

SAUGERTIES POLICE DEPARTMENT

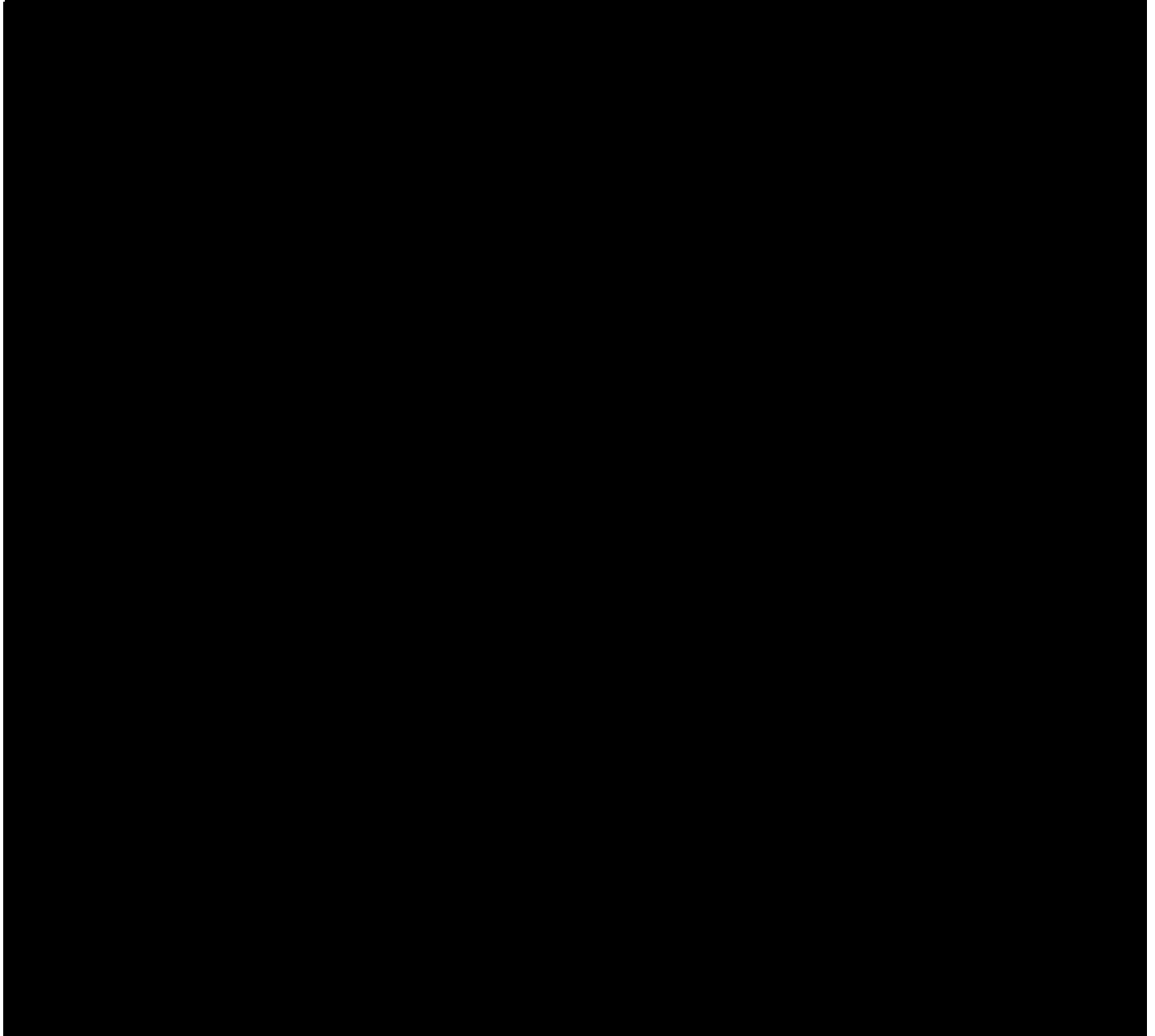
INTERNAL AFFAIRS DIVISION REPORT OF INTERNAL INVESTIGATION

FILE NO. 19-11

COMPLAINANT:	Lieutenant K. J. Swart
ABSTRACT OF ALLEGATION:	The complainant alleged that Sergeant Jorge Castagnola was utilizing Netflix while on duty.
APPLICABLE RULE(S):	CBA Attachment "A": E-Mail/Internet Policy SOP 790: Internet Use / E-Mail Policy
DISCOVERY OF ADDITIONAL RULE(S) VIOLATION(S):	SOP 330.6; Neglect of Duty SOP 330.10; Insubordination
SUBJECT OF COMPLAINT:	Sergeant Jorge Castagnola, 56
DATE/TIME OF INCIDENT:	June 18, 2019 2300hrs – June 19, 2019 0700hrs
LOCATION OF INCIDENT:	Saugerties Police Department - Headquarters 4 High Street, Saugerties, New York
DATE COMPLAINT RECEIVED:	June 19, 2019
ASSIGNED INVESTIGATOR:	Lieutenant K. J. Swart

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 June 19, 2019 at approximately 0650hrs, I entered the Sergeants' office and observed a laptop sitting on Sergeant Jorge Castagnola's desk. The laptop was powered on, open, with the internet browser Google Chrome open to Netflix.com; a subscription based video rental and online video streaming service provider, with a streaming video paused. Additionally, in a secondary tab within Google Chrome, the website YouTube; a free and subscription based online video sharing website, was active with the tab displaying the following, "Learn Lightroom 6 / CC – Episode..."
 - On June 19, 2019, I advised both Captain Stephen Filak and Chief Joseph Sinagra of my observations. I was advised by Chief Sinagra to conduct an internal investigation on my observations.
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**SAUGERTIES POLICE
DEPARTMENT**

Memorandum

DATE: July 23, 2019

TO: Chief Joseph A. Sinagra


FROM: Sergeant Jorge Castagnola

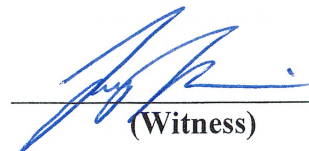
SUBJECT: WAIVER OF FORMAL DISCIPLINE
COMPLAINT AGAINST PERSONNEL
CASE # IA-19-11

Reference to the above subject matter.

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 July 18, 2019 of a Letter of Censure and the forfeiture of two (2) 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



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JOSEPH A. SINAGRA
Chief of Police

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 blue ink that reads "Joseph A. Sinagra".
Joseph A. Sinagra

: Personnel Jacket