
LEWIS , JASON J -
TROOPER

TYPE: Personnel

CASE# 20100232

FINDING: Founded

Complainant:
STEPHEN NEVINS

Complaint of Personnel Investigation 20100232

Type: Personnel Sub Type Troop: F Status: C
Incident Date/Time 4/22/2010 4:00 PM Mode Rec. In Person
Report Due 6/7/2010 Level Inv. T 3 CTV: F3660 - TMONROE
Commissioned Officer Assigned No Report Location IAB 11/22/2010

Synopsis:

On April 22, 2010, Trooper Jason Lewis was assigned a 1 tour out of SP Monroe. At approximately 4:00 PM, he failed to answer his radio when repeatedly called by the SP Monroe desk member. He was subsequently found to be off post without proper authorization.

Troop F to investigate

Classification: INTERNAL ADMINISTRATIVE MATTERS Finding: F

Subjects:

Employee ID [REDACTED] Rank TROOPER DOE: 5/19/2002
Last Name LEWIS First Name JASON MI J
Troop F Location MONROE

CCC 1: NEGLT CCC 2: COMA CCC 3: FLSEN

Complainants:

Employee ID [REDACTED] 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:

Employee ID [REDACTED] ID RECEIVING MEMBER TZS F200
Last NEVINS First STEPHEN MI Date/Time: 5/6/2010 11:00 AM

Employee ID [REDACTED] ID MEMBER AT TROOP NOTIFIED TZS F012
Last CORLETT First KEITH MI M Date/Time: 5/6/2010

Employee ID [REDACTED] ID MEMBER WHO NOTIFIED TROOP TZS F200
Last NEVINS First STEPHEN MI Date/Time: 5/6/2010 11:00 AM

Employee ID [REDACTED] ID MEMBER AT DIV NOTIFIED TZS H132
Last MAZZONE JR First RICHARD MI L Date/Time: 5/6/2010 11:00 AM

Employee ID [REDACTED] *ID* MEMBER WHO NOTIFIED DIV *TZS* F200
Last KEYSER *First* FRANK *MI* J *Date/Time:* 5/6/2010

Employee ID [REDACTED] *ID* INVESTIGATOR *TZS* F200
Last KEYSER *First* FRANK *MI* J *Date/Time:* 6/16/2010

Employee ID [REDACTED] *ID* REVIEWER *TZS* H132
Last SMITH *First* MARK *MI* J *Date/Time:* 7/20/2010



STEVEN F. CUMOLETTI
DEPUTY SUPERINTENDENT

NEW YORK STATE POLICE
BUILDING 22
1220 WASHINGTON AVENUE
ALBANY, NY 12226-2252

October 29, 2010

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

LETTER OF CENSURE

NOTICE OF SUSPENSION

Dear Trooper Lewis:

On April 22, 2010, while working a "1" shift, you were intentionally off-post, at the home of an acquaintance, for nearly an hour without advising your radio control point of your whereabouts. During this time, SP Monroe repeatedly attempted to reach you without success. While you were off-post, you left your assigned Division vehicle running, in the acquaintance's driveway, with the windows down. You also asked a Trooper at SP Monroe to run a NYSPIN inquiry for you, ostensibly in furtherance of an on-going criminal investigation. However, there was no such investigation.

You used extremely poor judgment by being off-post and unable to respond to radio calls for assistance and neglected your job responsibilities by engaging in this behavior. To exacerbate matters, you were less than truthful during your sworn statement.

Accordingly, you are hereby formally censured. You are also suspended without pay for five (5) days, November 8, 2010, through November 12, 2010. In addition you will be transferred to SP Middletown.

For, and in the absence of, the First Deputy Superintendent.

Very truly yours,

Steven F. Cumoletti
Deputy Superintendent

FIRST ENDORSEMENT

TO: Major Edward Raso, Troop F
New York State Police, Middletown, New York

FROM: Trooper Jason J. Lewis, Troop F 
New York State Police, Middletown, New York

DATE: 10/15/10

SUBJECT: PERSONNEL INVESTIGATION

Pursuant to Rule 3.4 of the New York State Police, member:

- Accepts the penalty imposed by the First Deputy Superintendent.
- I decline to accept the penalty imposed by the First Deputy Superintendent. I request, pursuant to Rule 3.4(b), that formal charges be prepared and served upon me, that a hearing board be appointed and a hearing conducted. I understand that the penalty imposed by the First Deputy Superintendent will be withdrawn and will not be binding on the hearing board, or the Superintendent, once charges are executed.

SECOND ENDORSEMENT

TO: Deputy Superintendent Steven F. Cumoletti

FROM: Major Edward Raso, Troop F 
New York State Police, Middletown, New York

DATE: 10/20/10

SUBJECT: PERSONNEL INVESTIGATION

Forwarded for appropriate action.

NEW YORK STATE POLICE

OFFICE OF THE FIRST DEPUTY SUPERINTENDENT

MEMORANDUM

Date: October 1, 2010

To: Trooper Jason J. Lewis, Troop F
New York State Police, Middletown, New York

From: Deputy Superintendent Steven F. Cumoletti 

Subject: **PERSONNEL INVESTIGATION**

Pursuant to Rule 3 of the New York State Police, I have reviewed the report of an investigation into your activities on April 22, 2010.

On that date, while working a "1" shift, you were intentionally off-post, at the home of an acquaintance, for nearly an hour without advising your radio control point of your whereabouts. During this time, SP Monroe repeatedly attempted to reach you without success. While you were off-post, you left your assigned Division vehicle running, in the acquaintance's driveway, with the windows down. You also asked a Trooper at SP Monroe to run a NYSPIN inquiry for you, ostensibly in furtherance of an on-going criminal investigation. However, there was no such investigation.

You used extremely poor judgment by being off-post and unable to respond to radio calls for assistance and neglected your job responsibilities by engaging in this behavior. To exacerbate matters, you were less than truthful during your sworn statement.

I find reasonable cause to believe that your behavior violated Regulations of the State Police, including Regulation 8A8.

It is my judgment that you be suspended without pay for five (5) days, transferred to SP Middletown and formally censured.

Rule 3.4 of the New York State Police Administrative Manual sets forth the procedures you are to follow.

For, and in the absence of, the First Deputy Superintendent.

NEW YORK STATE POLICE

OFFICE OF THE FIRST DEPUTY SUPERINTENDENT

MEMORANDUM

Date: October 1, 2010

To: Trooper Jason J. Lewis, Troop F
New York State Police, Middletown, New York

From: Deputy Superintendent Steven F. Cumoletti 

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For, and in the absence of, the First Deputy Superintendent.

FIRST ENDORSEMENT

TO: Major Edward Raso, Troop F
New York State Police, Middletown, New York

FROM: Trooper Jason J. Lewis, Troop F
New York State Police, Middletown, New York

DATE: _____

SUBJECT: PERSONNEL INVESTIGATION

Pursuant to Rule 3.4 of the New York State Police, member:

- Accepts the penalty imposed by the First Deputy Superintendent.

- I decline to accept the penalty imposed by the First Deputy Superintendent. I request, pursuant to Rule 3.4(b), that formal charges be prepared and served upon me, that a hearing board be appointed and a hearing conducted. I understand that the penalty imposed by the First Deputy Superintendent will be withdrawn and will not be binding on the hearing board, or the Superintendent, once charges are executed.

SECOND ENDORSEMENT

TO: Deputy Superintendent Steven F. Cumoletti

FROM: Major Edward Raso, Troop F
New York State Police, Middletown, New York

DATE: _____

SUBJECT: PERSONNEL INVESTIGATION



Forwarded for appropriate action.

NEW YORK STATE POLICE

MEMORANDUM

TROOP F STATION Middletown

DATE July 9, 2010

TO: Deputy Superintendent Anthony G. Ellis 
FROM: Major Edward Raso, Troop Commander 
SUBJECT: **COMPLAINT AGAINST PERSONNEL - 20100232 - LEVEL 3**
TROOPER JASON J. LEWIS, SP MONROE

Reference is made to the attached report of Lieutenant Frank J. Keyser 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 is in violation of Sections 30A2, 5B2, 8A3, 12A5, and NYSPIN 4.1(7).

Recommend appropriate administrative disciplinary action. Forwarded for your review.

Attach.


NEW YORK STATE POLICE

MEMORANDUM

Troop F Station Zone 2 Headquarters

Date June 15, 2010

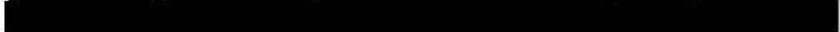
To: Major Edward Raso, Troop Commander, Troop F

From: Captain  Stephen Nevins

Subject: COMPLAINT AGAINST PERSONNEL - 2010-0232
TROOPER JASON J. LEWIS - SP MONROE - EOD 05/19/02

Reference is made to the attached report of Lieutenant Frank J. Keyser, Zone 2 Headquarters, dated June 16, 2010, regarding the above-captioned subject.

I have reviewed the attached report submitted by Lieutenant Keyser and concur with his findings. Investigation into this matter has revealed that on April 22, 2010 while working a 1 shift and assigned to post 669/609 Trooper Jason J. Lewis was intentionally off post without advising his radio control point (SP Monroe). While off post and without a portable radio, SP Monroe was unable to reach him, despite repeated attempts, regarding an erratic operator. The investigation revealed he went off post to visit an acquaintance who resides in the Village of Kiryas Joel. In attempting to locate the woman's residence he improperly requested from the SP Monroe deskman, a NYSPIN inquiry on a vehicle registration. This Trooper Lewis explained was done in the furtherance of a criminal investigation. In fact there is no ongoing criminal investigation regarding that subject. Shortly after this occurred, Trooper Lewis volunteered to Zone Sergeant Michael J. Quinn, that he had been in Kiryas Joel visiting a friend. Contrary to this, in his statement, Trooper Lewis stated that his presence at the residence was part of a legitimate investigation. There was no SJS entry made regarding his activity. Furthermore while in the woman's residence for more than an hour Trooper Lewis left his assigned Troop car, 2F5 parked unattended, with the keys in the ignition, engine running, and driver's window open, completely unsecured. Trooper Lewis stated that he spoke with both the SP Monroe deskman and an Investigator regarding their attempts to raise him. Interviews of both Members contradict that statement.

