with Phillips on July 13.

They "appear to have been fully aware, or at least highly suspect" of Nichols's intentions, he wrote. "They must share in the criticism for the misconduct of (Nichols) reaching the point that it did."

McKee also recommended that Officer Clyde LaChance, who gave Nichols some information about the incident that he accidentally found in the department's computer, be subject to some disciplinary action for inciting Nichols to further misconduct by " . . . improperly disclosing police information."

Nichols said he was disappointed by the report and he intends to take the matter farther. "What I did was right. I may be working somewhere else for awhile, but I'll pursue it. What else can I do?" he said.

Nichols's attorney, Thomas Halley, didn't have much to say because he hasn't yet seen the report. He said he's astonished that the press got the report before he did, and it's a continuing pattern of harassment in this case.

He also said he intends to request a county Supreme Court review of McKee's findings and that the hearing was tainted by lack of impartiality.

"I had a feeling from the beginning that Mr. McKee would do what the Police Department wanted him to and he did," he said. "Pat Nichols did nothing wrong. He saw wrongdoing and he reported it."

Report: Pat is Rule-Breaker

THOMAS R. GRADY
MANAGING EDITOR

MALONE - Pat Nichols is a rule-breaker, according to the report and recommendations put forward by Brian McKee, the hearing officer in the CSEA disciplinary hearing held in September.

McKee's recommendations include the demotion of Nichols "in grade and title and (be) re-assigned to duties within the government of the Village of Malone and outside the Malone Village Police Department. If this is not possible due to an inability to place Police Officer Nichols elsewhere in the Village Government, then I recommend that he be discharged from employment by the Village of Malone."

McKee found Nichols guilty of nearly every charge filed by the village against him. These charges were violations of police department regulations. Of the few charges that Nichols was found not guilty of, were charges the village attorney could not produce enough proof existed, including a meeting with former

police chief Richard Brown

"McKee is a close friend of the police department."

- Atty. Tom Halley -

"I'm not surprised that's what McKee would say," said Thomas Halley, the attorney representing Nichols. "We've known that McKee is a close friend of the police department and would bend over backwards to give them what they wanted."

Halley said that his client had no control over the choice of the hearing officer. Halley said he expressed concern about that situation, but it made no difference.

The next step, expected at the next regular meeting of the Malone Village Board will be that board's determination whether they will accept and act upon McKee's recommendations. That

McKee went on to say that Nichols "is fully responsible for his misconduct." However, McKee also stated that Sergeants Vern Marlow, William Ritchie and Chris Fountain were aware of Nichols intentions and should have taken steps to resolve the situation before it reached the point of the filing of allegations by Nichols. Officer Clyde LaChance was also at some fault for "inciting" Nichols to further misconduct, and recommends LaChance receive disciplinary action.

According to Halley, if the village adopts McKee's recommendations and removes Nichols from his job, the next step will be to go to New York State Supreme Court.

"We do not believe that Pat got an impartial hearing and that will be part of our request for a state Supreme Court review," said Halley. "This will become very expensive for the village."

Nichols stated he did not want to comment on the results of the hearing, but admitted he was very disappointed. Both Nichols and his attorney were angry that the

Oct. 19, 1994
"The Sun"

Oct. 21, 1993
Malone Telegram



NOTICES
100

Notices 101

Auto, Homeowner, & Business Insurance. Call **Gallivan Insurance Brokerage Inc.** to compare before you make that next premium payment. 518-483-6153.

MARY KAY SHOWING Consultant will be avail., 110 Academy St., Thurs. 1 pm, 10/21/93. 483-9053.

NOTICE

If you believe in Officer Pat Nichols and his efforts to maintain Police Integrity, please attend the Village Board Meeting this Monday night and voice your opinion & support for him, his efforts, and his family.
Thank you.

Lost and Found 102

FOUND: Female, gray, Poodle-mix, Cosgrove Rd. Call 481-4120.

FOUND: Male brown & tan mixed breed dog, on Rt. 11, near Western Auto. Call 481-4120.

FOUND: Male Lab. & Doberman mix, on Cady Rd., near The Pines Restaurant. Call 481-4120.

FOUND: Male mixed breed dog, Meehan Rd. Call 481-4120.

Garage Sales 104

TAG SALE: Thurs 4-8, Fri. & Sat. 8am. Bell collection, furniture, dishes, waterbed, collectibles, lamps & quality clothing. American Vlg. complex 34 Catherine St., Malone.

AUTOMOTIVE
200

Automobiles for Sale 201

1988 Pontiac Grand Am, 2 dr, auto, PS, PB, air, stereo, 4 cyl. Ex. cond. \$4,875. 483-8845.

Trucks For Sale 204

1990 Ford pickup, XLT 150 Lariat, extended cab, 351 V-8, 2 WD, cap, toolbox, 3 pt. hitch, new tires, loaded. 100,000 mi. Ford extended warranty 529-7736

Oct. 21, 1994
Front Page
Press Republican

Malone cop keeps job, will be disciplined

By KIRBY SELKIRK
Staff Writer

MALONE — Village officials will allow suspended Police Officer Patrick Nichols to remain on the force, but he will be disciplined.

Nichols was removed from duty without pay Aug. 5, charged with accusing Deputy Chief Richard Moll of mishandling a prisoner and making disparaging remarks about Chief James Phillips and the police force.

Nichols was suspended for 30 days without pay. He has not been back to work since the suspension.

Nichols was given a Civil Service hearing in September. Mayor James Feeley appointed Brian McKee as hearing officer, and he handed down his recommendation on Monday.

McKee suggested the village demote Nichols in grade and employ him somewhere other than in the Police Department. If no such employment could be found, McKee recommended that he be dismissed.

The trustees decided to place a letter of reprimand in Nichols's file, levy a fine not to exceed \$100 and suspend him without pay for a period not to exceed 60 days. He will be given credit for the time he has already been suspended.

Trustee Robert Fraser on Wednesday read the section of New York State municipal law pertaining to the case before offering a resolution handing out the punishment.

The village decided to act as soon as possible and called a special meeting for Wednesday. The board faced a dilemma in

that Feeley, by virtue of his having forwarded the initial charges and having testified at the hearing, was made ineligible to deliberate or vote on the decision.

Making the situation even more difficult, the board is short one member as Thomas Hickok recently resigned. The decision had to be a majority of the full board, four trustees and the mayor.

Thus, the burden fell to trustees Greg Dame, Earl LaVoie and Robert Fraser, who entered executive session to make their decision.

"This is a no-win decision for the board, or the village as a community. This was a tough decision," Fraser said.

"We decided to do it right away. We either made a decision or waited until someone was ap-

pointed to fill the vacancy. That would have placed whoever it is in a terrible position and would have been unfair. It wouldn't have been the right thing to do," Dame said.

Nichols said he had mixed feelings about the decision. "I feel good. I'm going back to work. Obviously, there will be some hard feelings between me and some others, but we're professionals," he said. Some of his fellow officers hold no resentment, he added.

Nichols is not fully satisfied with the decision, however, and will contact his attorney, Thomas Halley, about what to do. "This is not what we were looking for. I don't think I did anything wrong, but if he says to take what I've got and live with it, then that's what I'll do."

Nichols Punished But Back on Force

THOMAS GRASER
Telegram Staff Writer

Pat Nichols will return to the village police force but not before serving another 30 day suspension from duty without pay.

Members of the Malone Village Board of Trustees met in executive session to decide the fate of the suspended cop Wednesday night.

The village brought charges against Nichols in August for going outside the police department to report alleged misconduct of another police officer.

A two-day public hearing was held in September to hear evidence from both sides of the case.

Brian McKee, the hearing officer, filed his summary of the hearing and recommendations with the village board late last week.

McKee recommended that Nichols be removed from the force and given another job in the village government. If no



Pat Nichols

job was available, McKee recommended he be fired.

About 12 picketers — family and friends of Nichols — marched up and down the side-
(Turn to Nichols on Page 2)

(Continued from Page 1)

walk in front of the village office before the special meeting began.

Inside the meeting room approximately 40 people sat and chatted about the case while the trustees met in another room to consider the case.

