



To: Chief Michael Passalacqua

From: Lieutenant Matthew Colton

Date: May 3, 2022

Subject: Internal Investigation (IA# 2022-9808) – Violation of G.O. 305 & 308

Introductory Paragraph:

On Thursday, April 21, 2022, at 11:55 hours, I was directed by Chief Michael Passalacqua to commence an internal investigation into an inappropriate computer background image. The background image, a collage photograph of Ward 5 Geneva City Councilor Laura Salamendra's face with the letters "GPD" on her forehead, was displayed in the booking area at the Public Safety Building. A photograph was taken on an unknown date and time by an unknown person. The photograph was then obtained by Laura Salamendra. During a press conference on Wednesday, April 20, 2022, Laura Salamendra displayed a poster board sized image of the booking area and an up-close image of the computer background.

On Thursday, April 21, 2022, at 14:18 hours, I sent the following email to all members of the Geneva Police Department: *"All, At the direction of Chief of Police, I am tasked to conduct an internal investigation into Laura Salamandra's complaint that she made on April 20, 2022. If you are not aware of her complaint, she displayed a photograph of our booking area at a press conference before last night's City Council meeting. The image further showed one of our computers with a background image of Laura's face with the letters "GPD" on her forehead. With this said, I am asking for the following: Do you have any knowledge of who created/displayed the background image? Do you have any knowledge of who took the photograph of our booking area? I am asking that any and all information be directed to me, and me only. You can call me at 315.414.6513, see me in person or email me. Thank you all in advance."* I gained two (2) responses from this email. One from Officer Richard Baskin and one from [REDACTED]

The City of Geneva Police Department's General Orders Section 305 Rules of Conduct and Section 308 Acceptable Use of Technology covers numerous topics. Specifically, these sections address unbecoming conduct and unacceptable uses of city technology.

Geneva Police Department
Internal Affairs

255 Exchange Street, Geneva, New York 14456
PHONE: 315.828.6771 or 911 | FAX: 315.789.1814 | www.cityofgenevany.com

Findings Section for the Specific Violations:

The following information is alleged by witnesses, which are citizens, City of Geneva employees and sworn members of the City of Geneva Police Department:

Press Conference at Jordan Hall (April 20, 2022):

A press conference was held at Jordan Hall in the City of Geneva on April 20, 2022. The press conference was put on by members of the City of Geneva's Police Review Board and citizens. During the press conference, members of the P.R.B. and citizens spoke. This press conference was live streamed on the Geneva Women's Assembly Facebook page.

During the press conference, a male speaker, Ricky Price, explained that Laura Salamendra had a complaint against the Geneva Police Department. While Ricky Price spoke, a female, Hannah Dickenson, held up a poster board sized display which showed two (2) images, and a heading (or title). The heading read, "Geneva Police Department Computer Booking Area of the Public Safety Building." The first image displayed a close-up photograph of a booking area computer, which is located in the P.S.B. The computer screen showed a collage style background image of Laura Salamendra with the letters "GPD" on her forehead. The second image showed an overall photograph of the booking area, which displayed the computer and the computer's background.

Ricky Price alleged that someone from the Geneva Police Department created and displayed the computer background. Ricky Price indicated that only one person had the "good sense" to know the image was wrong. Ricky Price said the individual did not change the computer's background, but did share the photograph so the public would know what goes on in the Geneva Police Department. Ricky Price indicated that this image shows part of a course of harassing conduct against Laura Salamendra by members of the Geneva Police Department.

Laura Salamendra also spoke during the press conference. Laura Salamendra predominately spoke about the P.R.B. Laura Salamendra said she has several complaints from the community against the Geneva Police Department. Laura Salamendra said, "I have a complaint to bring to the P.R.B. I have a complaint of my own." In sum and substance, Laura Salamendra said she has been harassed by the Geneva Police Department. Laura Salamendra said the computer's background image is part of that harassment.

Response Letter from City of Geneva Police Officer Richard Baskin:

“Lieutenant Colton,

I am responding to your request to the matter of an image of Ms. Salamendra. I offer this response under my own free will and have not been counseled as to how to respond. My answers to the following questions are included.

1. When did you create the background image? If not you, who created the image?

As you may recall, during the spring of last year, Laura Salamendra along with several others came to the Public Safety Building to protest. It is their right to do so. While protesting, Laura Salamendra and other wrote in chalk, “ACAB” (All Cops Are Bastards), “You are not heroes”, “GPD quit your jobs”, “Stop killing kids” and so on. I was working that night, and witnessed this from inside the PSB. I was reluctant to even leave the PSB for fear of abuse by these people. After this, no one reached out to me either from City Council or the Department. I felt anger, and was upset. I have never killed a kid and I am no bastard. I am also no hero. After this disgusting event, I created the image of the councilor. I used a public image and emblazened the “GPD” on her head. It was my way of showing frustration after the councilor had put such disgusting remarks on City property.

2. When was the background image initially displayed on the computer(s), and for how long?

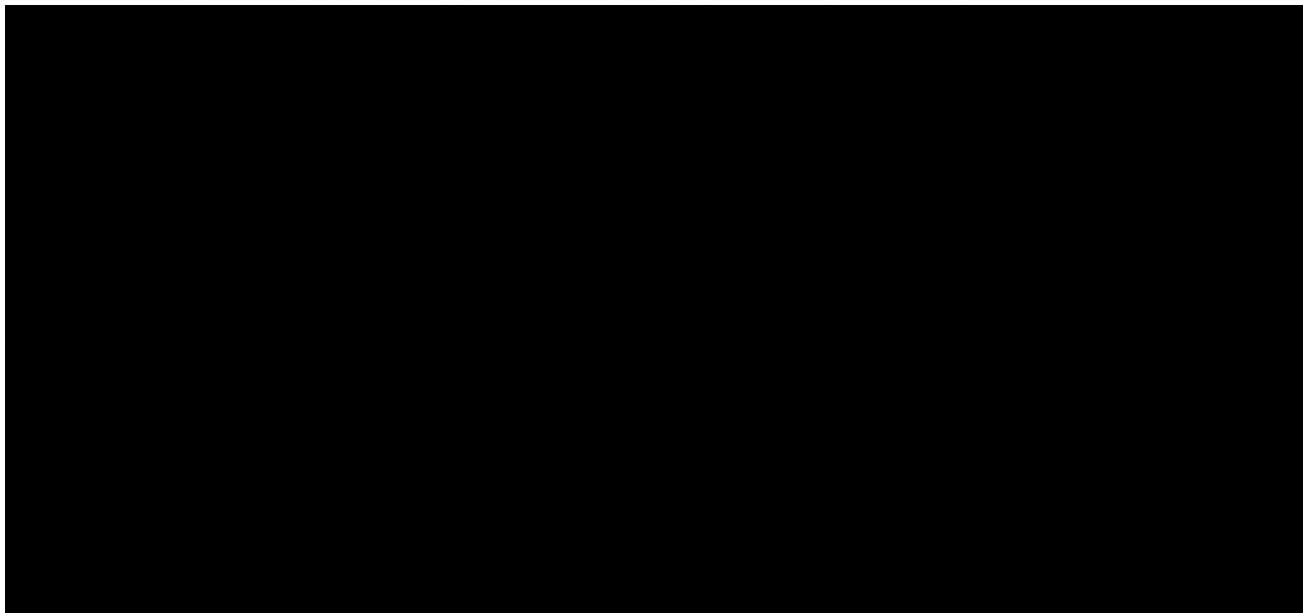
As stated in my first answer, it was about the time after Councilor Salamendra wrote those gross words and phrases at the PSB. The image was on one computer, which is depicted in the image that Councilor Salamendra displayed at her press conference.

