

Sent to: 127

LT JOHN M BONKOSKI

From: 136

SGT DAVID TARANTINO

Date/Time Sent: 06/20/2014 03:15:40 PM

Subject: D KIERNAN COMPLAINT

Also Sent to: 127

Message: Lt Bonkoski,

In addition to the arrest and two V&T's that PO Kiernan wrote [REDACTED] on 06/19/14, he wrote the following to her as well:

- 2 window tint tickets on 09/27/12

- AUO 3rd, Fail to keep right and 2 window tints on 03/11/13.

For Your Information.

DT 136

Incident No. 3172-14

Page 1 of Page 1

Witness statements are to be recorded on witness deposition forms and attached hereto.

I [REDACTED] got pulled over by Officer Kiernan on June 19, 2014. He pulled me over for my window tints but all my windows were rolled down. He then told me that my windows were illegal and tested them. They came at illegal, but I don't understand why he pulled me over if all my windows were down.

Complainant

Sworn to before me this 4th day of July, 2014.

Signature: [Signature] Title: Sgt.

VILLAGE OF SUFFERN POLICE DEPARTMENT
Form 12b (Civilian Complaint Against Police Officer/Police Civilian Employee)

Incident No. 3172-14 Page ____ of Page ____

Complainant should specify in detail, in his/her own handwriting, the facts of the complaint. Complainant should swear or affirm and sign to the truthfulness of their statement. If refused, no follow-up contact will be made. Be as thorough as possible listing the names, addresses of all persons involved.

Witness statements are to be recorded on witness deposition forms and attached hereto.

I [REDACTED] got pulled over by Officer Kiernan on June 19, 2014. He pulled me over
for my window tints but all my windows were rolled down. He then told me that
my windows were illegal and tested them. They came at illegal, but I don't
understand why he pulled me over if all my windows were down.

Complainant

NOTE: False statements made herein are punishable as a CLASS A misdemeanor pursuant to section 210.45 of the Penal Law.

Sworn to before me this _____ day of _____, 20 ____.

Signature: _____ Title: _____

As per Sgt. Tarantino's orders I am writing this special report regarding Incident 3172-14. At approximately 1715 hours on 06/19/2014 I was on patrol eastbound on Lafayette Ave in Unit 473 approaching Chestnut St. I observed a black Acura four door sedan operating westbound on Lafayette Ave make a right turn onto Chestnut St and go north. When the vehicle was making the turn I observed the rear windows, which were half open, were tinted. I followed the vehicle up Chestnut St onto Wayne Ave and performed a traffic stop where I felt there was enough room for traffic to pass. The vehicle pulled over into the cutout next to the NYS Thruway just east of Washington Ave.

The driver, [REDACTED] acknowledged that her windows were tinted, but claimed that she had the old tints removed and replaced with lighter ones that she had been assured were legal. I got the tint meter from my car and put it on the rear left window. I did not have to instruct [REDACTED] to lower or raise the window because it was in the same half-open position I had seen it in when she made the turn off Lafayette Ave. The window tested at 15% light transmittance. I then asked [REDACTED] to raise the front driver's side window halfway up so I could test it. It registered 17% light transmittance. [REDACTED] was issued summonses for tinted windows.



P.O. Daniel Kiernan



Clarke Osborn
CHIEF OF POLICE

Suffern Police Department

61 Washington Ave
Suffern, New York 10901

"A Century of Service"



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To : Chief Clarke Osborn
Re; [REDACTED] Civilian Complaint
07/3014

Chief Osborn,

I and Sgt. Tarantino have made numerous attempts to contact and speak with Ms. [REDACTED] about her complaint against Off. D. Kiernan . I spoke with the complainant's mother and advised her of my findings. She stated that she will tell her daughter to contact me. As of this date I have not been contacted.

The complaint was based on a traffic stop for a V&T violation. I requested and received a Special Report from Off. D. Kiernan about the incident. I reviewed all the report involved, the patrol car's video of the stop and interviewed Off. D. Kiernan.

I found that Off. D. Kiernan acted professionally as well as in the scope of his employment and that the complaint is unfounded.