Because Mayor James Feeley brought forward the charges against Nichols and participated in the hearing he did not participate in the decision of the board.

The recent resignation of Tom Hickok, threw a wrinkle into the proceedings. Without Hickok and Feeley participating only Earl LaVoie, Gregg Dame and Bob Fraser, a bare majority, were left to consider the case. Any decision made would have to be unanimous.

While the three board mem-

bers were in executive session, Nichols entered the room to the sound of a standing ovation from the audience.

The trustees were out of the meeting room for about 30 minutes before they returned with their decision.

"This is a no-win decision for the board," Fraser said. "It's a no-win decision for village and for the community."

Fraser read from a photocopy of civil service law, the options the board had to consider.

"If such officer or employee is found guilty of the charges, the penalty or punishment may consist of a reprimand, a fine not to exceed \$100 to be deducted from the salary or wages of such officer or employee, suspension without pay for a period not exceeding two months or dismissal from the service," Fraser said.

Fraser then recommended a resolution to the board that Nichols be reprimanded, fined \$100 and be suspended from the police force for another 30 days without pay.

The motion was seconded by LaVoie and Dame concurred.

The audience broke into a sustained round of applause at the announcement of the penalty.

"I was not planning to comment," Nichols said after the meeting was adjourned. "I feel good. What can I say? I am going back to work."

There will be some hard feelings when he returns to work, Nichols admitted.

"We can handle that," he said. "We're grown men. We're professionals."

The case may still be appealed, Nichols said.

"I'm not satisfied with any punishment," he said. "I feel I haven't done anything wrong. I don't deserve any punishment."

Trustees Dame and Fraser said they took into account more than the recommendation of the hearing officer.

"What was taken into account was Pat's record — the work he has done with the community," Fraser said.

"The person that he is was definitely a big decision making point," Dame said.

"I hope we can restore respect to the PD and the men that we had before," Dame said. "Let's get back to work."

Phillips did not return a phone call made to his office.

Oct. 21,

1993

Malone

Telegram

Oct. 21, 1994

Malone

Telegram

Questions About Police Hearing

To the editor:

Concerning the hearing held for Pat Nichols and his supposed violations.

I like many others attended the two-day hearing and after listening to the testimony, many things that were said bothered me. When Chief (James) Phillips was brought to the witness stand, he stated in effect, that he tries to run this town militarily. I for one do not care to have myself or my town run militarily, and if I do I will join the military service. Chief Phillips then was asked by Pat Nichols' attorney, if he questions, Mr. Mattimore, the subject in question, about the incident at the village lockup. He replied that Mr. Mattimore was a felon and he felt it was not appropriate, to ask him about the incident.

He was asked this question twice and both times he gave the same reply. Someone better inform Troop "B", that they are doing it wrong, as I do believe that they try very hard to get all sides of any incident or complaint. As to the police officer who stated not one of his fellow officers, as well as himself, wanted to work with Pat Nichols. This statement makes me, as well as other people in the gallery wonder, why would you worry about who you work

with if you are clean? This was quite a query in and outside of the hearing room.

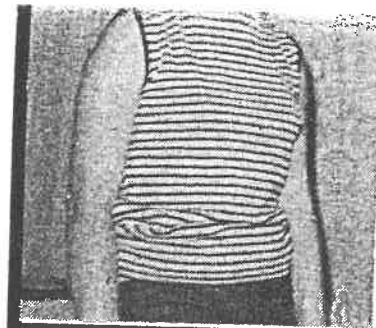
If this incident had happened to one of my sons, I and my family would have sued the Malone Village and the Malone Village Police Department for every nickel in their coffers.

What Chief Phillips does not seem to realize is that, there are good and bad cops.

If with all his education he cared to read a few out of town newspapers or watch the news on television, he would find that this happens every day and in bigger and better police department than this one. I, for one, know that by no stretch of the imagination is Pat Nichols going to win this hearing, but I do hope that he takes this matter all the way up the legal ladder, if not for himself, but for other young people in this town, this was a unanimous feeling, as I left the hearing room. All this never would have occurred, if someone would have been kind enough to allow the young man to relieve himself.

Jackie LaPlant
Malone

Oct. 25, 1993
Malone Telegram



50 today?!

**Happy 50th
Birthday,
Mom**

A Special Thanks

We wish to express our sincere thanks to the many friends, relatives and co-workers who have come to our aid in the way of moral and financial support. During our recent and present difficult times your phone calls, short visits, gifts, money and positive comments have helped a great deal in enabling our family to continue without great loss. The overwhelming positive response from the community will indeed help us to whether the remaining subsequent processes. We thank you from deep within our hearts.

Pat, Betzy, Holly & Nathan Nichols



Put F
Knowledge • Expe
To Work

- Admitted to New York Bar in 1977
- Appointed Deputy Assistant Attorney General by Hon. Louis J. Lefkowitz in 1977
- Promoted to Assistant Attorney General by Hon. Robert Abrams in 1978
- Former Malone Town Attorney

• Private Practice 1

Vote Row B
Republican

*Paid for by the Committee
District Attorney, and Thomas L*



Jan. 12, 1994
Malone
Telegram

Letters to the Editor

Wants Dad To Teach DARE

To the editor:

My name is Holly Nichols.
I am 11 years old and in fifth
grade at Davis School.

For three years, I have been
waiting to have my dad Pat
Nichols to teach me DARE. Ev-
ery year I have been told how
much fun my dad was in DARE
classes. But he won't be teach-
ing me DARE this year because

we have a new DARE teacher.

I like Mr. Simonisen he is our
neighbor and is a very nice
man. But it's not the same. I re-
ally wanted my dad to teach me
and now he can't. I am very un-
happy. Daddy said it should not
matter who teaches me the pro-
gram, cause it's the lessons that
are important. He said Officer
Simonsen will do a good job.
Even my brother, Nathan, is
upset and he is only in third
grade.

Mommy told me when daddy
went back to work that he was
still the DARE officer cause no
one told him he wouldn't be.
They didn't tell him that would
be part of his punishment. I
was so glad. But now mommy
said he isn't going to be and I
would really like to know why.
My dad was a good teacher and
really likes kids. He's a good
person and has taught me alot
of neat things. He was very
proud when he became a DARE
teacher, it meant alot to him. I
thought it was so cool having
my dad as the DARE teacher. I
think it was very unfair and
very mean to take DARE away
from my father after he did
such a good job for all those
other kids. I really love my dad.
No matter what anyone else
says, I think he's the greatest.

Holly Nichols
Malone

Police Officer Wants Charges Annulled

DOUG BUCHANAN
SUN REPORTER

MALONE - On January 20, Patrick Nichols, the Malone police officer who was charged with violations of the rules and regulations of the Malone Police Department, will once again have his day in court.

Nichols and his lawyer, Thomas P. Halley, are seeking to have determinations made by the Malone Village Board on October 20, 1993 reversed and annulled.

Nichols first incurred the wrath of the Police Department last year when he challenged what he considered to be a gross injustice. Nichols attempted to file a complaint with Chief of Police James E. Phillips against Assistant Chief of Police Gerald Moll when he learned a detainee had been subjected to alleged abusive treatment at the hands of Moll while being held by the Village Police on April 2, 1993.

Nichols was suspended from the police force for violation of the rules and regulations of the police department August 5, 1993. The Village Board appointed J. Brian McKee as the Hearing Officer, and a hearing ensued under Section 75, Civil Service Proceeding. The ensuing hearing had little to do with Nichols initial charges. Instead, what followed was a bureaucratic exercise in how to present or keep testimony relating to the Public Employees Law from being presented as evidence. Halley attempted to question Phillips on his investigation into the incident of April 2, but McKee refused to allow any testimony relating to the incident to be admitted at the hearing, stating, "I will not allow any testimony relative to the actions or a lack of action of any of the personnel involved in that incident."



Following the hearing, McKee recommended that Nichols be demoted in grade and title and reassigned to duties within the government of the Village of Malone and outside the Malone Village Police Department. He further recommended Nichols be discharged from employment with the Village of Malone if another position outside the Police Department was not available.

The Malone Village Board, acting on the recommendations of McKee, placed Nichols on a 60-day suspension, fined him \$100, and gave him a reprimand.

Halley has filed a petition with the Supreme Court of the State of New York contending the Village Board made an independent finding, based upon a report submitted by the chief of police, that Moll had not committed any wrong doing. Halley said this was allegedly done prior to the convening of the Nichols' hearing. According to Halley, it is logically and factually impossible to clear Moll of any wrong doing without finding Nichols automatically guilty of wrongdoing.

Halley further contends that McKee was hardly an unbiased or impartial hearing officer. On March 14, 1991, McKee made an

offer to the former Malone chief of police in which he extended an open invitation of free lodging to the police department at his motel. The invitation included any guests designated by the chief. According to Halley, this was a violation of Section 805-A of the General Municipal Law of the State of New York, which is designated the "Code of Ethics."

Halley maintains Nichols was therefore faced with a situation in which his fate was to be determined by a Hearing Officer who was a friend of the police department who had shown a complete and utter disregard for the Code of Ethics for municipal employees contained in the General Law of the State of New York.

According to Halley, hearing officer McKee removed any doubt about his bias, interest, and prejudice when he made a statement following his recommendation to terminate Nichols. McKee told the Malone Evening Telegram he didn't think his being an honorary member of the police department and a friend of chief Phillips affected his judgement.

Halley further alleges that in the summer of 1993, McKee supplied hats to members of the Malone Police for their night shift uniform, and that on another occasion he provided long sleeve shirts to the Police Department to be worn as part of the winter uniform.

The Village of Malone was advised that a verified answer to the petition along with any supporting affidavits must be served no later than five days before the scheduled hearing on January 20. Brian Stewart, the attorney representing the Village of Malone, informed the Sun that this had been done, but he declined to provide a copy or elaborate on the proceedings. "Mr. Nichols' petition is without merit, and I hope, and expect, that the judge will dismiss it," said Stewart.

Nichols could not comment on the petition because, accord-

ing to Halley, he has been prohibited from speaking to members of the press.

Nichols' wife, Betsy, said both Phillips and Feeley have barred Nichols from communicating with the press. When asked about her husband's recent election to the town board, Mrs. Nichols said, "I think the people of Malone spoke most emphatically when they elected Pat to public office. They gave him a vote of confidence, and have shown that they trust and respect Pat for his willingness to challenge even the Malone Police Department in the name of justice."

Jan, 18, 1994
"The Sun"

MALONE POLICE DEPARTMENT
INCIDENT REPORT

COMPLAINANT: DA RICHARD EDWARDS CASE#:
ADDRESS: Franklin Co. Court House LOG: 2366
PHONE: 483-6767 OFFENSE: Personnel Complaint
INCIDENT LOCATION: Justice Court
RECEIVED BY: WHR AT: 1310 hrs DATE: 3/30/94
DATE/TIME COMMITTED:
DATE/TIME INVESTIGATED:
OFFICER ASSIGNED:
SUSPECT/PERSON ARRESTED:

DETAILS OF INCIDENT: In ref: to the above, complainant
called and stated that he was justice court waiting to
prosecute a Vehicle and Traffic trail and that the arresting
officer (Patrick Nichols) had not shown up. WHR

Went to officer Nichols house and informed him that he was scheduled for a V&T
trial at justice court which was to start at 1300 hrs. I told him that I needed to
know what action he was going to take and he told me that he would probably go down
to court. I suggested that he call justice court court and inform them of same. WHR

SUPPLEMENTARY REPORT

NO _____ Classification _____ NO. _____

Name of Complainant _____ Address _____ Phone No. _____

Offense _____

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.:
(Investigating Officer must sign)

Page No. Two Date 02-16 1994

02-15-94 Ptl. LaChance advised me that a Jackie LaPlante from Val Haven called the station and talked with Ptl. Nichols wanting a copy of our report. Ptl. LaChance advised LaPlante that she would have to speak with the Ass't Chief or Chief.

02-16-94 0900 Hrs. Marge Miller came to the station and stated that she was waiting for Jackie LaPlante as she wanted some information on a Val Haven resident. The report was pulled and discovered that Ptl. Russell didn't finish the investigation yet as two other people had to be interviewed. I advised Marge that we couldn't release any reports at this time but could answer any questions that Jackie may have.

LaPlante came in requesting the report. I advised her the same as I advised Miller and she seemed to take offense to it. She continued and I advised her not to get snippy and would answer any questions that she would have. She then stated "Are you threatening me?". This whole conversation took place in front of Sgt. Fleury, Ptl. Mulverhill, Ptl. Simonsen and Marge Miller. After she made the comment, I felt that there was more to this than what I knew. I walked out of the room and gave the report to Sgt. Fleury and advised him to take care of the matter. LaPlante left the station. (att. 1, 2, 3)

I then asked Marge if there was something more to this than I'm aware of. She didn't know. I then advised Marge that if her office feels that the subject is that much of a threat to the community, I can assign another officer to complete the investigation now. Marge didn't feel that was necessary.

Called Lesley Lyon Office of Aging Coordinator, she advised that LaPlante was a Ombudsman volunteer. I advised her of the situation and she stated she would look into the matter.

25 INVESTIGATING OFFICER(S) _____ GKM 26 REPORT MADE BY _____ DATE _____

27 CASE FILED Yes ☐ No ☐ 28 THIS CASE IS Active ☐ 29 APPROVED BY
Cleared by arrest ☐ Unfounded ☐ Inactive ☐ Other ☐ _____

SUPPLEMENTARY REPORT

NO. _____ Classification _____ NO. _____

Name of Complainant _____ Address _____ Phone No. _____

Offense _____

DETAILS OF OFFENSE, PROGRESS OF INVESTIGATION, ETC.:
(Investigating Officer must sign)

Page No. Three Date _____ 19____

1040 Hrs. Marge Miller called back apologizing for LaPlante's behavior. She further said that LaPlante's feelings do not reflect the feelings of the Office of the Aging or Val Haven.

GKM

25 INVESTIGATING OFFICER(S) _____ 26 REPORT MADE BY _____ DATE _____

27 CASE FILED Yes ☐ No ☐ 28 THIS CASE IS Cleared by arrest ☐ Unfounded ☐ Inactive ☐ Other ☐ 29 APPROVED BY _____

Questions About Police Hearing

To the editor:

Concerning the hearing held for Pat Nichols and his supposed violations.

I like many others attended the two-day hearing and after listening to the testimony, many things that were said bothered me. When Chief (James) Phillips was brought to the witness stand, he stated in effect, that he tries to run this town militarily. I for one do not care to have myself or my town run militarily, and if I do I will join the military service. Chief Phillips then was asked by Pat Nichol's attorney, if he questions, Mr. Mattimore, the subject in question, about the incident at the village lockup. He replied that Mr. Mattimore was a felon and he felt it was not appropriate, to ask him about the incident.

He was asked this question twice and both times he gave the same reply. Someone better inform Troop "B", that they are doing it wrong, as I do believe that they try very hard to get all sides of any incident or complaint. As to the police officer who stated not one of his fellow officers, as well as himself, wanted to work with Pat Nichols. This statement makes me, as well as other people in the gallery wonder, why would you worry about who you work

with if you are clean? This was quite a query in and outside of the hearing room.

If this incident had happened to one of my sons, I and my family would have sued the Malone Village and the Malone Village Police Department for every nickel in their coffers.

What Chief Phillips does not seem to realize is that, there are good and bad cops.

If with all his education he cared to read a few out of town

20
15
125
6
730
We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

NAME	ADDRESS
1 Mary J. Park	No. Bangor NY 12966
2 [Signature]	98 Hudson St. Malone
3 [Signature]	98 Hudson St. Malone
4 [Signature]	Rt 3 Malone
5 Jack McCormick	Chat.
6 Karen Becker	Berke
7 Dava Thompson	7 Pierpont Ave. Malone
8 John J. Thompson	Malone, N.Y.
9 [Signature]	Waterville, NY (Malone)
10 Richard A. Kempell	Waterville, NY (VIA MALONE)
11 Janita Leroche	Burke N.Y.
12 Janet Baillie	Burke, N.Y.
13 Caroline Gray	Burke, NY
14 Alice Traynor	Malone
15 Julie O'Neil	Chat.
16 Linda Sherrin	Chat.
17 Michael Whitney	Chateaugay, NY
18 Robin Barry	constable NY.
19 Carrie Blair	Chateaugay
20 [Signature]	Chat.

9

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

NAME	ADDRESS
1 <u>Thomas Raymond</u>	<u>Burke NY</u>
2 <u>Kathy Patterson</u>	<u>Burke NY</u>
3 <u>Brenda Macabeu</u>	<u>Malone, NY</u>
4 <u>Francis Macabeu</u>	<u>Malone NY</u>
5 <u>Raymond Isellman</u>	<u>Malone NY</u>
6 <u>Eric Smith</u>	<u>Burke NY</u>
7 <u>Brian M. Smith</u>	<u>Burke NY</u>
8 <u>Alan Santamar</u>	<u>Malone NY</u>
9 <u>Joe Pease</u>	<u>Conkling NY</u>
10 _____	_____
11 _____	_____
12 _____	_____
13 _____	_____
14 _____	_____
15 _____	_____
16 _____	_____
17 _____	_____
18 _____	_____
19 _____	_____
20 _____	_____

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

NAME	ADDRESS
1 Lloyd LaMore	Rt. 1 Bangor, N.Y.
2 John Tupper	Rt. 3 Malone, NY
3 Rod Jack	PO 341 Malone
4 Mary Jack	P.O. Box 26 Moira
5 John Joe Fountain	Rt. 1 Box 100-C, N. Bangor NY
6 Lenny Fountain	Rt. 1 Box 100-E North Bangor, NY
7 Leibel Darn	38 B. St. Malone
8 David Darn	97 Andrews St. Malone
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	

9

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

NAME	ADDRESS
1 Christopher J. Brown	5 Finney Blvd Malone, NY.
2 Wanda L. Charland	Malone NY.
3 Reg. Apple	Rt 3 Malone NY.
4 La M. M. Hill	9 Prospect
5 Martin Johnston	36 Webb Ave. Malone
6 Francis J. Fratt	17 Sprague St Malone
7 Edward Sullivan	P.O. Box 893 Malone NY
8 Jimmy Blake	Plumtree Ave. Malone NY.
9 Susan Hawkins	Malone NY.
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

NAME	ADDRESS
1 <u>Robert J. [unclear]</u>	<u>RT 3 Malone N.Y.</u>
2 <u>Diane Whincourt</u>	<u>Rd 3 Malone N.Y.</u>
3 <u>Joseph [unclear]</u>	<u>Route 11 North Bangor</u>
4 _____	_____
5 _____	_____
6 _____	_____
7 _____	_____
8 _____	_____
9 _____	_____
10 _____	_____
11 _____	_____
12 _____	_____
13 _____	_____
14 _____	_____
15 _____	_____
16 _____	_____
17 _____	_____
18 _____	_____
19 _____	_____
20 _____	_____

2

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

NAME	ADDRESS
1 <u>TINA PAQUIN</u>	
2 <u>Denise Brown</u>	<u>W. Dargatz</u>
3 _____	_____
4 _____	_____
5 _____	_____
6 _____	_____
7 _____	_____
8 _____	_____
9 _____	_____
10 _____	_____
11 _____	_____
12 _____	_____
13 _____	_____
14 _____	_____
15 _____	_____
16 _____	_____
17 _____	_____
18 _____	_____
19 _____	_____
20 _____	_____

28/1
We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

	NAME	ADDRESS
1	Ray Pritchard	79 Pearl St
2	Ronald C. Deagen	Star Route, Malone
3	John Brooks	16 Pine St.
4	Mark Trudo	40 Academy St Malone
5	Arthur Pritchard	249 Park St
6	Winnie Lallante	Bangor
7	Harold Horke	247 Park St
8	David Sauter	83 HIGHLAND AVE
9	John H. Wool	132 East Main St.
10	Pat Cury	Burke N.Y.
11	Timothy Farnia	195 Springflower Dr.
12	Ewene J. Pecore	Lower Park St
13	Dean Farnia	83 Academy St. 473
14	Austin Pecore	220 E MAIN 8537
15	Bohly Deed	116 W. MAIN ST. Malone 20
16	Thomas F. Parnell	85 Academy St.
17	Peter J. Pritchard	56 Factory St 483-4150
18	JE Housath	Lower Park St
19	John H. Buryer Jr	51 Factory St Malone N.Y.
20	Mary E. Deane	190 W. Main St Malone
21	Bernice Pecore	230 East Main St Malone

20
We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

	NAME	ADDRESS
1	Brian Tuffery	Malone
2	Jay Tomica	"
3	Daniel A. Runkle	Malone
4	Joe McElwain	North Bangor, NY
5	Charles Cuill	Box 181 Malone
6	Brian Reome	Malone
7	Leise Pond	Malone
8	Daniel Pond	Malone
9	Shelly Thompson	Malone
10	Linda Leotis	7 Finney Blvd. Malone
11	Charles Towle	Malone NY
12	Maurice McElwain	North Bangor
13	Jack Beckit	Malone
14	Jerry L. Plante	Malone
15	John Armstrong	Constable
16	Don Bogbard	Constable
17	Lois Vryhof	Boveri Rd. Constable
18	Marie Brooks	Malone
19	Cly 1 Smith	Burke NY
20	Janece Kottler	Malone

20
We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

	NAME	ADDRESS
1	Mary Rita Malone	Merriell, NY 12955
2	John Patton	Burke NY 12917
3	Deborah Parnagy	Burke, NY 12917
4	Symette M. Brock	Chateaugay, NY 12920
5	Nina Skelly	Malone NY 12953
6	John H. Kelly	Malone, N.Y. 12953
7	Bob + Bonnie Cof	Lyon Mtn NY 12952
8	Michelle Leure	Burke, N.Y. 12917
9	Christa Chabon	Malone NY 12953
10	Erna Cook	
11	Sam Ballist	Malone N.Y. 12953
12	Shirley Ballard	Malone NY 12953
13	Samueline	Malone NY 12953
14	Lynn McFarland	Malone NY 12953
15	Robert L. Hockey	Constatle, N.Y. 12926
16	Melissa Carter	Malone - NY 12953
17	Gail O. Dym	Route 3, Malone
18	Dean Cato	" "
19	Alannah Mumm	Rt. 3 Malone
20	Gail G. Cook	Burke NY

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

	NAME	ADDRESS
1	William H. Van	Lyon N.Y.
2	Call	Lyon N.Y.
3	Ray Tupper	Bangor N.Y.
4	Don Marshall	Malone N.Y.
5	Mike Muller	Malone, N.Y.
6	Alan Cooley	Malone N.Y.
7	Gerald Richards	Rt. 11B Malone
8	Catherine Maciejewski	Rt 2. Box 362. Malone
9	Nicholas Richards	Rt 11B. Malone.
10	Danielle Richards	Rt 11B Malone
11	Patricia Ellison	Rt #1 Malone, NY
12	Al Gubkowski	13 Maple St Malone
13	David Cook	18 Scott Drive
14	Charles Blott	7 Bernan St. Malone
15	John	15 Williams Malone
16	John	15 South
17	John	Malone N.Y.
18	Smith Becca	Strong dr. Malone N.Y.
19	Ernie M. Malley	6 Patnode St. Malone
20	Patricia Dupre	W. Main Malone

13/

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

	NAME	ADDRESS
1	Jonathan King	173 W. Main Malone
2	Arthur P. DeCosta	P.O. Box 354, Malone NY 12953
3	Alfred Rappaport	24 W. Main St.
4	Jean A. Mandville	P.O. Box 84 Malone, N.Y.
5	Jane McDonald	P.O. Box 375 Chateaufort NY 12920
6	Jane Thomas	24 Shepard St. Malone
7	Rosemary D. Dwyer	25 Webb Ave. Malone
8	John DeLoatch	late Jerome - Elmhurst Rep. N.Y.
9	Elwold Recore	32 Academy Street
10	Dianne Duprey	1431 Rt 22, Movers 12958
11	Matt Mohr	24 SHEPARD ST., MALONE, N.Y.
12	Carole Zimling	173 W. Main Malone N.Y.
13	Debra J. Greenwood	Rt 1 Box 260 Brown Rd Malone
14	Mark Greenwood	Rt 1 Box 260 Malone
15	Bruce Gonyea	Whippleville Rd Malone
16		
17		
18		
19		
20		