3. *Why did you create the background image?*

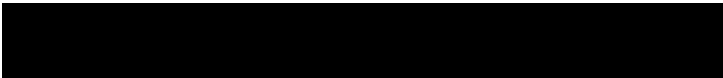
I would like to add that at no time was this image left for others to see, except for the time the photo was taken from inside the dispatch office. It was never displayed on the booking computer. I understand that this form of protest may be unorthodox and even not wanted. I should have been above the noise and moved on. But, unfortunately, I didn't. For that, I am sorry. It sullies the good name of every Officer that has served before me, along side of me and in the future. The image has since been deleted at my hand. It is my belief, that as juvenile as this may be, the actions of Councilor Salamendra last spring far outweigh that of this image. I am including an image from that very protest to add context.

*Respectfully,
(SIGNED – RICHARD BASKIN 836)''*

NOTE: The letter had an attached image.



Evidence to Support the Specific Allegations:

- DVD-R containing the PRB Press Release on April 20, 2022 at Jordan Hall.
 - Officer Richard Baskin's IA response letter w/ attached photograph.
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Evidence to Refute the Specific Allegations:

There is no evidence to refute the allegations.

Identification & Explanation of Allegations:

Geneva City Police Officer Richard Baskin created a collage image of Geneva City Ward 5 Councilor Laura Salamendra with the letters "GPD" scribed on her forehead. Officer Baskin displayed the image as a computer background on a booking computer located inside of the Public Safety Building. Officer Baskin indicated that he created the image as a direct result of citizens, including Laura Salamandra, scribing in chalk statements against the police department, which occurred at the Public Safety Building during 2021. These statements included, but are not limited to; "ACAB," "You are not heroes," "GPD quit your jobs," and "Stop killing kids." Officer Baskin indicated that he was frustrated with the statements, and showed his anger/disappointment through the computer background image. The computer background image was limited to one computer inside of the Public Safety Building. The background image on the computer was only displayed when Officer Baskin used his login ID. The particular computer and the location of the computer is not accessible to the public.

Furthermore, the City of Geneva's IT Department was unable to determine when the image was created or displayed.  indicated that he observed the background image while he was logging out of booking area computers. It is unknown who captured the photograph of the booking area, and the booking computer. The background image has since been deleted by Officer Baskin.

This is **a violation of General Order Section 305 Rules of Conduct III 2(a) – Unbecoming Conduct**, which states, *“Officers shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the department. Conduct unbecoming an officer shall include that which brings the department into disrepute or reflects discredit upon the officer as a member of the department, or that which impairs the operation or efficiency of the department or officer.”*

Officer Baskin’s decision to create and display an inappropriate computer background image in the Public Safety Building does not reflect favorably upon himself and/or the Geneva Police Department. Officer Baskin’s actions brought the department into disrepute and reflected discredit upon this agency.

This is **a violation of General Order Section 305 Rules of Conduct III 39(a) – Use of Department Equipment**, which states, *“Officers and employees shall utilize equipment only for its intended purpose, in accordance with established departmental procedures, and shall not abuse, damage or lose department equipment. All department equipment issued to officers shall be maintained in proper order.”*

The booking area computer that Officer Baskin used to display the background image is not the intended purpose of said city owned equipment.

This is **a violation of General Order Section 308 Use of Technology IV 6(a)**, which states, *“Accessing, displaying, uploading, downloading, viewing, reading, transmitting, circulating, saving, storing, distributing or possessing any form of material of a nature that is pornographic, sexual or erotic (as defined in Section IV (4)(a) of this policy); that is obscene, lewd, or offensive; or that promotes violence, hatred, abuse, neglect or harassment.”*

The background image that Officer Baskin created and displayed on a city owned computer, according to Laura Salamender’s statement, did promote that of hatred and harassment towards her.

This is **a violation of General Order Section 305 Rules of Conduct III 1(a)**, which states, *“Officers and employees shall not commit any acts or omit any acts which constitute a violation of any of the rules, regulations, directives or orders of the department, whether stated in this General Order or elsewhere.”*

██████████ notes in his IA response letter that he had knowledge of the computer background image. However, ██████████ failed to inform a supervisor of the inappropriate image until an email was sent to the department. ██████████ actions to omit an act which constitutes violations of this agency’s general orders.

Complaint & Involved Witnesses:

Complainant: Ricky Price

Complainant: Laura Salamandra

Witness(es): None

Officers & Involved Personnel:

Involved Personnel: Officer Richard Baskin

Involved Personnel: [REDACTED]

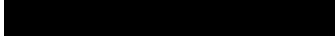
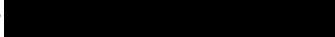
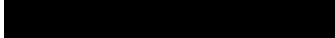
Independent Witness(es):

There are no independent witnesses.

Recommended Findings:

- **Charge #1: Officer Richard Baskin**
 - **City of Geneva Police Department's G.O. 305 Rules of Conduct III 2(a) – Unbecoming Conduct**
 - **SUSTAINED**
- **Charge #2: Officer Richard Baskin**
 - **General Order Section 305 Rules of Conduct III 39(a) – Use of Department Equipment**
 - **SUSTAINED**
- **Charge #3: Officer Richard Baskin**
 - **General Order Section 308 Use of Technology IV 6(a)**
 - **SUSTAINED**

Attachment(s):

1. Call for Service 2022-9808
2. Email from Chief Passalacqua to City Manager/City Attorney
3. Email to the City of Geneva Police Department
4. IA Letter Request for 
5. Response letter from 
6. IA Letter Request for 
7. Response letter from 
8. Screenshot image from text messages from Officer Richard Baskin
9. IA letter request for Officer Richard Baskin
10. Response letter from Officer Richard Baskin w/ attached image
11. (2) Screenshots of the PRB Press Conference
12. (1) DVD containing the PRB Press Conference
13. (2) General Orders Review signed by Officer Baskin and 

ATTACHMENT 1

GENERAL INFORMATION

Supervisor: MPAS PASSALACQUA Dispatcher: 00 PASSALACQUA Responding Officer: MCOL COLTON
Date/Time: 04/21/22 11:58 Reported Signal: CONFIDENTIAL INVESTIGATION 115
Actual Signal: CONFIDENTIAL INVESTIGATION 115 Received By: OTHER
Received: 11:58:25
Cleared: 11:58

Vehicle Description:

Plate No.: State: Report Taken: NO
Disposition: P Disp. Date: 04/21/22 12:04
Action Taken: Reference No. 2: G221110029
Reference No. 1:

LOCATION

Location Name: PUBLIC SAFETY BUILDING Zone: BEAT
Address: 255 EXCHANGE STREET
Alt. Address: Direction:
Apt. No.: City: GENEVA Intersection:
Phone No.: (315) 828-6771

CALLER INFORMATION

Last Name: COLTON First Name: DETECTIVE Middle Name/Suffix:
Alias/Maiden Name: DOB:
Address: GENEVA POLICE DEPARTMENT
City: GENEVA State: NY Zip: 14456_____
Phone: (315) 828-6779 Anonymous: NO

RESPONDING UNITS/OFFICERSUnit/Officer

G809

ASSOCIATED PERSONS

<u>ame</u>	<u>Alias</u>	<u>DOB</u>	<u>Address</u>	<u>Phone</u>	<u>Sex</u> <u>Inv.</u>
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NOTES

CONFIDENTIAL INVESTIGATION

ATTACHMENT 2

Matthew K. Colton

From: Michael J. Passalacqua
Sent: Thursday, April 21, 2022 12:53 PM
To: Jennifer Slywka; Emil Bove
Cc: Matthew K. Colton
Subject: Internal Investigation

Jen and Emil,

The Police Department has opened an internal investigation into the information that was shared last night by Councilor Salamendra. Detective Matthew Colton has been assigned to conduct the internal investigation.

Thank you

Chief Michael J. Passalacqua

Geneva Police Department

255 Exchange Street

Geneva, NY 14456

(315)828-6777- Office

(315)789-1814- Fax



ATTACHMENT 3

Matthew K. Colton

From: Matthew K. Colton
Sent: Thursday, April 21, 2022 2:18 PM
To: Aaron M. Douglas; Allan Smith; Charlene M. Button; Christopher Keear; Daniel D. Hickey; David F. Felice; Dillion Hudson; Elaine Pufnock; Jay M. Bucklin; Jeffrey Potter; Jennifer A. Lloyd; Jennifer L. Perry; Jesse D. Cole; John D. Winter; John J. Vansavage; Jordan Z. Dobies; Matthew K. Colton; Michael J. Passalacqua; Michael R. Tapscott; Nicholas J. Bielowicz; Nickolas Shannon; Randall J. Grenier; Raul Arroyo; Richard W. Baskin; Ronald L. Eveland; Shannon M. Anderson; Steven M. Vine; Timothy S. Peters; Tyler Turner
Subject: Internal Investigation - Laura Salamandra's Complaint 04/20/2022

All,
At the direction of Chief of Police, I am tasked to conduct an internal investigation into Laura Salamandra's complaint that she made on April 20, 2022. If you are not aware of her complaint, she displayed a photograph of our booking area at a press conference before last night's City Council meeting. The image further showed one of our computers with a background image of Laura's face with the letters "GPD" on her forehead. With this said, I am asking for the following:

- Do you have any knowledge of who created/displayed the background image?
- Do you have any knowledge of who took the photograph of our booking area?

I am asking that any and all information be directed to me, and me only. You can call me at 315.414.6513, see me in person or email me.

Thank you all in advance.

Matthew K. Colton
Detective
City of Geneva Police Department
255 Exchange Street
Geneva, New York 14456

ATTACHMENT 4



IA Complaint #: 2022-9808



Geneva Police Department



You are hereby directed to detail your response, and actions, and any observations regarding your **observations of a background image on a booking computer (i.e., background image of Laura Salamandra with the letters "GPD" on her forehead)**. This document will not be prepared with PD Manager to ensure the confidentiality of this investigation. Also, this matter is not to be discussed with any member of this agency, another agency or the civilian population.

A city council member has filed a complaint with this agency regarding the above use of a city owned computer. The Chief of Police has detailed me to investigate the incident.

Please provide me your response, via email, no later than April 27, 2022, at 15:00 hours.

You can supply me with any additional civilian or officer witnesses, or any other pertinent information you may feel is relevant to this matter.

Respectfully,

X  #309

Detective Matthew K. Colton

Geneva Police Department
Internal Affairs

255 Exchange Street, Geneva, New York 14456
PHONE: 315.828.6771 or 911 | FAX: 315.789.1814 | www.cityofgenevany.com

ATTACHMENT 5



ATTACHMENT 6



IA Complaint #: 2022-9808

[REDACTED]

Geneva Police Department

[REDACTED]

You are hereby directed to detail your response as a follow up from your previous response. Specifically, I would like you to address the following:

- **When did you first observe the computer background image?**
- **How many times did you observe the computer background image?**
- **When was the last time you observed the computer background image?**

This document will not be prepared with PD Manager to ensure the confidentiality of this investigation.

Please provide me your response, via email, no later than May 12, 2022 at 15:00 hours.

You can supply me with any additional civilian or officer witnesses, or any other pertinent information you may feel is relevant to this matter.

Respectfully,

X  #309

Detective Matthew K. Colton

Geneva Police Department
Internal Affairs

255 Exchange Street, Geneva, New York 14456
PHONE: 315.828.6771 or 911 | FAX: 315.789.1814 | www.cityofgenevany.com

ATTACHMENT 7



ATTACHMENT 8

14:48

LTE



Rich Baskin >

Text Message
Today 14:36

So, that's my background. It's been deleted. I have no clue who took the picture. It sure as hell wasn't me.

Copy. Thank you.

Yep



Text Message



ATTACHMENT 9



IA Complaint #: 2022-9808

Officer Richard Baskin

Geneva Police Department

Dear Officer Baskin,

You are hereby directed to detail your response, and actions, and any observations regarding **your creation/display of a background image on a booking computer (i.e., background image of Laura Salamandra with the letters "GPD" on her forehead)**. This document will not be prepared with PD Manager to ensure the confidentiality of this investigation. Also, this matter is not to be discussed with any member of this agency, another agency or the civilian population.

A city council member has filed a complaint with this agency regarding the above use of a city owned computer. The Chief of Police has detailed me to investigate the incident.

Please address the specific points stated below:

- **When did you create the background image? If not you, who created the image?**
- **When was the background image initially displayed on the computer(s), and for how long?**
- **Why did you create the background image?**

Please provide me your response, via email, no later than April 26, 2022 at 04:00 hours.

You can supply me with any additional civilian or officer witnesses, or any other pertinent information you may feel is relevant to this matter.

Respectfully,

X  #809

Detective Matthew K. Colton

Geneva Police Department
Internal Affairs

255 Exchange Street, Geneva, New York 14456
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ATTACHMENT 10

IA Complaint #: 2022-9808

Lieutenant Colton,

I am responding to your request as to the matter of an image of Ms. Salamendra. I offer this response under my own free will and have not been counseled as to how to respond. My answers to the following questions are included.

1. When did you create the background image? If not you, who created the image?

As you may recall, during the spring of last year, Laura Salamendra along with several others came to the Public Safety Building to protest. It is their right to do so. While protesting, Laura Salamendra and the others wrote in chalk, "ACAB"(All Cops Are Bastards), "You are not heroes", "GPD quit your jobs", "Stop killing kids" and so on. I was working that night, and witnessed this from inside the PSB. I was reluctant to even leave the PSB for fear of abuse by these people. After this, no one reached out to me either from City Council or the Department. I felt anger, and was upset. I have never killed a kid and I am no bastard. I am also no hero. After this disgusting event, I created the image of the councilor. I used a public image and emblazoned the "GPD" on her head. It was my way of showing frustration after the councilor had put such disgusting remarks on City property.