Trooper Lewis has been employed as a New York State Trooper for over eight years. Except for a disciplinary stint assigned to Troop "F" Communications, Trooper Lewis has been assigned at SP Monroe. 

[REDACTED]
[REDACTED] In October 2007, Trooper Lewis was disciplined for being unprofessional in the handling of a 911 emergency call from a resident of Kirvas Joel. Following that incident he was counseled [REDACTED]

[REDACTED] Trooper Lewis was advised at that time, that he failed to take his responsibilities as a Trooper seriously.

In this latest incident Trooper Lewis made a decision to leave his assigned post and make no provisions for receiving any communications regarding his patrol responsibilities. He has shown a complete disregard for his responsibilities to the Troopers assigned to his shift on adjoining posts as well as the public he is accountable to protect. By failing to properly secure his assigned Troop car he allowed the vehicle with all its equipment and weapons to be a target for any thief that happened upon it. Trooper Lewis abused his authority to obtain NYSPIN information for a non-lawful purpose. In an attempt to legitimize his actions, Trooper Lewis made two untruthful statements in his official statement. He contradicts the reason why he visited the woman and then contradicts the fact that he did not contact the deskman at SP Monroe or the Investigator, both of whom tried unsuccessfully to reach him after he did not answer his Troop radio. [REDACTED]
[REDACTED]

Recommend appropriate disciplinary action against Trooper Jason J. Lewis.

Attachment

NEW YORK STATE POLICE
COVER PAGE

TITLE OF CASE Trooper Jason J. Lewis Troop F – SP Monroe, EOD 05/19/02 Complainant: Captain Stephen Nevins Troop F – SP Monroe, EOD 08/09/81	REPORTING TROOP F	MANAGING TROOP F	DATE OF REPORT (typed) June 16, 2010
	DATE OCCURRED April 22, 2010	TZS F211	CTV CODE F3637
	INVESTIGATIVE PERIOD April 27, 2010 – June 7, 2010 XX		TYPED BY fjk
	REPORT OF Lieutenant Frank J. Keyser		SHIELD 2551
CHARACTER OF CASE - (CC CODE) COMPLAINT AGAINST PERSONNEL (PCT0100)	STATION SP Monroe		CASE # 2010-0232
	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 No. 2010-0232

ENCLOSURES:

1. Memorandum of Zone Sergeant Michael Quinn, dated April 27, 2010
2. SP Monroe Pers. 29, dated April 22, 2010
3. Copy of transcript of radio transmissions of April 22, 2010
4. Copy of CB6 Radio Log of April 22, 2010
5. Statement from [REDACTED] dated April 27, 2010
6. Statement of Trooper Michael Glassey, dated May 11, 2010
7. Copy of NYSPIN inquiry
8. Statement of Investigator Leonard Caruso, dated May 11, 2010
9. Memorandum of Trooper Evan Rothbaum, dated May 11, 2010
10. Statement of Trooper Kristen Erario, dated May 11, 2010
11. Copy of the Fuel Transaction Report, dated April 22, 2010
12. Copies of SJS entry #s 3503118 and 3503296
13. Copies of Incident Report # 2700146 and # 2104937
14. Statement of Moses Witriol, dated May 25, 2010
15. Transcript of Trooper Jason Lewis's interview dated June 7, 2010

DISTRIBUTION: <input type="checkbox"/> DHQ <input type="checkbox"/> TROOP <input type="checkbox"/> OTHER:	FOR TROOP/DIVISION HEADQUARTERS USE ONLY	
APPROVED: ZONE <u>Stephen Nevins Capt 06-17-10</u> TROOP <u>Major Edward J. [Signature]</u> DHQ	DESTROY IN 20 _____ INITIALS _____ PERMANENT RETENTION _____ INITIALS _____ RCN _____	

NEW YORK STATE POLICE
INTERNAL AFFAIRS BUREAU
HEADQUARTERS

• 2010 JUL 28 P 4: 44

SYNOPSIS:

On April 22, 2010, Trooper JASON J. LEWIS, SP Monroe, EOD 05/19/02, was assigned post 609/669 in non-video equipped Division vehicle 2F5. At approximately 4:00 PM, he failed to answer his radio when repeatedly called by the SP Monroe desk member. He was subsequently found to be off post without proper authorization.

Investigation has determined that on April 22, 2010, at approximately 3:52 PM, Trooper LEWIS was off post in the area of [REDACTED] in the Town of Highland Mills, where he directed the SP Monroe desk member Trooper MICHAEL GLASSEY to conduct an improper NYSPIN inquiry on New York registration [REDACTED]. Furthermore, Trooper LEWIS failed to respond to repeated attempts to contact him via the SP Monroe radio for an extended period of time. In addition, Trooper LEWIS failed to properly secure his Division vehicle by leaving the engine running while he was inside of the [REDACTED] residence. It also appears that Trooper LEWIS was not truthful in his response to questions during the statement.

Recommend appropriate disciplinary action.

DETAILS:

AT SP MONROE

1. On April 22, 2010, between 3:30 PM and 4:30 PM, Division vehicle 2F5 assigned to SP Monroe was observed parked at a residence for an extended period of time at [REDACTED] in Highland Mills, New York. During this time, Trooper MICHAEL GLASSEY, the SP Monroe desk person repeatedly attempted to contact 2F5 via radio transmissions for an extended period of time, without receiving an answer. Captain STEPHEN NEVINS was notified and assigned Lieutenant FRANK KEYSER to investigate.
2. On April 27, 2010, I interviewed Zone Sergeant MICHAEL J. QUINN, EOD 09/22/86, SP Monroe, who stated that on April 22, 2010, he was assigned a B tour out of Zone 2 Headquarters. He stated that at approximately 4:45 PM, on that day he received a phone call from Kiryas Joel Public Safety Director MOSES WITRIOL, who asked for Zone Sergeant DAVID SCOTT. Sergeant QUINN advised Mr. WITRIOL that Sergeant SCOTT was on pass and Mr. WITRIOL advised that he would call back. Sergeant QUINN stated that a few minutes later, at approximately 5:00 PM, Trooper JASON LEWIS entered the Zone office and inquired if Mr. WITRIOL had called, which Sergeant QUINN replied that he had. Trooper LEWIS went on to say that Mr. WITRIOL may say or imply that he was just in a residence in Kiryas Joel for a substantial length of time and that Mr. WITRIOL may accuse him (Trooper LEWIS) of sleeping at the residence. Trooper LEWIS further stated that a friend of his in the Village had contacted him and told him that Mr. WITRIOL and others were watching him at the residence. Trooper LEWIS stated that he was visiting a friend at the residence for approximately 40 minutes. Zone Sergeant QUINN completed a memorandum, which is attached to this report as Enclosure # 1.
3. On April 27, 2010, I reviewed SP Monroe Pers. 29, dated April 22, 2010, which indicated that Trooper JASON LEWIS was the operator of 2F5 on that date. A copy of the SP Monroe Pers. 29 for April 22, 2010, is attached to this report as Enclosure # 2.
4. On April 27, 2010, I reviewed the radio transmissions from SP Monroe Desk Members to Trooper in Division vehicle 2F5 on Thursday, April 22, 2010. On April 22, 2010, at approximately 3:57PM and 3:58PM, SP Monroe Desk Member Trooper MICHAEL GLASSEY contacted Division vehicle 2F5, but did not receive an answer. On April 22, 2010, at approximately 4:21PM, Investigator LEONARD CAURSO contacted 2F5, but did not receive an answer. A copy of the transcription is attached as Enclosure # 3. It should be noted that the radio log for April 22, 2010, does not reflect any radio transmissions of Trooper GLASSEY or Investigator CARUSO to reach 2F5. A copy of the CB6 Radio Log is attached as Enclosure # 4.
5. On April 27, 2010, I contacted MOSES WITRIOL, Director of Public Safety for Kiryas Joel, and asked if he could identify any other witnesses regarding this incident. Mr. WITRIOL advised that Mr. [REDACTED] was a witness.

6. On April 27, 2010, I interviewed Mr. [REDACTED] Monroe, New York. He stated that on April 22, 2010, at approximately 3:30 PM, he was in the area of [REDACTED] Road on business when he observed Troop car 2F5 parked unattended in the rear of the driveway at that location. He continued to a residence in the area to conduct an inspection and when he passed [REDACTED] Road about 10 to 15 minutes later, the Troop car was still in the same location at the residence. He continued to his residence on [REDACTED], but returned a short time later and again observed the Troop car parked at [REDACTED] Road. At this time he walked through an adjacent yard to obtain the plate from the Troop car, which he noted was 2F5. He also noticed that the Trooper car was running, the driver side window was open and the car was unoccupied. He left the area at about 4:05 to 4:10 PM and the Troop car remained in the driveway. A copy of the written statement obtained from Mr. [REDACTED] is attached to this report as Enclosure # 5.

7. On May 11, 2010, I interviewed Trooper MICHAEL GLASSEY, SP Monroe EOD 09/090/02 at SP Monroe. Trooper GLASSEY stated that on April 22, 2010 he was assigned the SP Monroe desk. He stated that at approximately 3:51 PM on that date, Trooper JASON LEWIS texted him to conduct a NYSPIN inquiry on New York registration [REDACTED] which he did. Trooper GLASSEY then texted the response back to Trooper LEWIS, which was that the registered owner of the vehicle was [REDACTED] of [REDACTED] NY. The vehicle was a [REDACTED]. Trooper GLASSEY stated that he did not ask Trooper LEWIS the reason for the inquiry, nor did Trooper LEWIS provide it. At approximately 3:57 PM, Trooper GLASSEY stated that he received a report of an erratic operator, eastbound on State Route 17, near exit 128. He stated that he called Trooper LEWIS, the highway post car, at 3:57 PM and received no response. He added that he attempted to contact him again at 3:58 PM and again received no response. Trooper GLASSEY stated that approximately 20 minutes later, SP Monroe Investigator LEONARD CARUSO attempted to contact Trooper LEWIS by radio from SP Monroe desk, also without receiving a response. Trooper GLASSEY stated that he had no contact with Trooper LEWIS at the end of their shift on April 22, 2010, but when he worked next on April 26, 2010, Trooper GLASSEY stated that he told Trooper LEWIS that when he calls him on the radio, he has to answer. Trooper GLASSEY stated that at no time on April 22, 2010 did Trooper LEWIS contact him and advise that he was going to be out of service at any location. Trooper GLASSEY stated that he did not notify a Supervisor that Trooper LEWIS did not answer the radio because Trooper LEWIS had not recently called out on a vehicle and traffic stop and was not assigned to a complaint. Also, it was near the end of his tour so he thought that he might be fueling his vehicle. A copy of a transcript of Trooper GLASSEY's statement is attached as Enclosure # 6. A copy of the NYSPIN inquiry is attached as Enclosure # 7.