20/

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

	NAME	ADDRESS
1	Wayne Rock	R.P.D. Box 807 Constable NY
2	Len Rock	" " "
3	Conni Macle	23 Williams St Malone
4	Jack Marten	Constable St Rd, Malone
5	Mary Boyce	28 Rockland St Malone
6	Brenda Fleury	Constable, NY
7	Leila Dute	Quillan Rd N. Bangor NY 12966
8	Jim Shova	Constable, NY, 12926
9	Charlotte Harwood	Malone NY
10	Sammy Crivelli	Malone NY
11	Nichelle Thompson	Malone
12	Patty Fournier	30 Franklin St. Malone NY
13	Lucille Racille	B. 2630 Linickiln Rd. Malone NY
14	Gina Thompson	32 E. Main Malone NY.
15	Deanna Vignier	474 AA Powers Rd Constable
16	Mark Shylin	241 Brammillee NY
17	John Deragon	Malone NY
18	Patricia D. Brown	Malone NY
19	John Beckett	Malone
20	Gail M. Reynolds	West. Bangor

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

NAME	ADDRESS
1 John Trepp	89 Constance St.
2 J. J. J. J.	Shaw Rd Malone
3 Kevin C. C.	123 Fort Covington St Malone
4 Beely Durant	7 Brown St. Malone
5 D. M. M.	24 Park St Malone
6 Paula Dege	RD1 Box 769 Chateaugay
7 Brenda Turner	HC#1, Box 200, Owl's Head, NY.
8 Mariae Rust	295 E. Main St. Malone, NY
9 W. W. W.	14 Webster St Malone
10 Madonna C. C.	Brule NY
11 Kim Rondo	Malone
12 Linda Fruchied	Star Route, N. Bangor, NY 13966
13 Linda M. M.	Star Rte Malone
14 Gary S. S.	8 Highland Ave Malone
15 Douglas V. V.	12 Center MAHONE NY
16 P. P. P.	12 Center St Malone
17 J. J. J.	main rd - Malone
18 T. T. T.	main rd - Malone
19 R. R. R.	Railroad St - Malone
20	

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

	NAME	ADDRESS
1	Thomas McLean	119 Constable St Malone, NY
2	Leo Charette	constable
3	Jim Charette	constable
4	Linda Jackson	No. Bangor NY
5	Wendy Jackson	No. Bangor NY
6	Tony Stone	Malone, N.Y.
7	Jamie Moran	No. Bangor NY
8	1 Eddie Nichols	North Bangor.
9		
10		
11		
12		
13	John E. Nichols	West Villetts NY,
14	Charles E. L. Mattoon	Malone, N.Y. (138 Webster St.)
15	James Edward LaRue	Malone, N.Y.
16		
17		
18		
19		
20		

20
We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

NAME	ADDRESS
1 Julie Demichie	116 Maple St. MASSENA, N.Y. 13661
2 TERRI LaBrate	95 Madison St. Malone, NY 12953
3 CALVIN PECORE	24 Gentile BR. DRIVE MALONE NY
4 Cindy Smith	46 Williamson St. Malone NY
5 Ann M. Kahan	Rt #3 Malone NY.
6 Oda Pritchard	56 Factory St. Malone NY 12953
7 Kay Andrup	Chateaugay, N.Y.
8 Louis Kamica	Lower Park St. Malone N.Y. 12953
9 Tina LaRocca	Rt. 11 Burke
10 Loni Bulleney	#51 Willow Malone, NY 12953
11 HELEN SMITH	RFD #1 Malone, NY 12953
12 Vandy Welch	Rt 11 Malone, NY 12957
13 Jean LeMay	Rt 11 Malone NY 12959
14 Brenda Fittler	Rt 3 Box 824 W. Malone NY
15 Danda Hammond	P.O. Box 853 Malone
16 Sue Cronin	Burke, N.Y.
17 Pamela DeLoach	109 ap #5 Fort Covington St. Malone
18 Robin Collins	19 Edward St. Malone
19 Wilene Trede	40 Academy Malone.
20 [Signature]	

20/

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

NAME	ADDRESS
1 <u>Michelle Bussanette</u>	<u>179 Duane St. MALONE</u>
2 <u>Mary Ann Jeror</u>	<u>Malone</u>
3 <u>Lucille Tatro</u>	<u>9 Margaret St.</u>
4 <u>Susan Taveenia</u>	<u>Malone NY</u>
5 <u>Ginda Tatro</u>	<u>239 Park St.</u>
6 <u>Judy McDivney</u>	<u>118 Catherine St</u>
7 <u>Bev Broadie</u>	<u>Rt #3 Malone NY</u>
8 <u>Ange Clark</u>	<u>Rt #2. malone</u>
9 <u>Lynette Smith</u>	<u>RT 1 Benke, N.Y</u>
10 <u>Loralee M Hays</u>	<u>Warner Rd, Malone, NY</u>
11 <u>Joe Bonland</u>	<u>37 Center St Malone</u>
12 <u>Mull Farm</u>	<u>Box 18A LAKE TIPS RD MALONE</u>
13 <u>Linda Marguile</u>	<u>68 Millbrook St, malone</u>
14 <u>Pat Garding</u>	<u>Bely Rd - Malone</u>
15 <u>Robert Seeden</u>	<u>Rt 20 Malone</u>
16 <u>Merrell Collins</u>	
17 <u>Arthur Demer</u>	<u>Constable ny</u>
18 <u>Daniel Rattine</u>	<u>RT #2 Malone</u>
19 <u>Michael E Hoyt</u>	<u>242 Webster St Malore, Nef</u>
20 <u>Carolyn Fiskik</u>	<u>Mr. Bangor, NY</u>

22/ We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

	NAME	ADDRESS
	Ray Arnold	RT1 Bx266 Conestoga NY 12926
2	David Reslitt	215 DUANE ST MALONE NY
3	Barbara Rockwell	Bx256 Riley Rd. Malone, NY.
4	James Lancia	Bx. 177 Lower Park St, Malone
5	Marc E. Higgins	94 Conestoga St. Malone
6	Scott A. Russell	26 Highland Ave. Malone, N.Y.
7	Leona King	Malone NY
8	Bonjamin F. Bachman III	Malone, N.Y.
9	Orda M. Ledwith	Bruckton - N.Y.
10	Wesley Macker	North Bangor
11	Rubie J. Bell	North Bangor
12	Dawn Kumpakij	North Bangor
13	Jeff Lunan	Malone
14	William R. Dunt	Malone
15	Harold Mallett	Malone
16	Mark Bane	Malone
17	Garron Chapman	Bangor
18	Olivia R. Smith	Malone New York
19	Wanda Nichols	Burns, N.Y.
20	Robert Boyce	Malone NY

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

NAME	ADDRESS
1 Kevin Warner	Denio Road, malone
2 Melissa Jones	132 Webster St.
3 William Nichols	Bunker, N.Y.
4 Jeanne Beaudoin	Nickerson Ct, NY 12930
5 Helen Amara	Constable Rd 12926
6 Don Conroy	Chateaugay NY 12920
7 Jim McManus	N. Borag NY 12916
8 Paul O'Keefe	Constable Rd 12928
9 Harold Titlow Jr.	145 Union St. Malone
10 Jim W. W. Jr.	BURKE NY.
11 Ralph (Donnie) James	Malone N.Y.
12 Fred J. Allen	Malone, N.Y.
13 Dale Zalta	Malone, N.Y.
14 Billie Jo Patterson	Malone, N.Y.
15 Anita L. Richards	Malone, NY
16 Kenise Gilson	Brainardsville, NY
17 Alan P. Lunn	Malone, NY -
18 Milford Larnica	Westville
19 Mike Sida	Brainardsville
20 Mike Conway	Malone NY

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

NAME	ADDRESS
1 Theresa Andrews	1 Elm St. Malone
2 Michael J. Andrews	1 Elm St. Malone
3 John M. Langdon	1 Elm St. Malone
4 James J. Labrake	1 Elm St. Malone
5 Penny M. Cudde	1 Elm St. Malone
6 Bill Griffin	1 Elm St. Malone
7 Gary Lester	1 Elm St. Malone
8 Henry Post	15 Monroe St. Malone NY
9 Tim Cate	15 Monroe Street, Malone, N.Y.
10 Cecile Higgins	1 Elm St. Malone NY
11 Charmaine Marshall	1 Elm St. Malone NY
12 Sandra Boardman	1 Elm St. Malone NY
13 Lynn Gargo	1 Elm St. Malone NY
14 Debra Jarvis	1 Elm St. Malone NY
15 Anna M. Decore	Malone, NY
16	
17	
18	
19	
20	

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

	NAME	ADDRESS
1	Ken Cuing	30 Cherry St.
2	Wayne Walbridge	82 West Street
3	Kevin J. Walbridge	25 Bigelow Street
4	Jennifer Z. Monette	87 College Avenue
5	Victor M. Felling	51 E. Main St. Malone
6	Stephen M. Carr	66 West Main St. Malone
7	Robert M. Lofgren	RFD 2 BOX 54 Malone
8	Robert J. Kautt	29 College Ave
9	Fredrick P. Shiga	73 Academy St
10	Leonard C. Jessop	248th St.
11	Daniel P. Klebes	Cemetery St, Briston, NY
12	Amy Marie Brown	229 Duane St Malone
13	Sal Whitgins	104 Webster St. MALONE, N.Y.
14	Karen Marshall	McCabe Rd, Malone
15	Ralph Owens	40 Third, Malone, N.Y.
16	Steve Spadaro	61 State St
17	J. P. Owens, II	19 Wellington St. MALONE, N.Y.
18	Marion Toward	1st Livingston Rd. Mal. 2.
19	Susan Cuing	30 Cherry St. Malone, N.Y.
20		

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

NAME	ADDRESS
1) <u>Debra Harris</u>	<u>Barnes N.Y. 12966</u>
2) <u>Richard Harris</u>	<u>Barnes N.Y. 12966</u>
3) <u>James Harris</u>	<u>Malone NY 12953</u>
4) <u>Clarence A. Harris</u>	<u>Malone NY 12953</u>
5) <u>Ramona Harris</u>	<u>Malone NY 12953</u>
6) <u>Barth Tucker</u>	<u>Barnes N.Y. 12917</u>
7) <u>James Cusack</u>	<u>N. Barnes N.Y. 12966</u>
8) <u>Sandra Lancia</u>	
9) <u>Patty Jewstead</u>	<u>90 Railroad St.</u>
10) <u>James Jewstead</u>	<u>" "</u>
11) <u>Ann Cook</u>	<u>9 Mill St Malone</u>
12) _____	
13) _____	
14) _____	
15) _____	
16) _____	
17) _____	
18) _____	
19) _____	
20) _____	

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

NAME	ADDRESS
1. Beverly Marlow	No. Bangor, N.Y.
2. Bruce A. Smith	Bunde NY
3. Lyle Ricci	Malone NY
4. Kay Better	Malone, NY
5. Ruth Cooper	Malone, NY
6. Richard Marlow	N. BANGOR, N.Y.
7. Janitha Blaw	malone n. y.
8. Lora Butterfield	Malone, NY
9. William T. Loefer	Malone N.Y.
10. Cynthia Turcotte	malone, NY
11. Louise L. Kirby	Malone N.Y.
12. Peggy Morrison	Malone NY
13. Denise Smith	Malone N.Y.
14. Patricia DiCataldo	
15. Sheila M. Allen	malone, n. y.
16. Donna Bue	N. Bangor, n. y.
17. Janet Decosse	Churubusco, NY
18. Dorothy King	No. Bangor, N.Y.
19. Shirley Riley	Malone, N.Y.
20. Diana Bowen	Westville

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

NAME	ADDRESS
1 Lloyd Lamore	Rt. 1 Bangor, N.Y.
2 John Tupper	Rt. #3 Malone NY
3 Rod Jock	PO 341 Malone
4 Mary Jock	P.O. Box 26 Moira
5 John Joe Fountain	Rt. 1 Box 100-c North Bangor NY
6 Lenny Fountain	Rt. 1 Box 100-c North Bangor NY
7 Phil Dam	38 Brown St Malone
8 David Dam	97 Andrews St Malone
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	

EXHIBIT
p. 1 of 15
4-16-93

20
We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

	NAME	ADDRESS
1	Eugene Blome	18 Short Av. Malone
2	Gene Savage	89 Ebers St, Malone
3	John Anglin	11 June St Malone
4	Lee La Rose.	MTN View, N.Y. 12969.
5	John Decker	Chateaugay, N.Y.
6	Gene Rouelle	Academy St.
7	Marie Pritchard	249 Park St, Malone
8	Daniel D. Zick	10 Fredrick St, Malone
9	Ruth Galt	3800 Burgon Huntingdon
10	Normand Gelle	300 Bergeron Huntingdon
11	David Richard	Malone
12	Chris Duvener	Huntingdon, Pa.
13	Barbara Decker	Chateaugay N.Y.
14	Tammy LaMere	Westville, NY
15	Deborah R. Johnston	Malone 181 West ^{Main} St
16	Darcy Erick	Malone NY
17	Debbie Reiney	111 Cedars trailer park
18	Scott McKen	Concord N.Y.
19	Wilcan Martin	Crustable St Malone N.Y.
20	Greg Reynolds	Westville, N.Y.

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

Scott Nesbitt

North Banor Depot St Box 503 12966

NAME

ADDRESS

- | | | |
|----|-----------------------------|---|
| 1 | <u>Joe Charland</u> | <u>10 Franklin St. Malone, NY 12953</u> |
| 2 | <u>Therese Haralby</u> | <u>48 Bentley Ave, Malone, NY 12953</u> |
| 3 | <u>Anita DeCoste</u> | <u>P.O. Box ³⁵⁴ 354, Malone, NY 12953</u> |
| 4 | <u>Michelle Langlois</u> | <u>16 Cherry St. Malone NY 12953</u> |
| 5 | <u>Condy M. Flannery</u> | <u>22 Cherry St Malone, NY 12953</u> |
| 6 | <u>Michael Foryer</u> | <u>Hounsfield Rd Malone NY 12953</u> |
| 7 | <u>Patti Burnett</u> | <u>Rt 1 Brimston NY</u> |
| 8 | <u>Katherine L. Stender</u> | <u>RFD. 1 Box 108A N. Bangor, N.Y. 12966</u> |
| 9 | <u>Tracy Gutz</u> | <u>Rt. 2, Box 93B MALONE, NY 12953</u> |
| 10 | <u>Brand Marsh</u> | <u>P.O. Box 161 STREGES Falls</u> |
| 11 | <u>Rip Cassano</u> | <u>Route 2, Box 632 Chuteaugay, NY 12920</u> |
| 12 | <u>Ben Bahlman</u> | <u>MURPHY RD. MALONE</u> |
| 13 | <u>Mike Reddy</u> | <u>10 WEBB AVE MALONE</u> |
| 14 | <u>Dale Grantham Jr</u> | <u>PO Box 793 MALONE</u> |
| 15 | <u>Carl Thomas</u> | <u>MALONE NY</u> |
| 16 | <u>Jim Gaudreau</u> | <u>RT 1 Box 221 Malin NY 12957</u> |
| 17 | <u>Michael Sel</u> | <u>P.O. Box 341 Norfolk</u> |
| 18 | <u>David C. Shaw</u> | <u>Coveytown Rd. Constable N.Y. 12926</u> |
| 19 | <u>SCOTT P. PRUE</u> | <u>36 Braunst Malone NY 12953</u> |
| 20 | <u>Randy Grant</u> | <u>123 Duckhorn center</u> |
| 21 | <u>Dan L. Lawrence</u> | <u>N. Bangor N.Y.</u> |

1/14/06 12:4
1/14/06 12:4
1/14/06 12:4

2
We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

	NAME	ADDRESS
1	<u>Sean Smith</u>	<u>Malone N.Y. 12953</u>
2	<u>Kurtis M. Vane</u>	<u>Malone N.Y. 12953</u>
3	_____	_____
4	_____	_____
5	_____	_____
6	_____	_____
7	_____	_____
8	_____	_____
9	_____	_____
10	_____	_____
11	_____	_____
12	_____	_____
13	_____	_____
14	_____	_____
15	_____	_____
16	_____	_____
17	_____	_____
18	_____	_____
19	_____	_____
20	_____	_____

12

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

NAME	ADDRESS
1 <u>Betty Goodman</u>	<u>22 Branch Street - Malone, ny.</u>
2 <u>Melinda Bilow</u>	<u>26 Branch Street Malone NY 12957</u>
3 <u>Michael J. Melinger</u>	<u>Box 293 Maira N.Y. 12957</u>
4 <u>Cheryl Ann Cargare</u>	<u>Box 293 Maira NY 12957</u>
5 <u>J. J. M.</u>	<u>Rt 2 Box 38</u>
6 <u>Linda Maneely</u>	<u>Box 38 Malone, ny</u>
7 <u>Linnell McElroy</u>	<u>Rt. 1 Box 108 N. Burke 12917</u>
8 <u>Thomas St. Hilan</u>	<u>Rt 2 Box 80 Malone NY 12953</u>
9 <u>Kristi S. Hill</u>	<u>Rt. 2 Box 80 Malone N.Y.</u>
10 <u>Mona Simon</u>	<u>constable St Rd Malone N.Y.</u>
11 <u>Theresa J. Hynes</u>	<u>28 BRANCH St. malone</u>
12 <u>Pat M. Hynes</u>	<u>28 BRANCH St. malone</u>
13 _____	_____
14 _____	_____
15 _____	_____
16 _____	_____
17 _____	_____
18 _____	_____
19 _____	_____
20 _____	_____

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

NAME	ADDRESS
1 <u>Marie O. Hordman</u>	<u>34 Branch Malone, ny 12953</u>
2 <u>Brenda St. Hlaire</u>	<u>Constable St Rd Malone NY</u>
3 <u>Patricia J. Jaccoso</u>	<u>Chas Rd Chateaugay, N.Y.</u>
4 <u>Marie R. Rasmussen</u>	<u>Corstonville, N.Y.</u>
5 <u>Barbara O. Glaus</u>	<u>25 Howard Ave Malone</u>
6 <u>Gandy Woods</u>	<u>Fay Rd N. Bangor, NY 12966</u>
7 <u>Wendi Clarke</u>	<u>121 Webster St Malone, NY 12953</u>
8 <u>Laura Westfall</u>	<u>PO Box 206 Dickinson Ctr. Malone, NY 12930</u>
9 <u>Cheryl Dumas</u>	<u>44 Park St Malone, NY</u>
10 <u>Linda J. Gilmore</u>	<u>71 West St Malone NY 12953</u>
11 <u>Wendy H. Cooper</u>	<u>131 W. St Malone, NY 12953</u>
12 <u>Sherry LaFave</u>	<u>63 Rockland St, Malone, ny 12953</u>
13 <u>Angela Goodman</u>	<u>34 Branch St. Malone, ny</u>
14 _____	_____
15 _____	_____
16 _____	_____
17 _____	_____
18 _____	_____
19 _____	_____
20 _____	_____

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

NAME	ADDRESS
1 Mike Nichols	7 Finney Malone
2 Robert Omer	Conestoga Rd Conestoga
3 James McLaughlin	Conestoga NY 12926
4 Benoit [unclear]	Conestoga NY 12926
5 Jan McLaughlin	Conestoga, N.Y. 12926
6 Robert [unclear]	Box 312 Malone
7 Mestegallen	100 Park Street Malone
8 Robert [unclear]	Box 104 RT3 Malone
9 Sandra Muller	Box 179 Bruce Rd Malone
10 Keith Muller	Box 179 Bruce Rd Malone
11 Maureen Lomica	Box 45 Bengor NY
12 Daniel F. Bonest	N. Bengor NY
13 Stan Ceronek	
14 Scott Lomica	Malone N.Y.
15 Sherry Lomica	Malone N.Y.
16 Brenda Barnett	N. Bengor N.Y.
17 Shirley Boyce	Malone
18 Lydia LaRue	Mountain View
19 Roland Boyce	Malone NY
20 [unclear] [unclear]	Malone NY

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

	NAME	ADDRESS	
1	Serald Lamica	Lower Park St.	
2	Larry H. Reome	Academy St.	
3	Ken R. Baker	21 Barbara St.	
4	Gene Lamely	37 ARLAY BINEGROVE TWP	
5	Cathy L. Pecore	24 Gentle Breeze Dr.	483-4979
6	Jeremy Pecore	24 Gentle Breeze Dr.	483-4979
	Carl Labay	51 Factory	
8	Nicole Reome	Lower Park St.	
9	Stephen Reome	Rt 33 Box 29 Malone N.Y.	
10	Robert Chitt	Malone N.Y.	
11	BARRY Lamica	James Park St.	
12	Brian Lamica	Lower Park St.	
13	Lyle Russell	Malone N.Y.	
14	Glenn Lamica	29 Elbow Street	
15	Pearl LaRock	75 Academy	
16	Billy Norton	Constable St. Rd.	
17	Matt Secore	Chocomaug	
18	Devin Sanden	BRANDON	
19	Lillian Butcher	56 Factory St Malone N.Y.	
20	Angela Rockwell	Westville N.Y.	

20/ We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

sent
Copy
to
HYS
3-23-94

NAME	ADDRESS
1 <u>Madeline Reanne</u>	<u>Lower Park Malone NY 12953</u>
2 <u>Perry Provost</u>	<u>Apt. #113, Falling Leaf Dr.</u>
3 <u>Kari Collins</u>	<u>Malone, N.Y. 12953</u>
4 <u>Maey D. Bourissey</u>	<u>HCN, Box 164</u>
5 <u>E. Orinda Lorgue</u>	<u>Outs Head NY 12969</u>
6 <u>Landy Bailey</u>	<u>BRUSHTON, NY 12916</u>
7 <u>Rena Bell</u>	<u>Porter Road, Malone NY 12953</u>
8 <u>Angela Higgins</u>	<u>A#1 Consterle NY 12926</u>
9 <u>Ben Gravel</u>	<u>Cook Rd, Burke NY 12917</u>
10 <u>Jeri Keith</u>	<u>215 Elm St #4A Malone NY 12953</u>
11 <u>Diane W. Waresky</u>	<u>54 Brown St Malone, N.Y. 12953</u>
12 <u>Jerry Wells</u>	<u>175 Webster St, Malone, NY 12953</u>
13 <u>Annelle E. Handley</u>	<u>RFD #2 Box 252 Constable, NY 12926</u>
14 <u>Mary Z. Gromke</u>	<u>185 Falling Leaf Dr. Malone, N.Y. 12953</u>
15 <u>Grace B. Beaulieu</u>	<u>P.O. Box 285 Morris NY 12957</u>
16 <u>Laura Paguin</u>	<u>45 Edward St. Malone, N.Y. 12953</u>
17 <u>Linda Simonds</u>	<u>Box 173 Burke NY 12917</u>
18 <u>Jim F. K...</u>	<u>Box 129, Malone, NY 12953</u>
19 <u>Ellie Bauger</u>	<u>81 Park St. Malone NY 12953</u>
20 <u>Debbie Paige</u>	<u>22 William St Malone, NY 12953</u>
	<u>12 Short Ave, Malone, NY.</u>
	<u>Badore Rd Malone</u>

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

	NAME	ADDRESS
	<u>Robert L. Smith</u>	<u>RT 1 N. Bangor, N.Y.</u>
2	<u>Gina Druino</u>	<u>Rt. 1 N. Bangor, NY</u>
3	<u>Leslie Patrice</u>	<u>215 Elm Malone NY</u>
4	<u>Phyllis J. Gullen</u>	<u>RR2 Box 11094 Malone</u>
5	<u>Sandi Riley</u>	<u>58 Wm St Malone</u>
6	<u>M. H. Bell</u>	<u>Rt 11 Malone N.Y. 12953</u>
7	<u>Bubba Richards</u>	<u>10 Huntington St. Malone</u>
8	<u>John Pollard</u>	<u>55 TRAC DR MALONE</u>
9	<u>Tracie Spaulding</u>	<u>North Bangor 12966</u>
10	<u>Sarah L. Gaspar</u>	<u>Rte 30, Malone 12953</u>
11	<u>Debbie Durant</u>	<u>Box 210-1 Brushton, NY</u>
12	<u>Dina Gumbly</u>	<u>Box 216 Malone NY</u>
13	<u>Tracy (Lore)</u>	<u>Finney Blvd Malone</u>
14	<u>John H. H. H.</u>	<u>Malone</u>
15	<u>William J. Spennard</u>	<u>Brashts</u>
16	<u>Tracy Dando</u>	<u>Bangor</u>
17	<u>Karen Garland</u>	<u>Malone</u>
18	<u>John D. D.</u>	<u>Moika</u>
19	<u>Michael H.</u>	<u>Malone</u>
20	<u>Mark Bonbard</u>	<u>Malone</u>

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

	NAME	ADDRESS
1	Robert A. Smith	Rt. 1 N. Bangor, N.Y.
2	Lisa Trevino	Rt. 1 N. Bangor, NY
3	Jim Patino	215 Elm Malone, NY
4	Prison of Guerin	RR2 Box 1109A Malone
5	Sandi Riley	58 Wm St Malone
6	W.H. Red	Rt. 11 Malone N.Y. 12953
7	Bubba Richards	10 Huntington St. Malone
8	John Pollard	55 STANCO DR MALONE
9	Traci Spaulding	North Bangor 12966
10	Sarah J. Gaspar	Rte 30, Malone 12953
11	Debbie Durant	Box 2101 Brushton, NY
12	Dina J. Ambley	Box 210 Malone NY
13	Tracy (Lewie)	Finey Blvd Malone
14	John Hyde	Malone
15	William J. Spennard	Brushton
16	Tracy Danoskar	Bangor
17	Karen Gayland	Malone
18	John D. Doherty	MOIRA
19	Michael J. Potts	Malone
20	Mark Bonbard.	Malone.

28/

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

NAME	ADDRESS
1 <u>Ray Amiel</u>	<u>RT1 Bx266 Cornville, NY 12926</u>
2 <u>David Aeslitt</u>	<u>215 DUANE ST MALONE NY</u>
3 <u>Angie Rockwell</u>	<u>Bx256 Riley Rd. Malone, NY</u>
4 <u>Rames Lamecia</u>	<u>Bx. 177 Lower Park St, Malone</u>
5 <u>Marc E. Higgins</u>	<u>94 Centerville St. Malone</u>
6 <u>Scott L. Russell</u>	<u>26 Highland Ave. Malone, N.Y.</u>
7 <u>Lena King</u>	<u>Malone 024</u>
8 <u>Benjamin F. Paschall III</u>	<u>Malone, N.Y.</u>
9 <u>Orde M. Ledwith</u>	<u>Brudton - N.Y.</u>
10 <u>Jaquie Mack</u>	<u>North Bangor</u>
11 <u>Bobbie J. Bell</u>	<u>North Bangor</u>
12 <u>Dawn Krompach</u>	<u>North Bangor</u>
13 <u>Jeff Luman</u>	<u>Malone</u>
14 <u>Walter A. Dunt</u>	<u>Malone</u>
15 <u>Harold Mallett</u>	<u>Malone</u>
16 <u>Mark Bero</u>	<u>Malone</u>
17 <u>Garren Chapman</u>	<u>Bangor</u>
18 <u>Clara R. Smith</u>	<u>Malone New York</u>
19 <u>Wanda Nichols</u>	<u>Burns, N.Y.</u>
20 <u>Robert Boyle</u>	<u>Malone NY</u>

20
We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

	NAME	ADDRESS
1	Kevin Warner	Denio Road, malone
2	Melissa Jones	132 Webster St.
3	William Nichols	Burke, N.Y.
4	Jeanne Boudoin	Nickerson Ct, NY 12930
5	Rebecca Amos	Constatle Rd. 12920
6	Don Conner	Chateaugay, NY 12920
7	Jim McGowan	N. Burgoyne, NY 12944
8	Paul O'Keefe	Constatle, NY 12920
9	Harold Titus Jr.	145 Union St. Malone
10	Jim W. W. Jr.	BURKE RD.
11	Ralph (Donna) James	Malone N.Y.
12	Paul J. Allen	Malone, N.Y.
13	John J. Allen	Malone, N.Y.
14	Billie J. Walker	Malone, N.Y.
15	Rita L. Richards	Malone, NY
16	Kenise Wilcox	Brainardsville, NY
17	John P. Lunn	Malone, NY
18	William L. Lunn	Westville
19	Mike Lunn	Brainardsville
20	Mike Lunn	Malone, NY

We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

	NAME	ADDRESS
1	Thomas Flanagan	119 Constable Malone, N.Y.
2	Leo Charette	constable
3	Jim Charette	constable
4	Linda Jackson	No. Bangor N.Y.
5	Ward Jackson	No. Bangor N.Y.
6	Tony Stone	Malone, N.Y.
7	Mamie Moran	No. Bangor N.Y.
8	Patricia Nichols	North Bangor.
9		
10		
11		
12		
13	John E. Nichols	West Villetts N.Y.
14	Charles P. L. Mattoon	Malone, N.Y. (138 Webster St.)
15	James Edward LaRosa	Malone, N.Y.
16		
17		
18		
19		
20		

16 We, the undersigned, support the actions taken by Officer Pat Nichols, and feel that he should retain his position on the Malone Police Department regardless of the outcome of the public hearing, for the following reasons:

- 1) He acted in good faith with an honorable intent.
- 2) He acted in the best interest of the public.
- 3) His actions took courage and fortitude.
- 4) His motivation was not self-serving.
- 5) He is an ethical person who believes in justice and fair play.

NAME	ADDRESS
1 John F. [unclear]	39 Constance St.
2 [unclear]	Shears Rd Malone
3 Kevin C. [unclear]	123 Fort Covington St Malone
4 Beely Durand	7 Brown St. Malone
5 D. Miller	24 Park St Malone
6 Paula Dejon	RD1 Box 769 Chateaugay
7 Brenda Turner	HCR #1, Box 200, Owl's Head, NY.
8 Marlene [unclear]	295 E. Main St Malone NY
9 [unclear]	14 Webster St Malone
10 [unclear]	Brule NY
11 Kim Ronato	Malone
12 Linda Fruchied	Star Route, N. Bangor, NY 13966
13 Linda [unclear]	Star Rte Malone
14 Gary [unclear]	8 Highland Ave Malone
15 Douglas [unclear]	12 Center MAHONE NY
16 [unclear]	12 Center St Malone
17 [unclear]	Minor Rd. - Malone
18 [unclear]	Minor Rd. - Malone
19 R. [unclear]	Railroad St - Malone
20	

Scott Smith.

Said Pat Brought Petition into Garage
with him his car had been there
for 3 ~~weeks~~ or 4 days, being worked on.

Had it in his hand.

Scott Gave Pat Bill. for about \$300.⁰⁰
that is when he asked Scott to
sign it.
was not threatened, in anyway.

DAKE Hamilton Sr.

Pat approached him to sign
petition, had it in his hand.

WAS NOT AT the same time that
Scott Smith signed. not same day.
stated. statement is true, + accurate.
was told. By Officer. Fleury that I
did not have to give a statement. it
I didn't want to.
was not threatened in anyway.

Karl Thomas

Pat approached me with a paper in his hands.

I never saw petition before or in a car.

I was not threatened in anyway that I was in trouble if I did not sign petition.

The statement is true as I gave it.

The statement was read to me as I can't read very well. This took place a different time than when Scott signed it.