2. When was the background image initially displayed on the computer(s), and for how long?

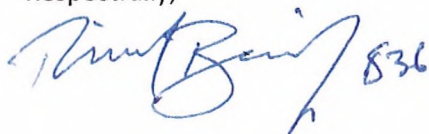
As stated in my first answer, it was about the time after Councilor Salamendra wrote those gross words and phrases at the PSB. The image was on one computer, which is depicted in the image that Councilor Salamendra displayed at her press conference.

3. Why did you create the background image?

Again, I answered this in the first answer.

I would like to add that at no time was this image left for others to see, except for the time the photo was taken from inside the dispatch office. It was never displayed on the booking computer. I understand that this form of protest may be unorthodox and even not wanted. I should have been above the noise and moved on. But, unfortunately I didn't. For that, I am sorry. It sullies the good name of every Officer that has served before me, along side of me and in the future. The image has since been deleted at my hand. It is my belief, that as juvenile as this may be, the actions of Councilor Salamendra last spring far outweigh that of this image. I am including an image from that very protest to add context.

Respectfully,





ATTACHMENT 11



 **Geneva Women's Assembly** was live.
April 20 at 5:33 PM

5 · 5 Comments · 360 Views

 Like  Comment  Share

Comments Hide

Most relevant

 **Leslie Bailey** · 16:15
Geneva needs to save the police review board.

Like Reply 50
Most Relevant is selected, so some comments may have been filtered out.

▶ 24:30 / 20:00

     Write a comment...   

ATTACHMENT 12

ATTACHMENT 13



Geneva Police Department
GENERAL ORDERS REVIEW

OFFICER:

PO Richard Baskin

I hereby acknowledge that I have read the General Orders listed below. I further acknowledge that it is my responsibility to understand and comply with these General Orders. If I do not understand these General Orders, or any portion of them, I am responsible to request clarification through the chain-of-command.

Order No.	Title	Employee Signature	Date Read
GO 100	Department Role and Mission	Richard W Baskin	2/7/14
GO 105	Organization	Richard W Baskin	2/2/14
GO 115	Written Directives	Richard W Baskin	2/2/14
GO 120	Fiscal Management	Richard W Baskin	2/7/14
GO 200	Training	Richard W Baskin	2/17/14
GO 205	Performance Evaluations	Richard W Baskin	2/17/14
GO 206	Field Training and Evaluation Program	Richard W Baskin	2/17/14
GO 208	Inventory Control & Department Property	Richard W Baskin	2/17/14
GO 210	Personal Equipment and Apparel of Officers	Richard W Baskin	2/17/14
GO 212	Communicable Diseases	Richard W Baskin	2/17/14
GO 215	Awards and Commendations	Richard W Baskin	2/17/14
GO 220	Off-Duty Employment	Richard W Baskin	2/17/14
GO 230	Illness and Injury Procedures	Richard W Baskin	2/17/14
GO 250	Recruitment and Selection	Richard W Baskin	2/17/14
GO 255	Promotions	Richard W Baskin	2/17/14
GO 300	Internal Affairs	Richard W Baskin	2/20/14
GO 305	Rules of Conduct	Richard W Baskin	2/20/14
GO 308	Acceptable Uses of Technology	Richard W Baskin	2/20/14
GO 310	Disciplinary Procedures	Richard W Baskin	2/20/14
GO 315	Grievance Procedures	Richard W Baskin	2/20/14
GO 325	Equitable Policing	Richard W Baskin	2/20/14
GO 330	Workplace Harassment	Richard W Baskin	2/20/14
GO 340	Freedom of Information Law (FOIL) Requests	Richard W Baskin	2/20/14
GO 350	News Media and Police Relations	Richard W Baskin	2/20/14
GO 400	Use of Physical Force/Deadly Physical Force & Firearms	Richard W Baskin	2/24



Geneva Police Department
GENERAL ORDERS REVIEW

Officer: [REDACTED]	ID. No. [REDACTED]
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I have read each of the General Orders listed below as acknowledged by my signature. If I have any questions or do not understand any of the Orders below, I understand that I am responsible to seek clarification through the chain-of-command.

Order No.		Title	Employee Signature	Date Read
☐	GO 100	Department Role and Mission		7/04
☐	GO 105	Organization		7/04
☐	GO 115	Written Directives		7/04
☐	GO 120	Fiscal Management		7/04
☐	GO 200	Training		7/04
☐	GO 206	Field Training and Evaluation Program		7/04
☐	GO 220	Off-Duty Employment		7/04
☐	GO 250	Recruitment and Selection		7/04
☐	GO 255	Promotions		7/04
☐	GO 300	Internal Affairs		7/04
☐	GO 305	Rules of Conduct		7/04
☐	GO 310	Disciplinary Procedures		7/04
☐	GO 400	Use of Physical Force/Deadly Physical Force & Firearms		7/04
☐	GO 405	Authorized Firearms and Ammunition		7/04
☐	GO 407	Impact Weapons & Defensive Spray		7/04
☐	GO 410	Emergency Response & Pursuit Driving		7/04
☐	GO 412	Alarm Response Procedures		7/04
☐	GO 415	Post Assignments and Patrol Procedures		7/04
☐	GO 435	Domestic Incidences and Orders of Protection		7/04
☐	GO 500	Arrest Procedures		7/04
☐	GO 501	Appearance Tickets and Pre-Arraignment Bail		7/04
☐	GO 505	Prisoner Transport Procedures		7/04
☐	GO 525	Diplomatic and Consular Immunity		7/04
☐	GO 620	Vehicle Towing and Impound Procedures		7/04
☐	GO 710	Suspect Interview and Statement Procedures		7/04
☐	GO 712	Warrantless Searches and Seizures		7/04
☐	GO 725	Confidential Informants		7/04
☐	GO 730	Drug, Vice and Organized Crimes Investigations		7/04

IA Complaint #: 2022-9808

Lieutenant Colton,

I am responding to your request as to the matter of an image of Ms. Salamendra. I offer this response under my own free will and have not been counseled as to how to respond. My answers to the following questions are included.

1. When did you create the background image? If not you, who created the image?

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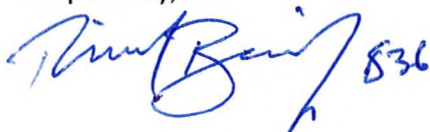
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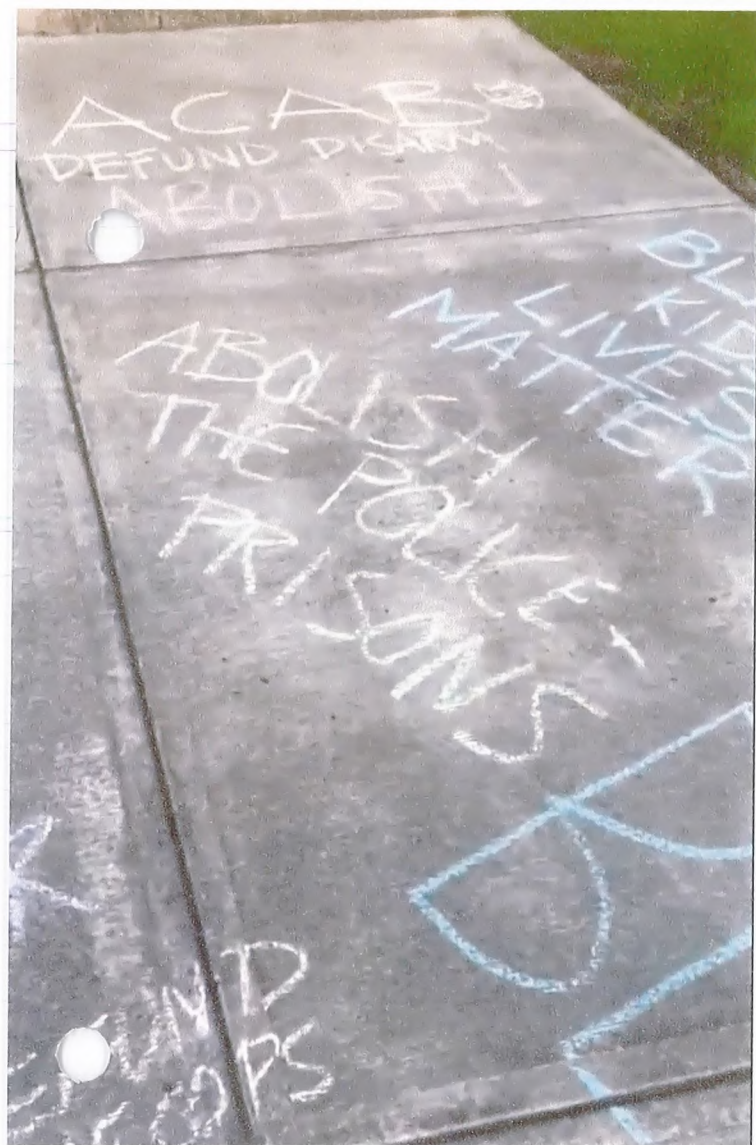
3. Why did you create the background image?

Again, I answered this in the first answer.

I would like to add that at no time was this image left for others to see, except for the time the photo was taken from inside the dispatch office. It was never displayed on the booking computer. I understand that this form of protest may be unorthodox and even not wanted. I should have been above the noise and moved on. But, unfortunately I didn't. For that, I am sorry. It sullies the good name of every Officer that has served before me, along side of me and in the future. The image has since been deleted at my hand. It is my belief, that as juvenile as this may be, the actions of Councilor Salamendra last spring far outweigh that of this image. I am including an image from that very protest to add context.

Respectfully,





2022-9808

DATE	TIME	NOTE(S)
04/21/2022	11:55	Informed to start an IA Investigation regarding Laura Salamander's complaint (i.e., a photograph of a booking computer having her face with the letters GPD across her forehead as a computer background).
04/21/2022	11:58	Created Call for Service
04/21/2022	13:20	Contacted IT Department – IT looking through computer to see if background image is on the computer – cannot view background history.
04/21/2022	14:15	Email sent to the department regarding investigation.
04/21/2022	14:20	Received phone call from [REDACTED] reports that he has observed the background image on numerous occasions when he comes in for his day shift. [REDACTED] that the computer is often times left signed in, so it is open for personnel to view. [REDACTED]
04/21/2022	14:36	Received a text message from PO Baskin. The message read, "So, that's my background. It's been deleted. I have no clue who took the picture. It sure as hell wasn't me."
04/21/2022	19:30	IA letter served on PO Baskin, via SGT Felice.
04/22/2022	10:18	IA letter served on [REDACTED]
04/22/2022	13:14	IA response letter received by [REDACTED]
04/26/2022	00:00	IA response letter received by PO Baskin
05/11/2022	14:42	IA letter served on [REDACTED]
05/12/2022	08:54	IA response letter received by [REDACTED]



To: Officer Richard Baskin

From: Chief Michael J. Passalacqua

Re: Internal Affairs Investigation 2022-9808

Date: May 18th, 2022

Officer Baskin,

An internal investigation referencing the above CR# was completed by Lieutenant Matthew Colton pertaining to G.O. 305 III (2a) Unbecoming Conduct, G.O. 305 III (39a) Use of Department Equipment, and G.O. 308 IV (6a) Use of Technology. After completion of the investigation, Lieutenant Colton came to the following conclusion, which after review, my office is in agreeance with it as it pertains to this investigation:

1. You violated General Order 305 III (2a) of the Geneva Police Department
2. You violated General Order 305 III (39a) of the Geneva Police Department
3. You violated General Order 308 IV (6a) of the Geneva Police Department

This investigation was started by my office after an April 20, 2022 press conference put on by the Geneva Women's Assembly that was held at Jordan Hall prior to the start of a Special City Council Meeting. During that press conference, a photo was revealed of a Geneva Police Department booking computer in the Public Safety Building that dawned a background image of Ward 5 Councilwoman Laura Salamendra's face with "GPD" written across her forehead. This photo was taken by an unknown source. The press conference was streamed live on social media and was also attended by members of the public. The following day, Thursday, April 21, 2022, I directed Lieutenant Colton to commence an internal investigation into this matter. As part of the investigation, Lieutenant Colton sent out a department wide email asking anyone with information/knowledge of the photo to come forward. You responded to that email by sending Lieutenant Colton a text message that same day at 1436hrs indicating that the background photo was your background.

In a response letter to Lieutenant Matthew Colton, you stated that after a protest at the Public Safety Building, in which Councilor Salamendra was present for, where sidewalk chalk was used to scribe phrases such as "ACAB", "You are not heroes", "GPD quit your jobs", "Stop killing kids", you created the



Geneva Police Department
MICHAEL J. PASSALACQUA
Chief of Police

255 Exchange St. - Geneva, New York 14456
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image of the Councilor. In your response letter, it should be noted that you also offered the following:

"I would like to add that at no time was this image left for others to see, except for the time the photo was taken from inside the dispatch office. It was never displayed on the booking computer. I understand that this form of protest may be unorthodox and even not wanted. I should have been above the noise and moved. But, unfortunately, I didn't. For that, I am sorry. It sullies the good name of every Officer that has served before me, along side of me and in the future. The image has since been deleted at my hand. It is my belief, that as juvenile as this may be, the actions of Councilor Salamendra last spring far outweigh that of this image. I am including an image from that very protest to add context".

As a Police Officer, we are held to a higher standard both personally and professionally. As the Chief of Police, I have always expressed that under my direction, the entire Department and all it's sworn membership will be held accountable for their actions. As you stated in your response letter, you should have been above the noise and moved, but did not. Being above the noise is the expectation that I have for you and all of our co-workers. Being above the noise is what makes us professional and holding ourselves to that higher standard. We have the ability to control our own actions, not the actions of others. I too, do not agree with any of the phrases that were scribed on the sidewalk. However, the actions of the Councilor and others that were present, do not excuse the unprofessionalism exhibited by the photo you then placed as your background. Due to this image being originated by you, placed on a departmental computer by you, and ultimately making its way into the public eye, the Police Department including the Office of the Chief of Police, has been brought into disrepute, a negative light, and seen as being unprofessional. As the Chief of Police, I will not stand for any of the above and you will be held accountable for your actions.

Disciplinary action is based on and in accordance with current Geneva Police Officers contract language, specifically Article 19.

Conclusion of Disciplinary Action: I am offering Summary Discipline amounting to **three (3) full days** without pay and any future violations of this type may result in further progressive discipline. Please respond back to my office in writing by the end of the business day on Thursday, May 26, 2022 regarding your decision consistent with contract language in Article 19.2 of the Geneva Police Officers current contract.

Respectfully,

Michael J. Passalacqua
Chief of Police

GENEVA POLICE OFFICERS UNION



LOCAL #3471

To: Chief Michael Passalacqua

From: Detective Steven Vine, Union President

Re: Internal Affairs Investigation 2022-9808 – Richard Baskin

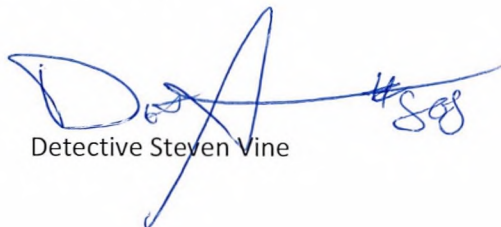
Date: May 26, 2022

Chief Passalacqua,

Upon reviewing the conclusion of the summary discipline offered for the above listed internal investigation, Officer Baskin and I called our Council 82 representative, Greg Carey. After brief review of your letter with him, he stated that we needed to speak with Council 82 Attorney, Ennio Corsi. However, Greg advised me that Ennio Corsi was currently unavailable and absent from work, due to a vacation. Greg advised me that Ennio was on vacation through next week, June 3rd.

In your letter you advised Officer Baskin to respond by the end of business on Wednesday June 1st. I am requesting an additional 10 business days from June 1st, to allow Officer Baskin an opportunity to speak with Ennio Corsi in regards to this matter.

Respectfully,

A handwritten signature in blue ink, appearing to be 'D. Vine' with a stylized flourish and the number '488' written to the right.

Detective Steven Vine



To: Officer Richard Baskin

From: Chief Michael J. Passalacqua

Re: Internal Affairs Investigation 2022-9808

Date: June 3, 2022

Officer Baskin,

An internal investigation referencing the above CR# was completed by Lieutenant Matthew Colton pertaining to G.O. 305 III (2a) Unbecoming Conduct, G.O. 305 III (39a) Use of Department Equipment, and G.O. 308 IV (6a) Use of Technology. After completion of the investigation, Lieutenant Colton came to the following conclusion, which after review, my office is in agreeance with it as it pertains to this investigation:

1. You violated General Order 305 III (2a) of the Geneva Police Department
2. You violated General Order 305 III (39a) of the Geneva Police Department
3. You violated General Order 308 IV (6a) of the Geneva Police Department

This investigation was started by my office after an April 20, 2022 press conference put on by the Geneva Women's Assembly that was held at Jordan Hall prior to the start of a Special City Council Meeting. During that press conference, a photo was revealed of a Geneva Police Department booking computer in the Public Safety Building that dawned a background image of Ward 5 Councilwoman Laura Salamendra's face with "GPD" written across her forehead. This photo was taken by an unknown source. The press conference was streamed live on social media and was also attended by members of the public. The following day, Thursday, April 21, 2022, I directed Lieutenant Colton to commence an internal investigation into this matter. As part of the investigation, Lieutenant Colton sent out a department wide email asking anyone with information/knowledge of the photo to come forward. You responded to that email by sending Lieutenant Colton a text message that same day at 1436hrs indicating that the background photo was your background.

In a response letter to Lieutenant Matthew Colton, you stated that after a protest at the Public Safety Building, in which Councilor Salamendra was present for, where sidewalk chalk was used to scribe phrases such as "ACAB", "You are not heroes", "GPD quit your jobs", "Stop killing kids", you created the



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image of the Councilor. In your response letter, it should be noted that you also offered the following:

"I would like to add that at no time was this image left for others to see, except for the time the photo was taken from inside the dispatch office. It was never displayed on the booking computer. I understand that this form of protest may be unorthodox and even not wanted. I should have been above the noise and moved. But, unfortunately, I didn't. For that, I am sorry. It sullies the good name of every Officer that has served before me, along side of me and in the future. The image has since been deleted at my hand. It is my belief, that as juvenile as this may be, the actions of Councilor Salamendra last spring far outweigh that of this image. I am including an image from that very protest to add context".

As a Police Officer, we are held to a higher standard both personally and professionally. As the Chief of Police, I have always expressed that under my direction, the entire Department and all its sworn membership will be held accountable for their actions. As you stated in your response letter, you should have been above the noise and moved, but did not. Being above the noise is the expectation that I have for you and all of our co-workers. Being above the noise is what makes us professional and holding ourselves to that higher standard. We have the ability to control our own actions, not the actions of others. I too, do not agree with any of the phrases that were scribed on the sidewalk. However, the actions of the Councilor and others that were present, do not excuse the unprofessionalism exhibited by the photo you then placed as your background. Due to this image being originated by you, placed on a departmental computer by you, and ultimately making its way into the public eye, the Police Department including the Office of the Chief of Police, has been brought into disrepute, a negative light, and seen as being unprofessional. As the Chief of Police, I will not stand for any of the above and you will be held accountable for your actions.

Disciplinary action is based on and in accordance with current Geneva Police Officers contract language, specifically Article 19.

Conclusion of Disciplinary Action: I am offering Summary Discipline amounting to **relinquishment of two (2) holidays or vacation days** and any future violations of this type may result in further progressive discipline. Please respond back to my office in writing by the end of the business day (4:00pm) on Thursday June 10, 2022 regarding your decision consistent with contract language in Article 19.2 of the Geneva Police Officers current contract.

Respectfully,

Michael J. Passalacqua
Chief of Police

Michael J. Passalacqua

From: Richard W. Baskin
Sent: Tuesday, June 7, 2022 10:14 AM
To: Michael J. Passalacqua
Subject: IA

Good morning Chief,

I am sending this email as I am in training or I would have a letter to you. I'd like to accept the offer of 2 days holiday/vacation for my part in the internal affairs investigation. Thank you. And again, I am sorry for bringing this upon your office and the department.

Get [Outlook for Android](#)

Michael J. Passalacqua

From: Michael J. Passalacqua
Sent: Friday, June 10, 2022 2:18 PM
To: Richard W. Baskin
Subject: RE: IA

PO Baskin,

I am in receipt of your email accepting the amended disciplinary offer after consultation with Council 82. You will need to contact Lieutenant Potter to set up the forfeiture of days through payroll. Please do that upon your return from training.

Thank you

Chief Michael J. Passalacqua

Geneva Police Department
255 Exchange Street
Geneva, NY 14456
(315)828-6777- Office
(315)789-1814- Fax



From: Richard W. Baskin <rbaskin@Geneva.ny.us>
Sent: Tuesday, June 7, 2022 10:14 AM
To: Michael J. Passalacqua <mjp@Geneva.ny.us>
Subject: IA

Good morning Chief,

I am sending this email as I am in training or I would have a letter to you. I'd like to accept the offer of 2 days holiday/vacation for my part in the internal affairs investigation. Thank you. And again, I am sorry for bringing this upon your office and the department.

Get [Outlook for Android](#)

GENERAL INFORMATION

Supervisor: MPAS PASSALACQUA Dispatcher: 00 PASSALACQUA Responding Officer: JPOT POTTER
Date/Time: 06/09/22 15:18 Reported Signal: PERSONNEL COMPLAINT/COMMENDATION 101
Actual Signal: PERSONNEL COMPLAINT/COMMENDATION 101 Received By:
Received: 15:15:22 Cleared: 15:20

Vehicle Description:

Plate No.: State: Report Taken: NO
Disposition: P Disp. Date: 06/09/22 15:31
Action Taken: Reference No. 2: G221600041
Reference No. 1: 2022-9808

LOCATION

Location Name: PUBLIC SAFETY BUILDING Zone: BEAT
Address: 255 EXCHANGE STREET
Alt. Address: Direction:
Apt. No.: City: GENEVA Intersection:
Phone No.: (315) 828-6771

CALLER INFORMATION

Last Name: REGAN First Name: JAN Middle Name/Suffix: E

RESPONDING UNITS/OFFICERSUnit/Officer

G865

ASSOCIATED PERSONS

<u>Name</u>	<u>Alias</u>	<u>DOB</u>	<u>Address</u>	<u>Phone</u>	<u>Sex</u> <u>Inv.</u>
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NOTES

COUNCILWOMAN JAN REGAN FURNISHED A PERSONNEL COMPLAINT TO THIS LIEUTENANT AT THE PUBLIC SAFETY BUILDING AT THE ABOVE TIME AND DATE.

COMPLAINT PAPERWORK WAS TURNED-OVER TO THE CHIEF OF POLICE FOR FURTHER REVIEW.

GENERAL INFORMATION

Supervisor: MPAS PASSALACQUA Dispatcher: 00 PASSALACQUA Responding Officer: MCOL COLTON
Date/Time: 04/21/22 11:58 Reported Signal: CONFIDENTIAL INVESTIGATION 115
Actual Signal: CONFIDENTIAL INVESTIGATION 115 Received By: OTHER
Received: 11:58:25
Cleared: 11:58

Vehicle Description:

Plate No.: State: Report Taken: NO
Disposition: P Disp. Date: 04/21/22 12:04
Action Taken:
Reference No. 1: 2022-13842 Reference No. 2: G221110029

LOCATION

Location Name: PUBLIC SAFETY BUILDING Zone: BEAT
Address: 255 EXCHANGE STREET
Alt. Address: Direction:
Apt. No.: City: GENEVA Intersection:
Phone No.: (315) 828-6771

CALLER INFORMATION

Last Name: COLTON First Name: DETECTIVE Middle Name/Suffix:
Alias/Maiden Name: DOB:
Address: GENEVA POLICE DEPARTMENT
City: GENEVA State: NY Zip: 14456_____
Phone: (315) 828-6779 Anonymous: NO

RESPONDING UNITS/OFFICERSUnit/Officer

G809

ASSOCIATED PERSONS

<u>Name</u>	<u>Alias</u>	<u>DOB</u>	<u>Address</u>	<u>Phone</u>	<u>Sex</u> <u>Inv.</u>
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NOTES

CONFIDENTIAL INVESTIGATION

GENEVA POLICE DEPARTMENT

Citizens Complaint Form



Chief Michael Passalacqua

Public Safety Building
255 Exchange Street
Geneva, New York 14456
315.828.6771

Summary of Complaint Process

- The complaint can be downloaded from the City of Geneva website: www.cityofgenevany.com (type in "Complaint" in the Search Box) or picked up at Geneva Police Department, 255 Exchange Street, Geneva, New York or the City Clerk's Office, 47 Castle St., Geneva, New York.
- After completion of the form it should be signed in front of a Sergeant or Lieutenant of the Geneva Police Department or the City Clerk or Deputy City Clerk at City Hall.
- After your complaint has been filed, it is assigned and investigated and given a Case Number. All available witnesses will be contacted, and any physical or other relevant evidence including records, reports, recordings and computer data will be collected and reviewed. You will be personally contacted by a Lieutenant or another person designated by the Chief of Police.
- Once the investigation is completed, the investigation and its report will be forwarded to the Chief of Police for final disposition of the case. When a complaint is sustained, the Chief shall determine and administer appropriate corrective and/or disciplinary action.
- Department policy requires that the complaint investigation to be completed within 45-60 days; however, the Chief of Police can waive the time frame depending on the complexity and sensitivity of the investigation.
- After the investigation has been completed and the Chief of Police has made a final decision on the case, you will be notified of the results by mail.

Most Often Asked Questions

- **HOW DO I FILE A COMPLAINT?** We would prefer to talk with you about your complaint in person; however complaints will be accepted by mail or in person at the Police Department or City Hall.
- **WHAT IS A COMPLAINT?** A complaint is a belief that a member of the Geneva Police Department has violated a Department Rule or Procedure, a federal or state law, an ordinance of the City of Geneva, or dissatisfaction with a policy or procedure of the Geneva Police Department.
- **WHAT DOES THIS PROCESS NOT HANDLE?** This process does not litigate or decide the outcome of any parking, traffic, criminal or non-criminal offense. These questions should be directed to the court of jurisdiction or your own legal counsel.
- **WHO CAN MAKE A COMPLAINT?** Anyone can file a complaint if they truly and honestly believe a police employee has acted improperly.
- **WHO INVESTIGATES A CITIZEN COMPLAINT?** Complaints of alleged misconduct are investigated by members of the Department who are certified to conduct Internal Affairs Investigations. The investigation is then reviewed by the Chief of Police and Personnel Office if needed.

- **WHAT WILL HAPPEN TO THE EMPLOYEE?** That will depend on the results of the investigation. If the employee is found to be at fault the complaint will be SUSTAINED and the appropriate corrective and/or disciplinary action will be taken. If they acted properly, they will be EXONERATED. If the facts show that the complaint is false, the complaint will be unfounded. In those cases where the department is unable to determine the validity of the complaint and cannot arrive at any other conclusion, the complaint will be NOT SUSTAINED. If the investigation concludes that the involved employee's conduct was not misconduct but rather an issue of department service or procedure, your complaint will be satisfied as such. In cases of department service or procedure, Geneva Police Department will attempt to clarify or correct the issue.
- **WHAT IF MY COMPLAINT INVOLVES CRIMINAL BEHAVIOR?** The Ontario County District Attorney's Office may be consulted on any complaint that alleges criminal investigation while the internal investigation is pending.
- **WILL I BE TOLD THE RESULTS OF THE INVESTIGATION?** YES – At the conclusion of the investigation and review by the Chief of Police, you will be notified of the results by mail. Due to contractual and legal restrictions, you will be only be given the finding of the investigation of whether your complaint was SUSTAINED, UNFOUNDED, EXONERATED, NOT SUSTAINED, OR IS ONE OF DEPARTMENT SERVICE OR PROCEDURE. The department is prohibited from revealing specific personnel actions taken against the employee.
- **CAN I GET IN TROUBLE FOR MAKING A COMPLAINT?** NO – Every citizen has the right to file a complaint, if it is done in good faith, with an honest belief that an employee of the acted improperly. If a false statement is made you may be charged under the NYS Penal Law Section 210.45.
- **ABOUT THE COMPLAINT FORM.** The attached form should be used to file your complaint. You can attach as many additional pages as necessary, along with any supporting evidence you may have. After you complete the form bring it to the Geneva Police Department or the City Clerk's Office or mail it to:

**City of Geneva Police Department
Office of the Chief of Police
Public Safety Building
255 Exchange St.
Geneva, NY 14456**

**City of Geneva
Office of the City Clerk
City Hall
47 Castle St.
Geneva, NY 14456**

City Hall tiene personal disponible si no hablas inglés.

GENEVA POLICE DEPARTMENT

Complaint Action Form

This form is to be completed in full by the complaining citizen, then brought to and signed in the presence of either a Sergeant or Lieutenant of the Geneva Police Department or the City Clerk or Deputy City Clerk. **WARNING: False Statements made herein are punishable as a Class A Misdemeanor crime pursuant to Section 210.45 of the Penal Law of the State of New York. Please type or Print.**

COMPLAINANT

Name: <u>Jan Regan</u>	Phone Number _____

ACCUSED OFFICER(S)

Name: <u>person or persons are not yet</u>	Badge Number _____
Name: <u>known/identified...</u>	Badge Number _____

INCIDENT

Time/Date: <u>on or before April 5</u>	Location: <u>Public Safety Building</u>
Nature of Complaint: <u>Officer or officers posted offensive and violent image of a City Councilor in commonly used area of police offices.</u>	

WITNESS(ES)

Name: <u>members of The GPD</u>	Phone Number _____
Address: _____	(H) _____ (W) _____
Name: _____	
Address: _____	(H) _____ (W) _____

1. Are you making this complaint of your own free will: Yes ☒ No ☐
2. Were you arrested as a result of this incident: Yes ☐ No ☒

If yes, what charge?: _____ Date: _____

Disposition (fine, imprisonment, etc.): _____

3. Are you willing to appear and give testimony under oath at a department hearing and/or criminal proceeding: Yes: ☒ No: ☐

COMPLAINT- state exact circumstances of the complaint

Please see separate sheet.

This is an official complaint regarding the screen saver image that appeared on a police department computer showing a defaced portrait of Laura Salamendra, who sits (along with myself) on the City Council. The image showed her face with a tattoo-like "GPD" across her forehead. It is duplicated several times across the screen. My understanding is that the computer was in the booking room, a common area used by multiple officers.

My complaint is against whoever created and posted this image, as well as all officers who saw it and did nothing to have it removed. I make the complaint on behalf of myself as a fellow City Councilor and resident of Geneva, and on behalf of all Geneva's citizens, who expect and deserve a professional, fair-minded and mature police department serving this community.

The fraternity house mentality that would prompt the creation of this image and the acceptance that kept the image on the screen cannot be tolerated. It rings of retaliation against an individual who has been critical of the police. It shows a complete lack of respect for an elected official. It is completely beneath what any reasonable person would expect from police, and it degrades public trust in the department.

To be clear, the images come across as a harassment, and were threatening in tone. My first impression of the markings imprinted on Ms. Salamendra's forehead was its resemblance to a bullseye for shooting. My second impulse was to compare it to a brand, another violent concept. I think it is hard not to draw these conclusions when seeing this image.

This incident left a Geneva citizen questioning her safety when around members of your department, and caused many others to lose some faith in the way the department conducts itself.

I will look forward to learning what was behind this appalling scenario, and what approach will be taken to ensure this remain a singular event.

**** if necessary, additional sheets may be attached hereto and made a part hereof.**

I understand that this statement of complaint will be submitted to the Geneva Police Department and may be the basis for an investigation. Further, I declare the facts contained herein are accurate and true to the best of my knowledge and belief. Further, I declare that my statement has been made by me voluntarily without persuasion, coercion or promise of any kind. **False statements made herein are punishable as a Class A Misdemeanor pursuant to Section 210.45 of the Penal Law.** Accordingly and with notice of the foregoing I hereby affirm that the foregoing statements are true.

Signature of Complainant: Jan E. Regan

Date: June 9, 2022

MUST be signed in the presence of a Supervisor of the Geneva Police Department, City Clerk or Deputy City Clerk.

Person Receiving Complaint: LT G. Path

Title: LT

Date: 6/9/22

Time: 1515

ADMINISTRATIVE USE ONLY

Reviewed By: _____

Name & Rank

Date Reviewed: _____ GPD CR No.: _____

☐ NO FURTHER ACTION

☐ INVESTIGATION ASSIGNED TO:



June 10, 2022

To: Jan Regan
From: Chief Michael J. Passalacqua
Re: Personnel Complaint 2020-13842
Date: June 10, 2022

Dear Jan,

I am in receipt of your personnel complaint which was submitted and turned over to my office on Thursday June 9, 2022. The personnel complaint was submitted by yourself, and is regarding the computer image that was on a booking computer in the Geneva Police Department. This matter was reported publicly on April 20, 2022 at a press conference. After becoming aware/receiving the information from that press conference, I ordered an investigation be opened on April 21, 2022. This letter is to inform you that an investigation has been opened by my office in this matter.

Sincerely,

Michael J. Passalacqua
Chief of Police



Geneva Police Department
MICHAEL J. PASSALACQUA
Chief of Police
255 Exchange St. - Geneva, New York 14456
(315) 828-6771 - Fax (315) 789-1814 - cityofgenevany.com



Michael J. Passalacqua

From: Michael J. Passalacqua
Sent: Friday, June 10, 2022 10:02 AM
To: Jan Regan
Subject: Personnel Complaint
Attachments: Regan PC Letter.pdf

Jan,

Please see the attached letter regarding your personnel complaint which was received yesterday, June 9, 2022.

Thank you

Chief Michael J. Passalacqua

Geneva Police Department
255 Exchange Street
Geneva, NY 14456
(315)828-6777- Office
(315)789-1814- Fax





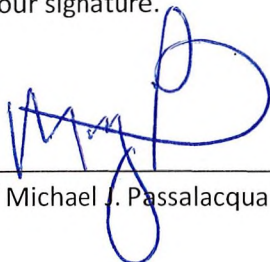
July 6, 2022

To: PO Richard Baskin
From: Michael J. Passalacqua, Chief of Police
Re: Discipline Acceptance for CR#2022-9808
Date: July 6th, 2022

PO Baskin,

By signing below, you are acknowledging that you relinquished two (2) holidays to fulfill your internal discipline regarding the internal investigation into CR#2022-9808. This is needed as your acceptance of the discipline was done through email and does not contain your signature.


PO Richard Baskin


Chief Michael J. Passalacqua



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