8. On May 11, 2010, I interviewed Investigator LEONARD CARUSO, SP Monroe EOD 01/08/96. Investigator CARUSO stated that on April 22, 2010 at approximately 4:20 PM, he needed to contact Trooper LEWIS for personal reasons, so he tried to contact him via cell phone, then via the SP Monroe desk radio both without receiving a

response. Investigator CARUSO added that he left the station after trying to reach Trooper LEWIS and did not have a conversation with him regarding his whereabouts at that time or the reason why he didn't answer the radio. A copy of a transcript of Investigator CARUSO's statement is attached as Enclosure # 8.

9. On May 11, 2010, I interviewed Trooper EVAN ROTHBAUM, SP Monroe, EOD 10/30/00. Trooper ROTHBAUM stated that on April 22, 2010 he was working a 2-5 shift out of SP Monroe assigned Division vehicle 2F5. He stated that during his tour he did not recall any radio problems with his vehicle during his tour. Trooper ROTHBAUM completed a memorandum, which is attached as Enclosure # 9.

10. On May 11, 2010, I interviewed Trooper KRISTEN M. ERARIO, SP Monroe, EOD 01/15/07. Trooper ERARIO stated that on April 22, 2010, she was working a 1 shift out of SP Monroe assigned Post 608/KJ in Division vehicle 2F6. She stated that she did not hear the radio transmissions from SP Monroe to 2F5 on that date. In addition, she stated that she was not aware of Trooper LEWIS' location at the time he was being called, nor did she make any attempt to contact him either by car to car radio or by cellular telephone. A copy of a transcript of Trooper ERARIO's statement is attached as Enclosure # 10.

11. On May 12, 2010, I obtained a copy of the Fuel Transaction report for Division vehicle 2F5, which indicated that 2F5 was fueled up at 4:49 PM on April 22, 2010. A copy of the Fuel Transaction report is attached to this report as Enclosure # 11.

12. On May 12, 2010, I obtained a copy of Trooper LEWIS' SJS entries for April 22, 2010, which recorded his activity for that day which included a suspended operator on Orange and Rockland Road in the Town of Monroe. (Incident # [REDACTED] Trooper LEWIS also processed a subject at SP Monroe for CDL prints. (Incident # [REDACTED] A copy of both SJS entries is attached to this report as Enclosure # 12.

13. On May 12, 2010, I reviewed SJS entries involving [REDACTED] and [REDACTED] of [REDACTED] dated 7/18/2007 and 9/24/2008. Both incidents were complaints [REDACTED], investigated by Trooper LEWIS, (2007 incident) and Trooper FORESTIRE, (2008 incident). A copy of both incidents # [REDACTED] # [REDACTED] are attached to this report as Enclosure # 13.

14. On May 13, 2010 I interviewed [REDACTED] ([REDACTED]) of [REDACTED], New York at SP Monroe. [REDACTED] stated that he was familiar with Trooper LEWIS after meeting him when he responded to his residence for complaints in 2007 and 2008. After meeting Trooper LEWIS they developed a relationship where they spoke occasionally (once a month or so) by phone or casually saw each other in the Village of Kiryas Joel. This relationship included his wife, [REDACTED] [REDACTED] stated that he did not recall speaking to Trooper LEWIS on April 22, 2010 and became aware that Trooper LEWIS was at his residence when his housekeeper called to say that there was a Trooper at the house. At that time, he stated that his wife was not at home, but was shopping in the village market.

He stated that although he was unaware that Trooper LEWIS was stopping by his house, he did happen to see him earlier in April and told him to stop by, that they had moved into their new house on [REDACTED], from their previous residence on [REDACTED]. He stated that the last time Trooper LEWIS stopped by his house was after one of the complaints in 2007 or 2008, when he was off duty. He stated that his cleaning lady was at the residence when Trooper LEWIS visited as well as his [REDACTED]. Mr. [REDACTED] declined to provide a written statement.

15. On May 13, 2010, I contacted Troop F PC Coordinator, Trooper GERALD BOWERS, who advised that Division vehicle 2F5 is currently being equipped with the Automatic Vehicle Locator (AVL) system, but was not equipped on April 22, 2010.

AT HIGHLAND MILLS, NY

16. On May 23, 2010, I interviewed [REDACTED] dob [REDACTED], of [REDACTED], Highland Mills, New York, who stated that she had initially met Trooper JASON LEWIS in 2007, related to a [REDACTED] in the Village of Kiryas Joel. She saw him a few more times at her residence as a follow up to the [REDACTED]. Earlier this year, after her husband had seen Trooper LEWIS, he was told to stop by to see their new residence at the above address. On April 22, 2010, at approximately 3:15pm, she received a text message on her cellular phone from Trooper LEWIS that he was in the area of her residence and would stop by. She stated that she was shopping at that time, but returned home at approximately 3:30pm. Trooper LEWIS waited at her residence as well as her maid [REDACTED] who was waiting to be let in the house. She stated that when she arrived home, Trooper LEWIS and Ms. [REDACTED] came inside and he visited with her for what she believed was approximately one half hour. She stated that he had backed the Troop car in the driveway, parking it at the rear of the driveway. She did not hear any radio transmissions from the Troop car and did not observe that he was carrying a portable radio. [REDACTED] declined to provide a written statement.

17. On May 23, 2010, I interviewed Ms. [REDACTED] [REDACTED] dob [REDACTED], of [REDACTED], Highland Mills, New York, who stated that on April 22, 2010, she was at the [REDACTED] residence from approximately 3:00pm - 6:00pm. She stated that she believed when she arrived at the residence, Trooper LEWIS was already there. She stated that he was in the Troop car, parked on the road in front of the residence. She stated that Trooper LEWIS was at the residence for 40 minutes to an hour. Ms. [REDACTED] was busy doing her chores and did not pay attention to what Mrs. [REDACTED] and Trooper LEWIS were doing or saying. She was unable to provide any further information and would not provide a written statement.

AT SP MONROE

18. On May 25, 2010, I interviewed MOSES WITRIOL, DOB [REDACTED], of [REDACTED], New York. He stated that on April 22, 2010, he received a telephone call from Mr. [REDACTED] who told him that a Trooper car was parked at the

██████████ residence at ██████████ Road in the Town of Highland Mills. The Trooper car was parked in the rear of the residence, unoccupied, with the engine running. Mr. WITRIOL stated that after receiving this information he drove to the location and parked near the residence at approximately 3:52PM. He stated that Trooper LEWIS exited the residence at approximately 4:38 PM and left the area. Mr. WITRIOL completed a written statement, which is attached as Enclosure # 14.

20. On June 7, 2010, I interviewed Trooper JASON LEWIS, who stated that on April 22, 2010, he was working a 1 - 5 tour, in Division vehicle 2F5, assigned to post 669/609. He stated that on April 22, 2010 at approximately 3:30 PM, he went off post, without notifying his radio control point and drove to the area of ██████████ in the Town of Highland Mills. He stated the reason that he went to that location was to continue an investigation, although he admitted that he failed to document his investigation in SJS both when he received the complaint two weeks prior and on that date. He stated that he caused a NYSPIN inquiry to be conducted on a vehicle registration, which he maintained, was to establish a location of the address that he was going to. He stated that he utilized his cell phone to complete the NYSPIN inquiry through the SP Monroe desk and had no explanation as to why he did not conduct this inquiry via Division radio. He stated that he parked 2F5 in the ██████████ driveway and does not recall if he left the vehicle's engine running when he exited the vehicle and entered the residence. He stated that he did not sign out a portable radio on that day and he did not advise SP Monroe desk that he would be out of service and unavailable. He added that when he left the residence, he became aware via his cell phone that the SP Monroe desk was trying to reach him to assign him a complaint. He stated that upon returning to SP Monroe, he spoke with Zone Sergeant MICHAEL QUINN in the Zone office where he advised Sergeant QUINN that he was at a residence in the Town of Woodbury, and upon leaving the residence was advised by a local resident that MOSES (WITRIOL) was taking photographs of his vehicle while it was parked at the residence. He stated that he did not recall how long he told Sergeant QUINN that he was at the residence. A complete transcript of Trooper JASON LEWIS' interview is attached as Enclosure # 15.

CONCLUSION:

Investigation into this matter has determined that on April 22, 2010, at approximately 4:00PM, Trooper LEWIS was off post without notifying his radio control point. Trooper LEWIS failed to answer his radio after repeated attempts by the SP Monroe desk person over an extended period of time. He caused an improper NYSPIN inquiry to be completed on a vehicle registration, NY ██████████ which he stated was to obtain an address for a complainant for a criminal investigation. As there is apparently no legitimate criminal investigation, the NYSPIN inquiry on the vehicle registration is improper. In addition, Trooper LEWIS failed to properly secure his Division vehicle by leaving the engine running while he was inside of the ██████████ residence. In addition, it appears that Trooper LEWIS was not truthful in his response to questions during the statement. Specifically, when asked to explain why he was off post, he responded that he was continuing a harassing phone call investigation. However, this explanation was contradicted by himself on the day of the incident in his conversation

with Sergeant QUINN, when he said that he was visiting friends. Furthermore, upon being interviewed, both Mr. and Mrs. [REDACTED] both stated that he was visiting and there was no mention of any harassing phone calls. Finally, Trooper LEWIS failed to document in SJS that he received the complaint from Mrs. [REDACTED] two weeks prior to April 22, 2010 or that he followed up the complaint on April 22, 2010. He was also not truthful in response to the question of when he became aware of the complaint that Trooper GLASSEY was trying to contact him for. Trooper LEWIS stated that he had a conversation via cell phone with both Investigator LEONARD CARUSO and Trooper MICHAEL GLASSEY regarding the complaint after he left the residence. He stated that Investigator CARUSO advised him that Trooper GLASSEY was looking for him and that he notified Trooper GLASSEY that he was on his way back to the station. In their statements, both Investigator CARUSO and Trooper GLASSEY contradict this in that they both stated that neither one of them had any contact with Trooper LEWIS that day, after they had tried unsuccessfully to reach him.

