

# SAUGERTIES POLICE DEPARTMENT

## INTERNAL AFFAIRS DIVISION REPORT OF INTERNAL INVESTIGATION

FILE NO. IA-20-004

**COMPLAINANT:** Department Generated  
– Chief Joseph A Sinagra

**ABSTRACT OF ALLEGATION:** Unauthorized access of department MDT and Internet for personal use

**APPLICABLE RULE(S):** SOP 790.1: Acceptable Use of the Internet  
SOP 330.06: Neglect of Duty  
SOP 330.10: Insubordination

**DISCOVERY OF ADDITIONAL RULE(S)  
VIOLATION(S):** None

**SUBJECT OF COMPLAINT:** Sergeant Jorge Castagnola

**DATE/TIME OF INCIDENT:** March 13, 2020 (00:24-00:58)

**LOCATION OF INCIDENT:** Marked Patrol Car 784

**DATE COMPLAINT RECEIVED:** March 17, 2020

**ASSIGNED INVESTIGATOR:** Chief Joseph A. Sinagra

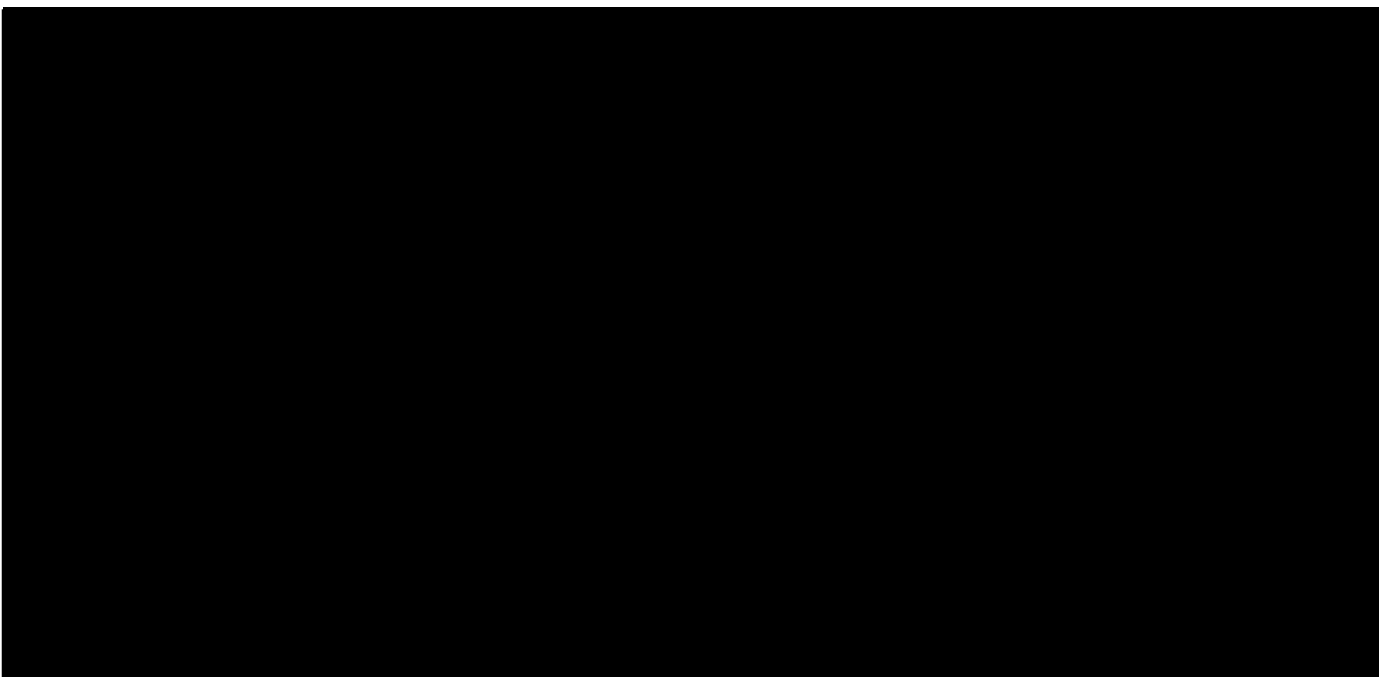
*NOTE: All definitions, concepts, facts, conclusions and recommendations contained herein are strictly administrative in nature without force of law and have no bearing on any legal body with competent authority. Summary statements have been written to reflect the individual's recollection of the incident. No portions contained therein have been supplemented by the Internal Affairs Division.*

## **BACKGROUND**

On March 16, 2020 I received a phone complaint from [REDACTED] relative to receiving a parking ticket from an Officer Castagnola on March 13, 2020 at around 7:00pm. [REDACTED] was upset that she had received a parking ticket while seated in her vehicle, while parked in a Handicap space at the Village Beach. [REDACTED] stated the officer scared her and she thought he was harsh in the manner in which the officer dealt with her. I advised [REDACTED] that I would investigate the matter, although [REDACTED] indicated she was not perusing a personnel complaint against the officer. I apologized to [REDACTED] for her perceived interaction with the officer. [REDACTED] stated she did not have a Handicap plaque displayed at the time of the incident, nor did she possess a permit)

## **COMPLAINANT STATEMENT(S)**

On March 17, 2020 I initiated an investigation into [REDACTED]'s complaint. As this incident involved interaction with a motorist, based on department policy, I first looked for body worn camera photage that may exist of the incident. In the course of researching Sergeant Jorge Castagnola's BWC photage for March 13, 2020, I came across video photage that indicates Sgt. Castagnola had inadvertently left his BWC on. In the course of doing so, Sgt. Castagnola documented his own misuse of a department MDT and unauthorized access to the internet for personnel use. (Eventually I did locate video photage of the encounter between [REDACTED] and Sergeant Castagnola. The photage of this incident clearly demonstrated that Sergeant Castagnola conducted himself within the scope of his duties. I did not find Sergeant Castagnola to be immediately abrasive or demeaning to [REDACTED] during their initial encounter, however incidental to receiving a traffic summons, [REDACTED] did become argumentative with Sergeant Castagnola. I did find that Sergeant Castagnola's demeanor did change at this point, becoming somewhat curt with [REDACTED]) Nevertheless there were no policy violations.



## **RECOMMENDED FINDINGS**

### **Unauthorized Use of Internet**

**SOP 790.1**

**SUSTAINED**

The investigation disclosed a preponderance of evidence to prove that Sergeant Castagnola was in violation of Acceptable Use of the Internet, in violation of Saugerties Police Policies and Procedures

### **Neglect of Duty**

**SOP 330.6**

**SUSTAINED**

The investigation disclosed a preponderance of evidence to prove that Sergeant Castagnola was in violation of Acceptable Use of the Internet, in violation of Saugerties Police Policies and Procedures

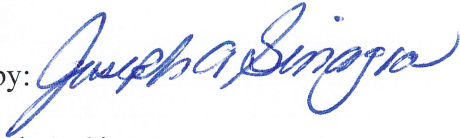
### **Insubordination**

**SOP 330.10**

**SUSTAINED**

The investigation disclosed a preponderance of evidence to prove that Sergeant Castagnola was in violation of Acceptable Use of the Internet, in violation of Saugerties Police Policies and Procedures

Prepared by:



Chief Joseph A. Sinagra

ADMIN-Internal Affairs Division

ENCL # 4

**SAUGERTIES POLICE  
DEPARTMENT**

Memorandum

DATE: March 25, 2020

TO: Chief Joseph A. Sinagra

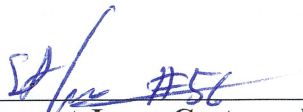
FROM: Sergeant Jorge Castagnola

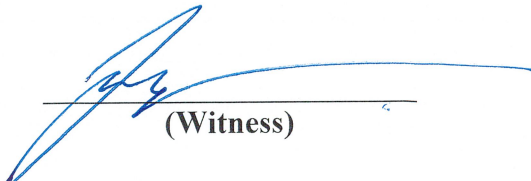
SUBJECT: WAIVER OF FORMAL DISCIPLINE  
COMPLAINT AGAINST PERSONNEL  
CASE # IA-20-04

Reference to the above subject matter.

Writer understands he has the right to representation, in accordance with Article VII of the Collective Bargaining Agreement. Writer waives representation currently by any delegate of the Saugerties Policemen's Benevolent Association (PBA).

Writer waives his right to a formal disciplinary proceeding, in accordance with Article VII of the Collective Bargaining Agreement and Section 75 of the New York State Civil Service Law. Writer agrees to accept the Command Discipline offered by the Chief of Police on March 20, 2020, the forfeiture of three (3) accrued Days, with respect to violations of SOPs 330.06; 330.10 and 790.00. Writer also waives the right to grieve, litigate or appeal such determination.

  
Sergeant Jorge Castagnola

  
(Witness)

# SAUGERTIES POLICE DEPARTMENT



**JOSEPH A. SINAGRA**  
*Chief of Police*

TOWN HALL  
4 HIGH STREET  
SAUGERTIES, NEW YORK 12477  
<http://police.saugerties.ny.us>  
(845) 246-9800  
FAX: (845) 246-0159

**STEPHEN W. FILAK, SR.**  
*Lieutenant of Police*

**MARY T. MONACO**  
*Administrative Aide*

July 18, 2019

## LETTER OF CENSURE

Sergeant Jorge Castagnola  
Saugerties Police Department  
4 High Street  
Saugerties, New York 12477

Dear Sergeant Castagnola:

On July 18, 2019 you appeared before me for informal Command Discipline regarding your watching of Netflix and the use of the department's Router for personal internet use while on duty, that occurred on several occasions between May 21, 2019 through June 19, 2019 (you were asked and waived union representation) An investigation completed by Lieutenant KJ Swart determined that while on duty you accessed the department's router for personal gain, use of internet access for the purpose of conducting other than official law enforcement business.

I advised you that in doing so, you violated several department policies, specifically SOPS 330.6 ; 330.10 and 790.00. You were also advised that the violation of SOP 330.10 (Insubordination) was the direct result of a previous counseling session in which you were admonished for using the department's internet at that time, for your personal benefit in uploading thousands of personal photos to the cloud. After providing opportunity for your response and input with respect to discipline in the matter, I informed you of my offer of a Letter of Censure and the forfeiture of two (2) accrual days. You have advised me that you accept the offer. Two (2) days of accrued time will be deducted from your accrual bank

I am glad you are taking full responsibility for this incident. You are a valued employee with this Department and I trust that the decision you made regarding this incident was a temporary lapse in judgment and will not be repeated in the future.

This matter is closed, and no further administrative action will be taken.

Sincerely,  
A handwritten signature in black ink, appearing to read "Joseph A. Sinagra".  
Joseph A. Sinagra

: Personnel Jacket

**SAUGERTIES POLICE  
DEPARTMENT**

Memorandum

DATE: July 23, 2019

TO: Chief Joseph A. Sinagra


FROM: Sergeant Jorge Castagnola

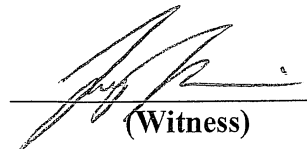
SUBJECT: WAIVER OF FORMAL DISCIPLINE  
COMPLAINT AGAINST PERSONNEL  
CASE # IA-19-11

Reference to the above subject matter.

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Sergeant Jorge Castagnola

  
(Witness)