Lt. J.M. Bonkoski

Entry/CC#: SP-003172-14 Date: 06/19/2014 Time: 17:54 Tour: 3 Desk Officer: 145

Call Type: VILLAGE ORDINANCE VIOL Priority: 1 How Received: OFFICER
Orig Call Type: TRAFFIC STOP

Caller:

Bus. Name:

Address:

City/St/Zip:

Call Back #:

Location of Assignment: RIVERSIDE DR, SUFFERN

Cross Street:

Business Name:

Description: CAR AUDIO

Disposition: ARREST MADE

Post: Dispatched: Y Dispatched Date: 06/19/2014 Call Taker: S07

VEHICLES INVOLVED

Plate & State: [REDACTED]

Year/Make/Model/Color: [REDACTED]

Vin: [REDACTED]

OFFICERS INVOLVED

Serial #: 151 Rank: PTL Name: DANIEL B KIERNAN

Serial #: 145 Rank: PTL Name: JAMES GIANNETTINO JR

UNITS INVOLVED

Unit: 473

Officers: (151)

Disp. Time: | Arrv. Time: 17:54 | Comp Time:

Rcv'd to Comp: 00:00 :: Disp to Comp: 00:00

Unit: 474

Officers: (145)

Disp. Time: | Arrv. Time: 17:57 | Comp Time:

Rcv'd to Comp: 00:00 :: Disp to Comp: 00:00

ASSOCIATED NUMBERS

Arrest # [REDACTED]

Defendant: [REDACTED]

Case # [REDACTED]

Incident Type: VILLAGE ORDINANCE VIOL

PERSONS INVOLVED

Name: [REDACTED]

DOB: [REDACTED]

Address: [REDACTED]

City/State/Zip: [REDACTED]

Phone Number: [REDACTED]

Mobile Number: [REDACTED]

Sex: [REDACTED]

Race: WHI

Person Type: ARRESTED

NARRATIVE

See case

CASE REPORT

Suffern Police Department

CASE REPORT #: SP-00230-14

Blotter/CC #: SP-003172-14

MAIN CASE INFORMATION

UCR Case Status : CLEARED BY ARREST--ADULT

Status Date: 06/19/2014

Dept Case Status: CLOSED BY ARREST

Report Date: 06/19/2014 Time: 17:54 Report Day: Thu

Occurred On/From:	Day Thu	Date Jun 19 2014	Time 17:48	Occurred On/To:	Day Thu	Date Jun 19 2014	Time 17:48	Incident Type VILLAGE ORDINANCE VIOL
Incident Address(Street No., Street Name, Bldg. No., Apt. No.) LAFAYETTE AVE				City, State, Zip(<input type="checkbox"/> C <input type="checkbox"/> T <input type="checkbox"/> V) SUFFERN				Location Code 4429
Business Name				Inquiries (Check all that apply). <input checked="" type="checkbox"/> DMV. <input checked="" type="checkbox"/> Want/Warrant. <input type="checkbox"/> Scofflaw <input type="checkbox"/> Crim. History <input type="checkbox"/> Stolen Property <input type="checkbox"/> Other				NYSPIN Message No.
								Notified/TOT

OFFICERS INVOLVED

Serial #	Rank	Name	Type/Role	Shield	Command	Squad
151	PTL	DANIEL B KIERNAN		151	SPD	
145	PTL	JAMES GIANNETTINO JR		145	SPD	

OFFENSES

Charge	Class	Att	Law Description
VO 175-3A	VIOLATION	NO	NOISE VIOLATION - AMPLIFIED SOUND

PERSONS INVOLVED

Name:			Role: AR - ARRESTED
Address:			
Apt No.:	Bus. Phone:	Sex: F	DOB:
Phone:	Mobile Phone:	Age: 22	Race: WHI

NARRATIVE

151:06/19/2014 19:53 - During the course of my patrols on today's date I issued two window tint summonses to [REDACTED] on Wayne Ave at 1719 hours. After clearing from that stop I went to Lafayette Ave to do stationary patrol with the license plate reader.

While parked on the side of Lafayette facing eastbound at the Sacred Heart parking lot entrance [REDACTED] vehicle passed me going eastbound at 1733 hours (according to the LPR). A few minutes later [REDACTED] came back westbound and stopped at the traffic light with her windows down and music playing at an extremely high volume, enough so that I could feel the vibrations through my vehicle.

At 1748 hours [REDACTED] drove by me again, eastbound, with the windows down and the music at the same volume. I could feel the vibrations through my vehicle and the volume was such that it constituted a noise disturbance.

I followed and stopped the vehicle on Riverside Dr. and approached [REDACTED] who asked why I was stopping her. When I tried to explain that it was because of her loud music she said I was the only Suffern cop who ever stops her and writes her tickets, and that she was going to file a harassment charge against me.

[REDACTED] was issued an appearance ticket for violating the village noise ordinance with an appearance date of 07/24/2014.

CASE REPORT

Suffern Police Department

CASE REPORT #: SP-00230-14

Blotter/CC #: SP-003172-14

Reporting/Investigating Officer:

PTL DANIEL B KIERNAN

Supervisor Approving:

Supervisor 2 Approving: