
LEWIS, JASON J -
TROOPER

TYPE: Personnel

CASE# 20070690

FINDING: Founded

Complainant:
STEPHEN NEVINS

Complaint of Personnel Investigation 20070690

Type: Personnel Sub Type Troop: F Status: C
Incident Date/Time 10/20/2007 8:15 PM Mode Rec. Phone
Report Due 12/14/2007 Level Inv. T 3 CTV: F3660 - T/MONROE
Commissioned Officer Assigned No Report Location IAB 1/14/2008

Synopsis:

On 10/20/07 at approximately 8:15 PM, Orange County 911 transferred a caller reporting an erratic driver to Tpr. Jason Lewis (SP Monroe). During the call Tpr. Lewis was unprofessional and condescending to the caller. Tpr. Lewis, as the assigned desk member, also failed to make an SJS entry or dispatch a Trooper to look for the vehicle in question.

Troop F to investigate

Classification: INTERNAL ADMINISTRATIVE MATTERS Finding: F

Subjects:

Rank TROOPER DOE: 5/19/2002
Last Name LEWIS First Name JASON MI J
Troop F Location MONROE

CCC 1: UNPRO CCC 2: NEGLT CCC 3: DICDV

Complainants:

Last Name NEVINS First Name STEPHEN MI TZS F200
Shield 3024 Rank CAPTAIN Sex M SP Employee DOE 8/9/1981
Address City State Zip
Home Phone Work Phone

Administrative Personnel:

ID RECEIVING MEMBER TZS F200
Last NEVINS First STEPHEN MI Date/Time: 10/23/2007 11:00 AM

ID MEMBER AT TROOP NOTIFIED TZS F011
Last RASO First EDWARD MI Date/Time: 10/23/2007 11:00 AM

ID MEMBER AT DIV NOTIFIED TZS H132
Last SMITH First MARK MI J Date/Time: 10/23/2007 11:15 AM

ID INVESTIGATOR TZS F211
Last FURBECK First BRUCE MI R Date/Time: 10/31/2007

ID REVIEWER

TZS H132

Last SMITH

First MARK

MI J *Date/Time:* 12/24/2007

2008 FEB 26 PM 3:59

MEMORANDUM

Troop F Station Middletown

Date February 20, 2008

To: Deputy Superintendent John P. Melville
From: Major Edward Raso, Troop Commander
Subject: **COMPLAINT AGAINST PERSONNEL - 20070690 - LEVEL 3
TROOPER JASON J. LEWIS, SP MONROE**

Reference is made to the previously submitted cover page report regarding the above subject.

On February 15, 2008, Trooper Lewis appeared before me and executed his consent to have me adjudicate this matter at Troop level.

Pursuant to Rule 3 of the New York State Police Administrative Manual, I have determined that he receive a Letter of Censure and the loss of three days vacation for his actions. I have attached a copy of the Letter of Censure and consent waiver.

This matter is closed.

Attach:

PRESTON L. FELTON
SUPERINTENDENT



MAJOR EDWARD RASO
TROOP COMMANDER

STATE OF NEW YORK
NEW YORK STATE POLICE
TROOP "F" HEADQUARTERS
55 CRYSTAL RUN ROAD
MIDDLETOWN, NY 10941
(845) 344-5300

February 20, 2008

Trooper Jason J. Lewis
New York State Police
Middletown, New York

LETTER OF CENSURE

Dear Trooper Lewis:

On October 20, 2007 while on desk duty, you conducted yourself in an unprofessional and condescending manner while obtaining information from a caller. You also failed to dispatch a Trooper to investigate the incident or complete an SJS entry regarding the incident. Your actions violated Regulations 8A4, 8A8, 8A9(4) and Section 1115(d)(3).

On February 15, 2008 you appeared before me, executed a waiver and requested that I adjudicate the discipline in this matter.

Accordingly, it is my decision that you receive a letter of censure and the loss of three days vacation for your actions. I trust that you will not allow this to happen again.

Sincerely,

A handwritten signature in black ink, appearing to read "Edward Raso". The signature is stylized with a large loop at the end.

Edward Raso
Major
Troop Commander

NEW YORK STATE POLICE


MEMORANDUM

TROOP F STATION Middletown

DATE January 18, 2008

To: Major Edward Raso, Troop Commander

From: Trooper Jason J. Lewis



Subject: DISCIPLINARY ACTION

I hereby consent to have the above-captioned investigation adjudicated by the Troop Commander under the provisions of Article 3, Disciplinary Action of the New York State Police Manual.

I waive the following:

1. The right to have this matter disposed of by the Superintendent or by a formal hearing.
2. Any right to appeal from the Troop Commander's adjudication which may be a determination of unfounded or, upon a finding of guilty, the imposition of:
 - a. A Letter of Censure and/or
 - b. An intra-troop transfer, with my consent and/or
 - c. A fine to be expressed in the loss of no more than five vacation days to be worked by the member with no additional compensation or overtime and/or
 - d. A period of probation not exceeding 90 days which probation must be for a definite period of time and must include conditions of probation which, if violated, could subject me, without the right of a further inquiry or a hearing, to the imposition of any one or more of the penalties that can be imposed by the Troop Commander, and/or an intra-troop transfer, without my consent.

NEW YORK STATE POLICE

MEMORANDUM

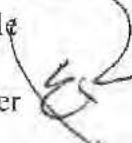
NYS INTERNAL AFFAIRS

2007 DEC 17 PM 3:00

TROOP F STATION Middletown

DATE December 12, 2007

TO: Deputy Superintendent John P. Melville

FROM: Major Edward Raso, Troop Commander 

SUBJECT: COMPLAINT AGAINST PERSONNEL - 20070690 - LEVEL 3
TROOPER JASON J. LEWIS, SP MONROE

Reference is made to the attached report of Sergeant/SC Bruce R. Furbeck and cover memorandum of Captain Stephen Nevins, regarding the above subject.

I have reviewed the attached report and agree that it is founded. Trooper Lewis violated the following Division Regulations:

8A4 - by acting in an unprofessional and condescending manner.

8A8 - by bring discredit upon the Division.

8A9(4) - by exhibiting neglect of duty.

Section 11 15(d)3 - by failing to dispatch a post car to investigate the complaint.

Recommend appropriate administrative action. Forwarded for your review.

Attach.

NEW YORK STATE POLICE

MEMORANDUM

Troop F Station Zone 2 HeadquartersDate November 19, 2007

To: Major Edward Raso, Troop Commander, Troop F

From: Captain Stephen Nevins, Zone Commander, Zone 2

Subject: COMPLAINT AGAINST PERSONNEL
TROOPER JASON J. LEWIS, EOD 05/19/02, SP MONROE

Reference is made to the attached Genl 30 Investigative Report of Sergeant/Station Commander BRUCE R. FURBECK, SP Monroe, dated October 31, 2007, regarding above-captioned subject.

I have reviewed the attached report submitted by Sergeant FURBECK and concur with his findings. Investigation determined that on October 20, 2007, Orange County 911 transferred a caller, Mr. [REDACTED] reporting an erratic driver to Trooper JASON LEWIS. During the call, Trooper LEWIS was unprofessional and condescending to Mr. [REDACTED]. Trooper LEWIS admitted that he conducted himself in an unprofessional and condescending manner while obtaining information from Mr. [REDACTED]. Trooper LEWIS also admitted that he failed to dispatch a Trooper to investigate the incident or complete an SJS entry regarding the incident.

Investigation into this matter has determined Trooper LEWIS violated the following Division Rules and Regulations:

Regulation # 8A4: In dealing with the public, a member must act in a courteous, dignified, and businesslike manner. Trooper LEWIS violated this Regulation by speaking to Mr. [REDACTED] in an unprofessional and condescending manner.

Regulation # 8A8: A member shall not act in a manner tending to bring discredit upon the Division. Trooper LEWIS violated this Regulation by failing to act in this manner, bringing discredit upon the Division, by expressing a condescending and unprofessional tone while interviewing a complainant reporting an erratic vehicle to SP Monroe from his cell phone.

Regulation # 8A9(4): A member may be determined to be incompetent and subject to disciplinary action in accord with Rules of the Division if in the performance of his official duties the Member exhibits neglect of duty. Trooper LEWIS violated this Regulation by failing to dispatch a Trooper to investigate the complaint of an erratic vehicle and failing to complete the appropriate Spectrum Justice System incident entry as required to be completed for all received complaints.

Section #1115(d)(3): When you receive a cellular 911 call that requires a police response, immediately dispatch the nearest available unit, or in areas that are customarily handled by a particular agency, such as a Town or Village, immediately notify that agency or dispatch one of their units. Trooper LEWIS violated this section by failing to dispatch the assigned post car, a Trooper, to investigate the complaint of an erratic vehicle as reported by a complainant from his cell phone.

Recommend appropriate administrative action be taken.

Attachment

NEW YORK STATE POLICE
COVER PAGE

TITLE OF CASE Trooper JASON J. LEWIS, EOD 05/19/02 Troop F - SP MONROE COMPLAINANT: New York State Police	REPORTING TROOP F	MANAGING TROOP F	DATE OF REPORT (typed) October 31, 2007
	DATE OCCURRED October 20, 2007	TZS F211	CTV CODE F3660
	INVESTIGATIVE PERIOD October 24, 2007 - October 31, 2007		TYPED BY frb
	REPORT OF <i>BRF</i> Sergeant/SC BRUCE R. FURBECK		SHIELD 2546
CHARACTER OF CASE - (CC CODE) COMPLAINT AGAINST PERSONNEL (PCT0100)	STATION SP Monroe		CASE # 20070690
STATUS OF CASE <input type="checkbox"/> CA <input type="checkbox"/> C/EC <input type="checkbox"/> C/INV <input type="checkbox"/> C/UNF <input type="checkbox"/> C/UNS <input checked="" type="checkbox"/> C/FND <input type="checkbox"/> OPN			

REFERENCE: Report of Personnel Investigation 2007-0690

ENCLOSURES:

1. Transcription of recorded audio tape, dated October 20, 2007
2. Copy of the recorded audio tape, dated October 20, 2007
3. General 7 Memorandum of Trooper JASON J. LEWIS, dated October 31, 2007

DISTRIBUTION: <input type="checkbox"/> DHQ <input type="checkbox"/> TROOP <input type="checkbox"/> OTHER:	FOR TROOP/DIVISION HEADQUARTERS USE ONLY	
APPROVED: <i>Capt. Stephen [Signature]</i> ZONE _____ TROOP <i>Major Edward [Signature]</i> DHQ _____	DESTROY IN 20 _____ INITIALS _____ PERMANENT RETENTION _____ INITIALS _____ RCN _____	

NEW YORK STATE POLICE
INTERNAL AFFAIRS BUREAU
HEADQUARTERS

2007 DEC 28 P 12:40

Handwritten text, possibly a signature or initials, oriented vertically.

SYNOPSIS:

On October 20, 2007, at approximately 8:15PM, Orange County 911 transferred a caller reporting an erratic driver to Trooper JASON LEWIS, SP Monroe. During the call, Trooper LEWIS was unprofessional and condescending to the caller, Mr. [REDACTED]. Trooper LEWIS, as the assigned desk member, also failed to make an SJS entry or dispatch a Trooper to look for the vehicle. Captain STEPHEN NEVINS, Zone 2 Commander, reviewed the recorded audio tape from this incident and reported that Trooper LEWIS was unprofessional and condescending to Mr. [REDACTED]. Trooper LEWIS admitted that he conducted himself in an unprofessional and condescending manner while obtaining information from Mr. [REDACTED] during the incident. Trooper LEWIS also admitted he failed to dispatch a Trooper to investigate the incident or complete an SJS entry regarding the incident.

Investigation into this matter determined that on October 20, 2007, Trooper LEWIS had violated Division rules and regulations during the recorded audio tape of Mr. [REDACTED] reporting an erratic vehicle.

Recommend appropriate administrative action.

DETAILS:

AT SP MONROE:

1. On October 24, 2007, Captain STEPHEN NEVINS, Zone 2 Commander, reviewed a recorded audio tape from the Orange County 911 center of an incident which occurred on October 20, 2007, involving Trooper JASON LEWIS. Captain NEVINS reported that during the recorded conversation Trooper LEWIS was unprofessional and condescending to the caller, Mr. [REDACTED]. Captain NEVINS further reported that Trooper LEWIS failed to assign an SJS entry or dispatch a Trooper to investigate the incident. Captain NEVINS notified Major EDWARD RASO, Troop F Commander, who advised Inspector MARK SMITH, IAB South. Captain NEVINS assigned Sergeant FURBECK to investigate.

2. On October 24, 2007, member reviewed the recorded audio tape of the conversation which occurred between Trooper LEWIS and a cell caller, [REDACTED] 08/13/80, of Monroe, NY. The recorded audio tape revealed Mr. [REDACTED] reported an erratic vehicle, NY Reg: [REDACTED] that was traveling through the Village of Kiryas Joel and into the Village of Monroe. Mr. [REDACTED] stated that during the conversation, the subjects within the vehicle were yelling at pedestrians in the Village of Kiryas Joel. Trooper LEWIS requested the caller's name, [REDACTED] responded, "[REDACTED] Trooper LEWIS responded inappropriately, stating, [REDACTED] Trooper LEWIS later requested the license plate number of the suspect vehicle. After receiving the information, Trooper LEWIS replied, [REDACTED] Trooper LEWIS then requested the caller's current location. After receiving the information, Trooper LEWIS responded, [REDACTED] Trooper LEWIS later asked the caller, [REDACTED] When the caller responded, [REDACTED] Trooper LEWIS confirmed the suspect vehicle was making a left by the diner and added, [REDACTED] The caller later stated that the suspect driver was turning into the Shoprite plaza. Trooper LEWIS responded, "[REDACTED]" A transcript of the recorded audio tape is provided as **enclosure # 1**. A copy of the recorded audio tape is provided as **enclosure # 2**.

3. On October 24, 2007, member reviewed the station Spectrum Justice System and determined Trooper LEWIS had failed to complete an SJS entry to document the incident. A further review of recorded audio tapes and the radio log determined Trooper LEWIS failed to dispatch a Trooper to investigate the incident.

4. On October 24, 2007, member interviewed [REDACTED], [REDACTED]. Mr. [REDACTED] verified he contacted OC911 on October 20, 2007 at approximately 8:16 PM. He verified he had reported the incident to a Trooper and had observed an erratic vehicle travel from the Village of Kiryas Joel to the Village of Monroe. Mr. [REDACTED] did not desire to offer an opinion about the conduct of the Trooper during the phone conversation. Mr. [REDACTED] declined to provide a written statement.

5. On October 27, 2007, member interviewed Mr. [REDACTED]. Mr. [REDACTED] verified that he was operating his vehicle, NY Reg: [REDACTED], a 2003 black Dodge Neon, with several friends as passengers on October 20, 2007 at approximately 8:15 PM. He verified that his friends had been yelling at pedestrians through the streets of Monroe. Mr. [REDACTED] additionally stated there had been no violence or threats made by anyone in his vehicle during the incident. Mr. [REDACTED] declined to provide a written statement.

6. On October 31, 2007, member interviewed Trooper JASON J. LEWIS, EOD 05/19/02, SP Monroe, who admitted that he conducted himself in an unprofessional and condescending manner while obtaining information from Mr. [REDACTED] during the incident. Trooper LEWIS admitted to the inappropriate comments attributed to him in paragraph #2. Trooper LEWIS also admitted he failed to dispatch a Trooper to investigate the incident. Trooper LEWIS verified he failed to complete an SJS entry regarding the incident. The memorandum of Trooper LEWIS is included as enclosure # 3.

CONCLUSION:

Investigation into this matter has determined Trooper LEWIS violated the following Division Rules and Regulations:

Regulation # 8A4: In dealing with the public, a member must act in a courteous, dignified, and businesslike manner. Trooper LEWIS violated this Regulation by speaking to Mr. [REDACTED] in an unprofessional and condescending manner.

Regulation # 8A8: A member shall not act in a manner tending to bring discredit upon the Division. Trooper LEWIS violated this Regulation by failing to act in this manner, bringing discredit upon the Division, by expressing a condescending and unprofessional tone while interviewing a complainant reporting an erratic vehicle to SP Monroe from his cell phone.

Regulation # 8A9(4): A member may be determined to be incompetent and subject to disciplinary action in accord with Rules of the Division if in the performance of his official duties the Member exhibits neglect of duty. Trooper LEWIS violated this Regulation by failing to dispatch a Trooper to investigate the complaint of an erratic vehicle and failing to complete the appropriate Spectrum Justice System incident entry as required to be completed for all received complaints.

Section # 1115(d)(3): When you receive a cellular 911 call that requires a police response; immediately dispatch the nearest available unit, or in areas that are customarily handled by a particular agency, such as a Town or Village, immediately notify that agency or dispatch one of their units. Trooper LEWIS violated this section by failing to dispatch the assigned post car, a Trooper, to investigate the complaint of an erratic vehicle as reported by a complainant from his cell phone.

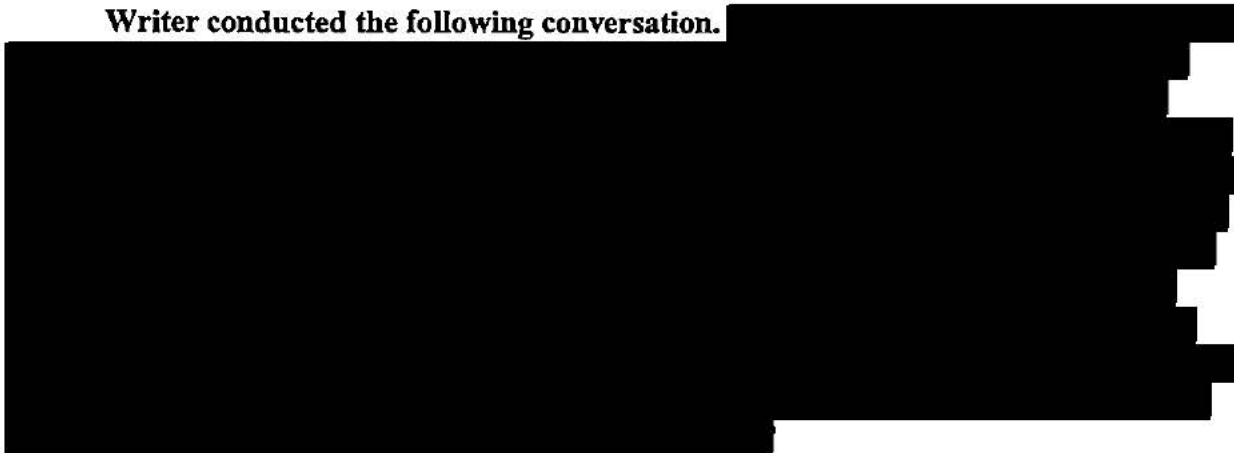
It is requested that this matter be forwarded to consider further administrative action.

NEW YORK STATE POLICE**MEMORANDUM**Troop F Station SP MonroeDate November 2, 2007**To: Major EDWARD RASO, Troop Commander****From: Trooper JASON J. LEWIS** **Subject: COMPLAINT AGAINST PERSONNEL**

Member was instructed by Sergeant/SC BRUCE R. FURBECK to prepare a memorandum regarding a COMPLAINT AGAINST PERSONNEL. "I was advised of my rights to representation pursuant to Article 16.2 of the contract by Sergeant/SC. BRUCE R. FURBECK on October 30, 2007. I am represented by Trooper PAUL MEYER and provide the following account."

On October 20, 2007 at approximately 8:16 PM, writer was working a 2-shift, assigned to desk coverage. Member received a call from the Orange County 911 Center involving a cell 911 call. The 911 center advised writer that a motorist was on the line following an erratic driver. Writer then took the call over from OC 911. During the phone call, writer conducted himself in an unprofessional and condescending manner while receiving information from the cell caller regarding the erratic vehicle.

Writer conducted the following conversation.



Writer is well aware of the fact that he had violated Division rules and regulations during the phone call while at SP Monroe desk. Writer is well aware that not only was he unprofessional and condescending towards the cell caller, but he made the Division of State Police look unprofessional. Writer is aware that he failed to complete an SJS entry for the erratic vehicle complaint. Writer also failed to dispatch a Trooper to investigate the erratic vehicle.

Writer is very aware that what he did was totally uncalled for and unprofessional, [REDACTED], member really feels ashamed for his uncourteous and unbusinesslike manner. Writer is 110% positive that this type of behavior will never be displayed again while employed by the Division of State Police.