Trooper LEWIS is in violation of the New York State Police Field Manual section 30A2 Post Discipline, which states that all members assigned to patrol duty must comply with the following Instructions, unless directed or authorized to do otherwise by the desk Member, the Member-in-charge of the tour or a supervisor.

(b) Do not leave your assigned post during your duty tour without the approval of your Radio Control Point. Trooper LEWIS left his assigned post without notifying the SP Monroe desk member.

Trooper LEWIS is in violation of the New York State Police Administrative Manual section 5B2 Securing The Vehicle, which states, "Anytime you park your vehicle, safely secure the vehicle as follows: close the windows; remove the keys; and lock all doors. Trooper LEWIS failed to secure Division vehicle 2F5 by leaving the engine running after he exited the vehicle and went inside the [REDACTED] residence.

Trooper LEWIS is in violation of the New York State Police Administrative Manual section 8A3, which states, "It shall be the duty of all Members to obey every lawful order issued orally or in writing by Competent Authority." Trooper LEWIS violated this section during his compelled statement, when after being ordered to cooperate and answer truthfully questions relating to the allegations, he was not truthful in his responses. Specifically, he was not truthful when asked the reason that he was off post at the [REDACTED] residence. He was also not truthful when he was asked when he became aware of the complaint and responded that he had a conversation with Investigator CARUSO and Trooper GLASSEY. Both incidents are described further in detail in the above conclusion.

Trooper LEWIS is in violation of New York State Police Administrative Manual section 12A5 Mobile Radio Procedure sub (2), which instructs members to respond to all calls to your mobile unit. Trooper LEWIS failed to answer repeated radio calls by the SP Monroe desk.

Trooper LEWIS is in violation of New York State Police Administrative Manual section 12A5 Mobile Radio Procedure Sub (4), in that he failed to check out of service with his dispatcher and give a telephone number or location where he could be reached, if, in response to a complaint or other police action, he was unavailable by radio.

Trooper LEWIS is in violation of NYSPIN Manual, Chapter 1, Section 4.1 sub (7) which states that the use of vehicle registration, driver's license information, or information in the "hot files" obtained via NYSPIN is limited to official law enforcement, criminal justice or DMV purposes. Trooper LEWIS directed the SP Monroe desk member to complete an improper NYSPIN inquiry on NY [REDACTED]

Recommend appropriate disciplinary action.

NEW YORK STATE POLICE**MEMORANDUM**Troop F Station SP MonroeDate May 13, 2010**To: Major EDWARD RASO, Troop Commander, Troop F****From: Zone Sergeant MICHAEL J. QUINN** *MQ***Subject: COMPLAINT AGAINST PERSONNEL**

On Thursday, April 22, 2010 I was working a 7B shift at Zone 2 Headquarters. At approximately 4:45 PM I answered a phone call from Kiryas Joel Public Safety Director MOSES WITRIOL who called the Zone office asking for Zone Sergeant DAVID SCOTT. I advised MOSES WITRIOL that he was on pass and Mr. WITRIOL advised that he would call him when he was back to work.

At approximately 5:00 PM Trooper JASON LEWIS came in to the Zone Office and inquired if MOSES WITRIOL had just called, and I told him, "Yes, he did." Trooper LEWIS appeared nervous and stated that Mr. WITRIOL may say or imply that Trooper LEWIS was just in the Village of Kiryas Joel parked at a residence for a substantial length of time, and he may accuse Trooper LEWIS of sleeping at the residence. Trooper LEWIS stated that a friend from the Village contacted him to tell him that MOSES WITRIOL and others were watching Trooper LEWIS at the residence. I asked Trooper LEWIS what he was doing at the residence and he stated he was visiting with a friend for approximately forty minutes. Trooper LEWIS stated that he was mad that MOSES WITRIOL and others were checking up on him. I told Trooper LEWIS that he has no reason to be mad if he wasn't doing anything wrong.

Transcription of radio transmissions from SP Monroe Desk Members to Trooper in Division vehicle 2F5 on Thursday, April 22, 2010.

"A" denotes SP Monroe Desk Member.

"B" denotes Trooper in 2F5.

"C" denotes SP Monroe Desk Member.

Time: 3:57PM

A. Monroe to 2F5.

B. (no answer)

Time: 3:58PM

A. Monroe to 2F5 to 2F6.

B. (no answer)

Time: 4:21PM

C. Monroe 2F5.

B. (no answer).

CB-6 REV. 12/76 NEW YORK STATE POLICE RADIO LOG SHEET

SHEET _____ OF _____ SHEETS

LS. NO.	ITEM NO.	TIME SENT OR RECD.	STA. OR UNIT NO.	SUMMARY OF TRANSMISSION	ORIGINATED BY	ACKNOWLEDGED BY	
				Red 892	F	MONROE	APRIL 22/10
1		1248/A	2F10	RADIO CHECK	1971	4208	
			2F13	↘		3711	
			2F15			3601	
			2F19			2537	
			2F25			4814	
			2F36			481	
			2F38			1771	
			2F41			5489	
			2F47			556	
			7F213			117	
			7F214			106	
2		102/A	2F41	O/VIT 9W 4B [REDACTED]	5489	1971	
3		131/A	2F41	B/M 94713 → HAV 2 MINES	5489	1971	
4		157/A	2F41	E/M 94716 @ HANOVERSTOWN	5489	1971	
5		505 A	2F7	EID BEST BUY	4208	4076	
6		519	2F13	RTV 7558 JACKIN DR	3711	4208	
		519	2F7	CL	4076	4208	
8		52	2F13	CL	3711	4208	
9		745	2F45	DEER S/B 249 Palmdale			
10		800	2F45	CL REMOVED FROM ROADWAY		3921	
11		937A	2F45	PDA 333 XSS RAMP	4942	3921	
12		937A	2F45	out at #11	3921	4942	
13		957A	2F6	VF90622 Schenck RD	2265	4942	
14		1038A	2F6	o/s [REDACTED]	5346	4942	
15		1112A	F110	211265W 9W BR MT CRCL	4896	4942	
16		1122A	F110	clan #15	4896	4942	
17		1132A	2F40	clan #14	4020	4942	
18		1142A	2F4	13 Ridge RD. EID	4942	2265	
19		1200P	2F6	out at #18	2265	4942	
20		1209P	2F6	clan #18-19	2265	4942	
21		1209P	2F6	[REDACTED]	2265	4942	
22		1209P	2F6	clan #21	2265	4942	
23		1209P	2F6	[REDACTED]	5341	4942	
24		537P	2F6	SAP 2013 Modul +208	2265	4942	
25		637P	2F5	[REDACTED]	4942	1971	
26		637P	2F6	+2F5 clan #25	2265	3711	
27		837P	2F5	[REDACTED]	4942	1971	

State of New York }
County of Orange } ss:
Town of Monroe }

This statement is being taken from Mr. [REDACTED] d.o.b. [REDACTED], [REDACTED], New York, [REDACTED] by Lieutenant Frank Keyser, New York State Police. This statement is being taken at SP Monroe, New York, commencing at 8:50 PM; on April 27, 2010. This statement is being taken in connection with an internal administrative investigation.

I am a real estate broker and I manage two residences in Highland Mills, near [REDACTED] Road. On April 22, 2010 at about 3:30 PM, I was driving on [REDACTED] Road, when I saw a State Police car parked in the back of the driveway at [REDACTED] Road, which I know to be the residence of [REDACTED] and [REDACTED] because I rented the home to them about 3 months ago. I continued to drive by to my destination, which was on First Avenue for a home inspection. I spent about 10 to 15 minutes at that residence then drove past [REDACTED] again and saw the Trooper car still parked in the same location. I continued past the residence to my office at [REDACTED], when I called [REDACTED] a friend, and asked him what he thought of this. He told me to return to the residence and get the plate of the Trooper car, which I did. It was then close to 4:00 PM and I walked through the neighbors yard to see the plate on the police car was 2F5 and I also noticed that the Trooper car was running, the driver side window was open and the car was unoccupied. I then got a return call from [REDACTED], who I had called earlier because it was his yard that I had walked through to get the license plate from the Trooper car. He told me to call Mr. [REDACTED] the man who lived at the house and didn't appear to be home, since his vehicle was not in the driveway. I told Mr. [REDACTED] that there was a Trooper car in his driveway and I asked if everything was okay. He said that everything was fine, and not to worry about it, but he seemed to be very anxious to me. By the time I left the area of the residence, I believe it was about 4:05 to 4:10 PM.

This statement is now ended. The time is 9:16 PM.

I have read this statement consisting of one page and I swear that it is true to the best of my knowledge. I further state that this statement was made of my own free will without any threats or promises. I have placed my initials at the bottom of each page and next to each correction. I have also signed below. I understand that to make a false statement herein is punishable as a crime pursuant to the Penal Law of the State of New York.

[REDACTED]

Witness LT. Frank Keyser

MEMBER WITNESS – INTERVIEW

STATE OF NEW YORK
COUNTY OF ORANGE
TOWN OF MONROE

May 11, 2010

Interview of Trooper Michael Glassey at SP Monroe on May 11, 2010, by Lt Frank Keyser commencing at 2:58PM.

The letter "Q" will denote questions asked by Lieutenant Frank Keyser.
The letter "A" will denote answers provided by Trooper Michael Glassey.

Q. The purpose of this interview is to inquire into the actions of Trooper Jason Lewis on April 22, 2010, where he was alleged to have been off post and failed to answer his radio.

You are being interviewed as a **Witness** only in furtherance of providing necessary and relevant factual information in this investigation. You are not the target of this administrative investigation, and anything you say during this interview cannot be used against you in a disciplinary proceeding. If during the course of this interview it reasonably appears that you may be the subject of a potential disciplinary action, I will stop the interview and advise you of that determination and your rights under the collective bargaining agreement. Do you understand this?

A. Yes I do.

Q. This interview is being conducted pursuant to Article 16 of the collective bargaining agreement between the State of New York and the New York State Troopers PBA, and the applicable Regulations of the New York State Police, including Regulations 8A3 and 8A15, pursuant to which you are required to cooperate and answer truthfully questions relating to the investigation. A refusal by you to cooperate or to answer questions, or a failure to answer any questions truthfully, may result in disciplinary action against you, up to and including the termination of your employment. Do you understand this?

A. Yes I do.

Q. You are entitled to all the rights guaranteed by the State and Federal constitutions. As this is an involuntary interview, your responses are automatically cloaked with criminal immunity. Accordingly, neither your statements nor any information or evidence that is gained as a result of, or in reliance upon, this interview can be used by a police or prosecutorial entity against you in support of a criminal

proceeding. Do you understand this?

A. Yes I do.

Q. You were advised on May 10, 2010 of the matter being investigated and that it would be necessary to interview you concerning this matter, is that correct?

A. Yes.

Q. I am Lieutenant Frank Keyser and as a supervising officer and representative of the Superintendent I am authorized to conduct this interview. This interview is being recorded mechanically at SP Monroe. A full transcript will be prepared and you will be provided with a copy of the tape or will be afforded an opportunity to cause a duplicate of this tape to be made for your future use. You will be given the opportunity to view the written transcript from this tape upon completion to ensure its accuracy, and will also be provided with a full copy of the transcript, subsequent to your signature. Do you understand this?

A. Yes.

Q. Present in this room are, myself, Lieutenant Frank Keyser and Trooper Michael Glassey. Do you understand this?

A. Yes.

Q. The record will note that you are present in response to a direct order. You will now be asked questions relating to this investigation and you are required to answer these questions truthfully. If you decline or refuse to answer any questions, you will be ordered by me to answer. If you then continue in your refusal to answer, disciplinary action will be initiated charging you with disobeying a lawful order. This disciplinary action could result in the termination of your employment with the Division of State Police. You will be permitted during this interview to take breaks when reasonable and appropriate. Having been advised of the above, are you now ready to proceed with this interview?

A. Yes I am.

Q. Please state your full name and rank.

A. Trooper Michael Glassey.

Q. What is your date of entry with the State Police?

A. 09/09/02.

Q. What is the location of your current assignment?

A. State Police Monroe.

Q. Were you working on April 22, 2010?

A. Yes I was.

Q. What shift were you working?

A. I was working a 1 shift.

Q. I am now showing you the Pers. 29 for SP Monroe for the date April 22, 2010. Who was working the 1 shift out of SP Monroe on that date and what post did they have and what vehicle?

A. Trooper Jason Lewis was a 1-5 shift. He was at post 609/669 in vehicle 2F5. Trooper Kristen Erario was a 1 shift, assigned to 608/KJ, vehicle 2F6. Trooper Daniel Harter was a 1 shift, post 610/611, assigned to vehicle 2F12.

Q. If you could, for the purpose of the record, what do those numbers indicate for the post? In other words, Jason Lewis had post 609/669, you said?

A. Correct.

Q. What does that mean?

A. 609 comes as Chester, Blooming Grove, and Washingtonville. 669 is the highway post, 17. Trooper Erario, 608 is Town of Monroe, Town of Woodbury, Village of Harriman and also the Village of Kiryas Joel. Trooper Harter is assigned to 610/611 which encompasses the Village of Florida, Town of Warwick, and the Goshen area.

Q. Okay. Thank you. And again, who was assigned to the KJ post?

A. Trooper Erario.

Q. Did there come a time that you were asked to run a data or D.M.V. inquiry for Trooper Lewis?

A. Yes.

Q. Could you explain the circumstances of that request and around what time that request was made?

A. It was approximately 3:51PM. I received a text message on my cell phone from Trooper Lewis asking me to run this plate for him.

Q. What was the plate?

A. [REDACTED].

Q. Did you run that plate?

A. Yes I did.

Q. What did you do with the response?

A. I texted back the response to Trooper Lewis on my cell phone.

Q. Do you know what that request was in relation to?

A. No, I do not.

Q. What were the results of the inquiry?

A. The vehicle came back to a [REDACTED] [REDACTED] 4-door sedan, tan, and the address is [REDACTED].

Q. And again, what time was that data conversation?

A. Approximately 3:51PM.

Q. Did there come a time where you had a complaint for Trooper Lewis?

A. Yes.

Q. What was that complaint?

A. The complaint was an erratic operator, eastbound, State Route 17, in the area of exit 128.

Q. Based on that complaint, did there come a time when you tried to reach out to Trooper Lewis?

A. Yes.

Q. What time was that? Approximately.

A. Approximately 3:57PM.

Q. How did you try to reaching him?

A. I tried to reach him on the radio.

- Q. What was your radio transmission?
- A. Mine was: Monroe to 2F5.
- Q. Did you receive a response?
- A. No, I did not.
- Q. How many times did you try to reach him via radio?
- A. I believe twice.
- Q. After that initial attempt, when did you try again to reach him?
- A. About a minute later.
- Q. What was the transmission at that time?
- A. Same as the first time. Monroe to 2F5 or 2F6.
- Q. What was the response from 2F5?
- A. No answer.
- Q. Prior to or after those radio transmissions, did you have any radio problems with the SP Monroe radio or the 2F5 Troop car radio?
- A. No.
- Q. Did you make any other attempts to reach Trooper Lewis other than by radio?
- A. I don't recall or not if I attempted to call him on his cell phone from my cell phone.
- Q. If you did, if you had, did you get a response?
- A. No.
- Q. Do you know if any other SP members tried to reach Trooper Lewis by radio?
- A. Yes.
- Q. Who was that?
- A. Investigator Caruso.

Q. When was that in relation to your request? Approximately.

A. 20-25 minutes after.

Q. Did Investigator Caruso get a response?

A. No.

Q. To your knowledge, did he attempt to reach him again on the radio or was it just that one attempt?

A. I believe it was just that one attempt.

Q. What happened to the original complaint of the erratic operator that you tried to reach Trooper Lewis for?

A. There was no follow up on the complaint.

Q. What was the location of the erratic operator, and what direction was it going?

A. Eastbound at exit 128.

Q. So you believe, that based on the time and distance and direction of travel of the erratic vehicle that it would have been out of the SP Monroe patrol area?

A. Yeah, probably. Yeah.

Q. After these attempts to contact Trooper Lewis, when did you have contact with him and how?

A. I believe I next saw him at around 5 after 5 at the station.

Q. Did you have a conversation with him at that time?

A. No.

Q. How long was Trooper Lewis unable to be reached? Approximately.

A. From the first time I called him on the radio, so I guess 3:57pm.

Q. Until what time?

A. Until I saw him again at 5 o'clock.

Q. So approximately an hour?

A. Yeah approximately.

Q. Did Trooper Lewis ever call out of service that day at any time?

A. I don't believe so.

Q. Did he tell you that he would be out of radio contact and for you to call him on his cell phone at any time that day?

A. I don't believe so. No.

Q. Did Trooper Lewis give you an explanation as to why he could not be reached at any that time at that day?

A. I didn't speak to him. When he came back, I never spoke to him after that.

Q. Okay. How about the next time that you and him spoke with each other, what was the conversation like?

A. I just told Trooper Lewis that if I try and call you on the air, you should answer me.

Q. And that was the sum and substance of that conversation?

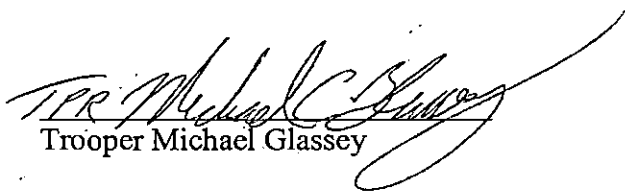
A. Yeah.

Q. I have no further questions at this time. Is there anything further that you would like to add?

A. No.

Q. The interview is now concluded. The time is 3:12PM.

I have read this transcript consisting of seven (7) pages and affirm that it is true to the best of my knowledge. I have placed my initials on the bottom of each page and next to each correction and I signed it below.


Trooper Michael Glassey


Witness

MEMBER WITNESS – INTERVIEW

STATE OF NEW YORK
COUNTY OF ORANGE
TOWN OF MONROE

May 11, 2010

Interview of Investigator Lenny Caruso at SP Monroe on May 11, 2010, by Lieutenant Frank Keyser commencing at 3:40PM.

The letter "Q" will denote questions asked by Lieutenant Frank Keyser.
The letter "A" will denote answers provided by Investigator Lenny Caruso.

Q. The purpose of this interview is to inquire into the actions of Trooper Jason Lewis on April 22, 2010, where he was alleged to have been off post and failed to answer his radio.

You are being interviewed as a **Witness** only in furtherance of providing necessary and relevant factual information in this investigation. You are not the target of this administrative investigation, and anything you say during this interview cannot be used against you in a disciplinary proceeding. If during the course of this interview it reasonably appears that you may be the subject of a potential disciplinary action, I will stop the interview and advise you of that determination and your rights under the collective bargaining agreement. Do you understand this?

A. Yes.

Q. This interview is being conducted pursuant to Article 16 of the collective bargaining agreement between the State of New York and NYSPIA, and the applicable Regulations of the New York State Police, including Regulations 8A3 and 8A15, pursuant to which you are required to cooperate and answer truthfully questions relating to the investigation. A refusal by you to cooperate or to answer questions, or a failure to answer any questions truthfully, may result in disciplinary action against you, up to and including the termination of your employment. Do you understand this?

A. Yes.

Q. You are entitled to all the rights guaranteed by the State and Federal constitutions. As this is an involuntary interview, your responses are automatically cloaked with criminal immunity. Accordingly, neither your statements nor any information or evidence that is gained as a result of, or in reliance upon, this interview can be used by a police or prosecutorial entity against you in support of a criminal proceeding. Do you understand this?

A. Yes.

Q. You were advised by me today, May 11, 2010, of the matter being investigated and that it would be necessary to interview you concerning this matter, is that correct?

10/2/10

A. Yes.

Q. I am Lieutenant Frank Keyser and as a supervising officer and representative of the Superintendent I am authorized to conduct this interview. This interview is being recorded mechanically at SP Monroe. A full transcript will be prepared and you will be provided with a copy of the tape or will be afforded an opportunity to cause a duplicate of this tape to be made for your future use. You will be given the opportunity to view the written transcript from this tape upon completion to ensure its accuracy, and will also be provided with a full copy of the transcript, subsequent to your signature. Do you understand this?

A. Yes.

Q. Present in this room are myself, Lieutenant Frank Keyser, and Investigator Lenny Caruso. Do you understand this?

A. Yes.

Q. The record will note that you are present in response to a direct order. You will now be asked questions relating to this investigation and you are required to answer these questions truthfully. If you decline or refuse to answer any questions, you will be ordered by me to answer. If you then continue in your refusal to answer, disciplinary action will be initiated charging you with disobeying a lawful order. This disciplinary action could result in the termination of your employment with the Division of State Police. You will be permitted during this interview to take breaks when reasonable and appropriate. Having been advised of the above, are you now ready to proceed with this interview?

A. Yes I am.

Q. Please state your full name and rank.

A. Investigator Leonard Caruso, Jr.

Q. What is your date of entry with the State Police?

A. January 8, 1996.

Q. What is the location of your current assignment?

A. I am an investigator assigned to SP Monroe.

Q. Were you working on April 22, 2010?

A. Yes I was.

Q. In what capacity?

A. I was assigned to the back room at SP Monroe, working an 8:30 – 4:30 shift.

2019.

Q. Did there come a time when you tried to reach Trooper Jason Lewis via the SP Monroe desk radio?

A. Yes I did. I used the radio at approximately 4:20 and stated, 'Monroe to 2F5'.

Q. And what was the reason for your attempt to reach him?

A. I attempted to reach him for personal questions, he is a friend of mine, to ask him. At which time, prior to using the radio, I had called him on his cell phone.

Q. Okay. Did you ever get in contact with him on that day?

A. No, I did not.

Q. Do you know why he did not answer his radio?

A. No, I don't.

Q. Do you know where he was at the time that he wasn't answering his radio?

A. No, I don't.

Q. After attempting to reach him, you had no contact with him the rest of the day? Your tour ended.

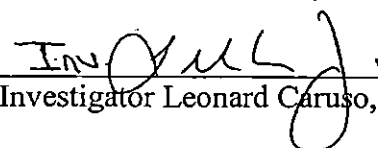
A. My tour ended. I left at approximately 4:30 and went home.

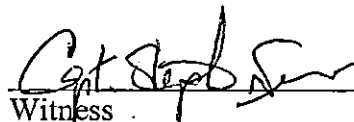
Q. Okay. The time is now 3:45pm. I have no further questions at this time. Is there anything further that you would like to add?

A. No

Q. The interview is now concluded.

I have read this transcript consisting of three (3) pages and affirm that it is true to the best of my knowledge. I have placed my initials on the bottom of each page and next to each correction and I signed it below.


Investigator Leonard Caruso, Jr.


Witness

NEW YORK STATE POLICE

MEMORANDUM

Troop F Station SP MONROE

Date MAY 11, 2010

To: Major Edward Raso, Troop Commander, Troop F

From: Trooper Evan Rothbaum *ER*

Subject: Complaint Against Personnel

On April 22, 2010 I worked a scheduled 2-5 shift. I was assigned to post 669 which encompasses State Route 17 and I was assigned to Division vehicle 2F5. I do not recall any radio problems with said vehicle during my shift. If there were any radio problems that I was aware of I would have contacted SP Monroe dispatch and advised them of same.

MEMBER WITNESS – INTERVIEW

STATE OF NEW YORK
COUNTY OF ORANGE
TOWN OF MONROE

May 11, 2010

Interview of Trooper Kristen Erario at SP Monroe on May 11, 2010, by Lieutenant Frank Keyser commencing at 6:55PM.

The letter "Q" will denote questions asked by Lieutenant Frank Keyser.
The letter "A" will denote answers provided by Trooper Kristen Erario.

Q. The purpose of this interview is to inquire into the actions of Trooper Jason Lewis on April 22, 2010, where it is alleged to have been off post and failed to answer his radio.

You are being interviewed as a **Witness** only in furtherance of providing necessary and relevant factual information in this investigation. You are not the target of this administrative investigation, and anything you say during this interview cannot be used against you in a disciplinary proceeding. If during the course of this interview it reasonably appears that you may be the subject of a potential disciplinary action, I will stop the interview and advise you of that determination and your rights under the collective bargaining agreement. Do you understand this?

A. Yes sir.

Q. This interview is being conducted pursuant to Article 16 of the collective bargaining agreement between the State of New York and the New York State Troopers PBA, and the applicable Regulations of the New York State Police, including Regulations 8A3 and 8A15, pursuant to which you are required to cooperate and answer truthfully questions relating to the investigation. A refusal by you to cooperate or to answer questions, or a failure to answer any questions truthfully, may result in disciplinary action against you, up to and including the termination of your employment. Do you understand this?

A. Yes sir.

Q. You are entitled to all the rights guaranteed by the State and Federal constitutions. As this is an involuntary interview, your responses are automatically cloaked with criminal immunity. Accordingly, neither your statements nor any information or evidence that is gained as a result of, or in reliance upon, this interview can be used by a police or prosecutorial entity against you in support of a criminal proceeding. Do you understand this?

A. Yes sir.

Q. You were advised on today, May 11, 2010, of the matter being investigated and that it

would be necessary to interview you concerning this matter, is that correct?

A. Yes sir.

Q. I am Lieutenant Frank Keyser and as a supervising officer and representative of the Superintendent I am authorized to conduct this interview. This interview is being recorded mechanically at SP Monroe. A full transcript will be prepared and you will be provided with a copy of the tape or will be afforded an opportunity to cause a duplicate of this tape to be made for your future use. You will be given the opportunity to view the written transcript from this tape upon completion to ensure its accuracy, and will also be provided with a full copy of the transcript, subsequent to your signature. Do you understand this?

A. Yes sir.

Q. Present in this room are myself, Lieutenant Frank Keyser, and Trooper Kristen Erario. Do you understand this?

A. Yes sir.

Q. The record will note that you are present in response to a direct order. You will now be asked questions relating to this investigation and you are required to answer these questions truthfully. If you decline or refuse to answer any questions, you will be ordered by me to answer. If you then continue in your refusal to answer, disciplinary action will be initiated charging you with disobeying a lawful order. This disciplinary action could result in the termination of your employment with the Division of State Police. You will be permitted during this interview to take breaks when reasonable and appropriate. Having been advised of the above, are you now ready to proceed with this interview?

A. Yes sir.

Q. Please state your full name and rank.

A. Trooper Kristen Marie Erario.

Q. What is your date of entry with the State Police?

A. January 15, 2007.

Q. What is the location of your current assignment?

A. SP Monroe.

Q. On April 22, 2010, were you working?

A. Yes sir.

Q. What shift were you working?

A. The onè shift.

Q. What post were you assigned?

A. 608/KJ.

Q. What vehicle were you in?

A. 2F6 sir.

Q. At around 4pm, on that day, do you recall the desk man trying to reach 2F5?

A. No sir.

Q. Did Trooper Lewis, who was assigned to 2F5, advise you that he was going to be out of service, and did he give you a number?

A. No sir.

Q. Do you have any knowledge of him being out of service or calling out of service at any time that day that you recall?

A. No sir.

Q. Did you try reaching him by radio or by cell phone to get in contact with him on that day about that time?

A. No sir.

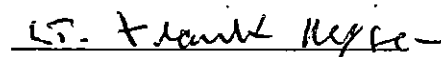
Q. I have no further questions at this time. Is there anything further that you would like to add?

A. No sir.

Q. The interview is now concluded. It is 7:01.

I have read this transcript consisting of three (3) pages and affirm that it is true to the best of my knowledge. I have placed my initials on the bottom of each page and next to each correction and I signed it below.


Trooper Kristen Erario


Witness

EXPORT

Page 23 of 25

EXPORT

DATE 05/12/2010

P.

MAN	LICENSE	FUEL TYPE	TRANSACTION DATE	CLASS	AMOUNT (GAL)	TRANSACTION TIME	COST (\$)	ODOMETER	CREATED DATE	TZS	CARD HOLDER NAME	PU
008247	2F5	UL	04/09/2010	PTL	6.90	18:24	20.15	81798	04/13/2010	F211	ANDERSON ERIK	
008247	2F5	UL	04/09/2010	PTL	10.52	06:22	30.93	81708	04/13/2010	F211	LEWIS JASON J	
008247	2F5	UL	04/10/2010	PTL	15.00	03:46	44.40	81989	04/13/2010	F211	SUN FRANK S	
008247	2F5	UL	04/10/2010	PTL	12.01	23:48	37.95	82133	04/13/2010	F211	SUN FRANK S	
008247	2F5	UL	04/12/2010	PTL	14.00	04:44	41.45	82275	04/20/2010	F211	SUN FRANK S	
008247	2F5	UL	04/12/2010	PTL	13.37	18:29	39.30	82455	04/20/2010	F211	ANDERSON ERIK	
008247	2F5	UL	04/13/2010	PTL	12.38	18:31	36.66	82750	04/20/2010	F211	ANDERSON ERIK	
008247	2F5	UL	04/13/2010	PTL	11.23	06:35	33.25	82578	04/20/2010	F211	RODEN JOHN D	
008247	2F5	UL	04/15/2010	PTL	16.00	05:26	47.35	82927	04/20/2010	F211	BUKOVINSKY ANDREW T	
008247	2F5	UL	04/16/2010	PTL	16.00	05:05	47.35	83161	04/20/2010	F211	SUN FRANK S	
008247	2F5	UL	04/17/2010	PTL	13.14	06:20	38.90	83336	04/20/2010	F211	LEWIS JASON J	
008247	2F5	UL	04/18/2010	PTL	13.64	06:13	40.10	83481	04/20/2010	F211	LEWIS JASON J	
008247	2F5	UL	04/19/2010	PTL	14.13	05:50	41.55	83630	04/30/2010	F211	LEWIS JASON J	
008247	2F5	UL	04/19/2010	PTL	10.00	18:27	32.00	83767	04/30/2010	F211	SUN FRANK S	
008247	2F5	UL	04/20/2010	PTL	6.00	05:55	17.88	83829	04/30/2010	F211	BUKOVINSKY ANDREW T	
008247	2F5	UL	04/20/2010	PTL	13.00	19:03	41.60	83966	04/30/2010	F211	SUN FRANK S	
008247	2F5	UL	04/21/2010	PTL	16.54	16:10	49.62	84153	04/30/2010	F211	LEWIS JASON J	
008247	2F5	UL	04/22/2010	PTL	12.94	16:49	38.81	84262	04/30/2010	F211	LEWIS JASON J	
008247	2F5	UL	04/23/2010	PTL	14.42	15:02	43.27	84433	04/30/2010	F211	BUKOVINSKY ANDREW T	
008247	2F5	UL	04/24/2010	PTL	11.53	05:07	34.59	84565	04/30/2010	F211	KELLY SEAN P	
008247	2F5	UL	04/24/2010	PTL	15.00	17:41	45.00	84763	04/30/2010	F211	SUN FRANK S	
008247	2F5	UL	04/26/2010	PTL	8.74	06:21	26.21	84812	05/04/2010	F211	KELLY SEAN P	
008247	2F5	UL	04/28/2010	PTL	9.17	06:09	27.89	84964	05/04/2010	F211	ANDERSON ERIK	
008247	2F5	UL	04/29/2010	PTL	14.38	18:24	43.70	85365	05/04/2010	F211	SIKORSKI TIMOTHY M	
008247	2F5	UL	04/29/2010	PTL	15.22	07:44	46.56	85163	05/04/2010	F211	SIKORSKI TIMOTHY M	
008247	2F5	UL	04/30/2010	PTL	9.53	18:29	29.18	85694	05/04/2010	F211	LEWIS JASON J	
008247	2F5	UL	04/30/2010	PTL	15.07	04:35	46.10	85559	05/04/2010	F211	TINNIRELLO DOUGLAS	
008247	2F5	UL	05/02/2010	PTL	6.22	06:48	20.28	85795	05/11/2010	F211	ANDERSON ERIK	
008247	2F5	UL	05/04/2010	PTL	10.91	05:21	33.72	85941	05/11/2010	F211	TINNIRELLO	

1. Agency F2 TROOP F - ZONE 2	2. Div/Precinct F211	New York State INCIDENT REPORT	3. ORI NY1350200	5. Case No.	6. Incident No. 3503296
7,8,9. Date Reported (Day, Date, Time) THURSDAY 04/22/2010 12:30		10,11,12. Occurred On/From (Day, Date, Time) THURSDAY 04/22/2010 12:30		13,14,15. Occurred To (Day, Date, Time)	
16. Incident Type AID-FINGERPRINTING			17. Business Name SP MONROE		
19. Incident Address (Street Name, Bldg. No., Apt. No.)					
20. City/State/Zip MONROE NEW YORK 10950					
21. Location Code (TSLED) MONROE TOWN 3660		23. No. of Victims 0	24. No. of Suspects 0	26. Victim also Complainant?	
Location Type GOVERNMENT OFFICE					

ASSOCIATED PERSONS

25. TYPE	Name (Last, First, Middle, Title)	DOB	Street Name Bldg., Apt. No., City, State, Zip	Res Phone Bus Phone
PERSON INTERVIEWED	WHETSEL, WILLIAM, D	05/31/1966	369 NININGER RD MONROE NY 10950	(845)567-0423

NARRATIVE

Date of Action	Date Written	Officer Name & Rank
04/22/2010	04/22/2010	LEWIS, JASON (TPR)
Narrative		
WILLIAM D WHETSEL 05/31/66 AT SP MONROE TO BE PROCESSED FOR CDL PRINTS. CLOSED		

ADMINISTRATIVE

74. Inquiries DMV CH WW	75. NYSPIN Message No.	76. Complainant Signature		
77. Reporting Officer Signature (Include Rank) TPR JASON LEWIS	78. ID No. 3020	79. Supervisor Signature (Include Rank) SGT S/C BRUCE FURBECK	80. ID No. 2546	
81. Status CLOSED BY INVESTIGATION	82. Status Date 04/22/2010	83. Notified/TOT		
				Solvability Total 0


State of New York
County of Orange
Town of Monroe

May 25, 2010

The following statement is being voluntarily provided by Mr. Moses Witriol, DOB [REDACTED], of [REDACTED] Village of Kiryas Joel. The statement is being taken by Lieutenant Frank Keyser, New York State Police, at SP Monroe, 369 Nininger Road, Monroe, New York 10950 on May 25, 2010, commencing at 4:27 PM.

On April 22, 2010, at approximately 3:45PM, I received a call from Mr. [REDACTED] who resides at [REDACTED], NY. Mr. [REDACTED] told me that there was a State Trooper vehicle parked at [REDACTED] which is the [REDACTED] residence. The State Trooper vehicle was parked in the rear of the driveway with the engine running. There was no Trooper in the car. Mr. [REDACTED] told me he heard from the person renting next door, Mr. [REDACTED]. I asked Mr. [REDACTED] to get the license plate number. Mr. [REDACTED] told me that Mr. [REDACTED] couldn't see from the distance he was at. Mr. [REDACTED] lives across the street from the [REDACTED]. His back yard faces their front yard. Mr. [REDACTED] looked and got the license plate number which was 2F5. I then drove to the area and sat in front of Mr. [REDACTED] house at approximately 3:52PM. I sat there for approximately an hour and also listened to the State Police radio. I heard the State Police radio call to 2F5, which was not responded to. I heard the radio two times, approximately one minute apart. At the beginning, I was concerned something happened. I did some research and found that the woman who lives there, [REDACTED] has had previous complaints with the Village of Kiryas Joel. At approximately 4:37PM, [REDACTED] came by in a black pickup. He saw me and started screaming something. He drove in front of the house and started sounding his siren. At approximately 4:38PM, Trooper Lewis, the woman and the little girl came out of the residence. I then left.

LT. + Frank Keyser
Lieutenant Frank Keyser


Moses Witriol

MEMBER TARGET - NON-CUSTODIAL INTERROGATION

STATE OF NEW YORK
COUNTY OF ORANGE
TOWN OF MONROE

JUNE 7, 2010

This Statement is taken from Trooper JASON J. LEWIS at SP Monroe on June 7, 2010, by Lieutenant Frank Keyser, commencing at 10:56AM.

The letter "Q" will denote questions asked by Lieutenant Frank Keyser.
The letter "A" will denote answers provided by Trooper Jason J. Lewis.

Q. The purpose of this interrogation is to inquire into your activities as a Member of the New York State Police. Specifically, it has been alleged that on April 22, 2010, you were off post without proper authority and failed to answer repeated calls from your radio control point. In addition, you conducted an improper NYSPIN inquiry and failed to follow Zone 2 orders which required that communications be made via Troop radio not cell phone when conducting a NYSPIN inquiry. It is further alleged that you failed to properly secure Division vehicle 2F5, while you were inside the residence at [REDACTED]

This interrogation is being conducted pursuant to the Article 16 of the current New York State Troopers Collective Bargaining Agreement and the Regulations of the New York State Police, including 8A3 and 8A15.

You have the right to contact and consult with a union representative or attorney before being interrogated, and to have a union representative or attorney of your choosing present during the interrogation. Do you understand this?

A. Yes.

Q. You are not under arrest. However, Article 16 and the applicable Regulations require you to cooperate and answer truthfully questions relating to the allegations. A refusal by you to cooperate or to answer questions, or a failure to answer any questions truthfully, may result in disciplinary action against you, up to and including the termination of your employment. Do you understand this?

A. Yes.

Q. You are entitled to all the rights guaranteed by the State and Federal constitutions. As this is an involuntary statement, your responses during this interrogation are automatically cloaked with criminal immunity. Accordingly, neither your statements nor any information or evidence that is gained as a result of, or in reliance upon, this interrogation

can be used by a police or prosecutorial entity against you in support of a criminal proceeding. Do you understand this?

A. Yes.

Q. Are you being represented at this time and if so, by whom?

A. Yes I am, by my Troop F Delegate Richard Amedure and by the Associate General Counsel Maria Morris.

Q. You were advised on May 27, 2010 of the matter being investigated and that it would be necessary for you to give a statement concerning this matter, is that correct?

A. Yes.

Q. I am Lieutenant Frank Keyser and as a supervising officer and representative of the Superintendent, I am authorized to conduct this interrogation. This interrogation is being recorded mechanically at SP Monroe. A full transcript will be prepared and you will be provided with a copy of the tape or will be afforded an opportunity to cause a duplicate of this tape to be made for your future use. You will be given the opportunity to view the written transcript from this tape upon completion to ensure its accuracy, and will also be provided with a full copy of the transcript, subsequent to your signature. Do you understand this?

A. Yes.

Q. Also present in the room are PBA Associate General Counsel Maria B. Morris and Troop "F" PBA delegate Richard Amedure. Do you understand this?

A. Yes

Q. The record will note that you are present in response to a direct order. Trooper Lewis, you will now be asked questions relating to the performance of your official duties and you are required to answer these questions. If you decline or refuse to answer any questions, you will be ordered by me to answer. If you then continue in your refusal to answer, disciplinary action will be initiated charging you with disobeying a lawful order. This disciplinary action could result in the termination of your employment with the Division of State Police. You will be permitted during this statement to take breaks when reasonable and appropriate. Having been advised of the above, are you now ready to proceed with this interrogation?

A. Yes.

Q. Please state your full name and rank.

A. Jason J. Lewis. Rank of Trooper.

Q. What is your date of entry with the Division of State Police?

A. 05/19/2002.

Q. What is the location of your current assignment?

A. State Police Monroe.

Q. Were you working on April 22, 2010?

A. Yes.

Q. What tour were you working on April 22, 2010?

A. A 1-5 shift.

Q. What was your assigned vehicle on April 22, 2010?

A. 2F5.

Q. What was your assigned post on April 22, 2010?

A. Post 609 and 669.

Q. What location does post 609/669 cover?

A. Post 609 covers Town of Chester, Town of Blooming Grove and Village of Chester and Village of South Blooming Grove. Post 669 is Route 17.

Q. Did you experience any difficulties with the radio in 2F5 during your tour on April 22, 2010?

A. No.

Q. Did you go off post during your tour on April 22, 2010 at about 3:30PM?

A. Yes.

Q. Did you notify your radio control point, upon leaving your post?

A. No.

Q. Did there come a time when you drove to the area of [REDACTED] in the Town of Highland Mills?

A. Yes.

Q. What was the reason that you drove to that location?

A. To continue some investigation.

Q. What time did you drive to that location?

A. Approximately 3:40PM.

Q. What specific location did you drive to at that location?

A. Unknown when I first arrived.

Q. Were you looking for anyone in particular at that location?

A. Yes.

Q. Who lives at that location?

A. [REDACTED] residence.

Q. Did you cause a NYSPIN inquiry to be conducted when you were in the area of [REDACTED] [REDACTED]?

A. Yes.

Q. How did you cause the NYSPIN inquiry to be completed?

A. Via cell phone.

Q. Why did you not use the radio, as directed by Division policy?

A. I just don't know. I just didn't do it.

Q. Who ran the NYSPIN inquiry?

A. Trooper Glassey.

Q. What was the inquiry of?

A. A vehicle registration plate.

Q. Specifically, what was the data of, if you recall?

A. I do not recall.

Q. What was the reason for the NYSPIN inquiry?

A. I was trying to establish an address for the [REDACTED] residence.

Q. Was there a legitimate purpose for the NYSPIN inquiry?

A. Yes.

Q. What was the purpose for the NYSPIN inquiry?

A. I was trying to establish an address for the [REDACTED] That was the only reason.

Q. Did you drive to a specific location, as a result of information from the NYSPIN inquiry?

A. No.

Q. What was the address?

A. [REDACTED] Road.

Q. Who did you see there?

A. [REDACTED]

Q. Is that the person you were looking for?

A. One of the persons.

Q. What was the purpose of you driving to that location?

A. To speak to the homeowners.

Q. Explain.

A. My reason was to speak to the husband and the wife. I did not know the husband was not there. When the wife returned, I only knew her and the cleaning lady were there.

Q. Where did you park 2F5 at that address?

A. In the driveway.

Q. Did you dismount/exit 2F5?

A. Yes.

Q. Did you leave 2F5 running with the keys in it when you dismounted?

A. I don't recall, probably not. 99.9% of the time, I shut the car off and lock the doors.

Q. Do you have extra keys for 2F5?

A. I don't recall.

Q. Is it possible you left 2F5 running, exited 2F5 and locked it, having an extra set of keys?

A. I don't recall.

Q. Did you close the windows?

A. Yes.

Q. Did you lock the doors?

A. Yes.

Q. Describe where you parked 2F5?

A. Parallel to the steps of the front walkway.

Q. Describe how you parked 2F5?

A. I backed it in.

Q. Was there room to park 2F5 on the road in front of the residence?

A. Yes.

Q. Was there room to park 2F5 at the beginning of the driveway?

A. Yes.

Q. Did you park next to the door of the residence?

A. Yes.

Q. Why did you park 2F5 in that manor?

A. I always back in when I am going to a residence.

Q. Did you call out of service when you left 2F5?

A. No.

Q. What time did you arrive at the residence?

A. Approximately 3:50.

Q. Did you have a portable that day?

A. No.

Q. What time did you leave the residence?

A. Approximately 4:25 / 4:30.

Q. Did you become aware that Monroe Desk was trying to raise 2F5 to assign a complaint to you?

A. Yes.

Q. How? When?

A. Once I left the residence, via cell phone from SP Monroe.

Q. Who did you get a call from?

A. Investigator Caruso called and said Mike (Trooper Glassey) is trying to reach you. I notified Trooper Glassey that I'm at a gas pump and then will be on my way back to the station.

Q. Do you know what the complaint was about?

A. No.

Q. Upon leaving the residence, where did you go?

A. Gas Station.

Q. Where did you fuel 2F5?

A. Mobil-On-The-Run in the Village of Monroe.

Q. What time did you fuel 2F5?

A. Approximately a quarter to five, in that vicinity.

Q. What did you do after you fueled 2F5?

A. I returned to SP Monroe.

Q. Upon returning to SP Monroe, did you have a conversation with Zone Sergeant Quinn?

A. Yes.

Q. How did the conversation with Zone Sergeant Quinn come about? (REFER TO PAGE 8) ★

A. I walked back to his office and asked if he had a moment to talk to. I told him I was at a residence in the Town of Woodbury. Upon leaving the residence, I was stopped by a local resident who stated that Moses was taking photographs of my vehicle while it was backed in the

driveway. Zone Sergeant Quinn asked why. I said I don't know. I was at the residence talking to the family and when I left, that is what I found out. Then the conversation with Zone Sergeant Quinn ended.

Q. Was there an SJS entry for the conversation on date prior to April 22, 2010?

A. No.

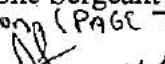
Q. Was there an SJS entry for April 22, 2010?

A. No.

Q. Who is Moses Witriol? What is his job title?

A. He is the Director of Public Safety in Kiryas Joel.

Q. How did you explain to Zone Sergeant Quinn where you were when you believe you were observed by Moses Witriol?

A. I walked back to his office and asked if he had a moment to talk to. I told him I was at a residence in the Town of Woodbury. Upon leaving the residence, I was stopped by a local resident who stated that Moses was taking photographs of my vehicle while it was backed in the driveway. Zone Sergeant Quinn asked why. I said I don't know. I was at the residence talking to the family and when I left, that is what I found out. Then the conversation with Zone Sergeant Quinn ended. *This Question was answered on a previous question (Page 7) The answer was then retyped for this question.* 

Q. How did Moses see you at that location?

A. I don't know.

Q. Did you see Moses?

A. No.

Q. How long did you tell Zone Sergeant Quinn that you at that residence?

A. I don't recall.

Q. Are you familiar with [REDACTED] and [REDACTED] contact with the State Police in Monroe on July 18, 2007?

A. Yes.

Q. What was the basis of this complaint?

A. [REDACTED]

Q. Was that complaint yours?

A. Yes.

Q. Was there any follow up entries in SJS made since 2007-2008?

A. I don't recall.

Q. Was there any action that caused you to re-contact the [REDACTED] on April 22, 2010?

A. Yes.

Q. Explain.

A. Approximately two weeks prior to April 22, 2010, while patrolling in Kiryas Joel, I was approached by the [REDACTED]. They said hi; and since returning to the Monroe area, the wife has been receiving harassing phone calls on her cell phone.

Q. What did you mean when you said, "upon returning to Kiryas Joel", meaning the [REDACTED] moving back?

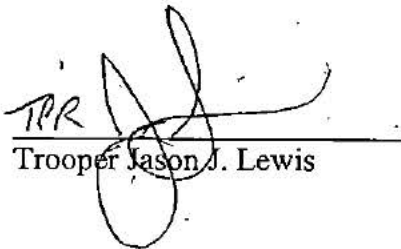
A. I found out two weeks prior to April 22nd, that they were temporarily living in [REDACTED].

Q. I have no further questions at this time. Is there anything further that you would like to add?

A. No.

Q. The interview is now concluded. The time is 11:54AM.

I have read this transcript consisting of nine (9) pages and affirm that it is true to the best of my knowledge. I have placed my initials on the bottom of each page and next to each correction and I signed it below.

TPR

Trooper Jason J. Lewis


Witness

Complaint of Personnel Investigation 20100232

Type: Personnel **Sub Type** **Troop:** F **Status:** P
Incident 4/22/2010 4:00 PM **Mode Rec.** In Person
Report Due 6/7/2010 **Level Inv.** T 3 **CTV:** F3660 - T/MONROE
Commissioned Officer No **Report Location**

Synopsis:

On April 22, 2010, Trooper Jason Lewis was assigned a 1 tour out of SP Monroe. At approximately 4:00 PM, he failed to answer his radio when repeatedly called by the SP Monroe desk member. He was subsequently found to be off post without proper authorization.

Troop F to investigate

Classification: INTERNAL ADMINISTRATIVE MATTERS **Finding:**
Subjects:

Rank TROOPER **DOE** 5/19/2002
Last Name LEWIS **First** JASON **MI** J
Troop F **Locatio** MONROE
CCC 1: DISOD **CCC 2:** NEGLT **CCC 3:**

Complainants:

Last Name NEVINS **First Name** STEPHEN **MI** **TZS** F200
Shield 3024 **Rank** CAPTAIN **Sex** M **SP** **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** 5/6/2010 11:00

ID MEMBER AT TROOP NOTIFIED **TZS** F012
Last CORLETT **First** KEITH **MI** M **Date/Time** 5/6/2010

ID MEMBER WHO NOTIFIED **TZS** F200
Last NEVINS **First** STEPHEN **MI** **Date/Time** 5/6/2010 11:00

ID MEMBER AT DIV NOTIFIED **TZS** H132
Last MAZZONE JR **First** RICHARD **MI** L **Date/Time** 5/6/2010 11:00

2010 05 06

ID MEMBER WHO NOTIFIED DIV **TZS** F200
Last KEYSER **First** FRANK **MI** J **Date/Time** 5/6/2010