

City of Utica



Utica, New York

To The City Clerk of Utica

As provided by Section 12 of the Second Class Cities Laws, I hereby certify that

Name: Daniel K. Forte

Address: [REDACTED]

Telephone:

has this day been appointed to the position of Police Officer

in the department of Public Safety- Bureau Of Police

the term to commence June 26, 2020

the term to end

filling unexpired term of (if applicable)

Signed [REDACTED]

Mayor

Title of Official

PERFORMANCE EVALUATION REPORT

NAME (FIRST, LAST, MI) Daniel Forte	ID # 3055	RANK PO	DIVISION/UNIT Patrol/C-3
DUTY ASSIGNMENT (I.E. DESK, STREET PATROL, BOOKING) Street Patrol, Booking	PERIOD COVERED Annual	FROM 1/1/21	TO 12/31/21

<p>PERFORMANCE LEVEL DEFINITIONS EXCEEDS STANDARDS = 3 MEETS STANDARDS = 2 BELOWE STANDARDS = 1 In making the evaluation of each category below, supervisors are to evaluate the employee's performance only for the past Twelve month period.</p>			
1. DUTY PERFORMANCE (ALL EMPLOYEES)			
2	PERSONAL APPEARANCE	2	COMMAND PRESENCE
2	RESPONSIVENESS TO SUPERVISION	3	ATTENDANCE
2	PERFORMANCE	3	PUNCTUALITY
2	JUDGMENT	2	CARE AND USE OF EQUIPMENT
2		2	REPORT WRITING ABILITY
		2	RELIABILITY
		2	KNOWLEDGE OF LAWS, POLICIES, ETC
		2	INTERPERSONAL SKILLS (VERBAL)
		2	PERFORMANCE UNDER STRESS
		2	INVESTIGATIVE/PROBLEM SOLVING SKILLS
2. DAYS LOST DURING PERIOD COVERED BY THIS REPORT			
SICK: 0	INJURED ON-DUTY: 0	INJURED OFF-DUTY: 0	OTHER: 0 TOTAL OCCURENCES: 0

3. NARRATIVE SECTION (This section is to be used to record specific and personal characteristics of this employee which are not adequately covered in the rating sections above.)

PO Forte has been employed with the Utica Police Department for 1.5 years.

Personal Appearance: PO Forte reports to work with his uniform clean and pressed. His boots are shined.

Attendance: PO Forte used 0 sick days during this evaluation period. This is excellent for obvious reasons.

Punctuality: PO Forte is always on time and prepared for his tour.

Report Writing Ability: PO Forte's reports contain all the necessary information with very few errors.

Interpersonal Skills: It was noted in PO Forte's E-File on 8/14/21 that he along with other officers were commended for their professionalism on a unattended death investigation. The deceased's family expressed their appreciation to the officers involved for their professionalism and compassion.

Command Presence: PO Forte has a calm, relaxed demeanor which is good when he is interacting with members of the public but there are times that he needs to be more assertive on scenes that need it.

PO Forte is usually among the squad leaders in parking tickets.

How can this employee best improve his/her performance? (Include setting Career /Performance Goals).

PO Forte should maintain his positive attitude and can best improve his performance by attending more trainings to expand his knowledge of laws and policies. PO Forte should strive to be more proactive in terms of vehicle and/or citizen stops which will expedite his learning of NYS PL & VTL.

(Continue on Back)

(Goal settings Continue From Front)

5. OVERALL PERFORMANCE RATING: This overall rating is to be based on the following factors:

- A. The employee's performance in his/her present assignment during the evaluation period; AND
- B. Consideration of the general needs of the Department, comparing the capabilities and characteristics of this employee to all other employees of equal rank and pay grade known to the evaluator.

EXCEEDS STANDARDS MEETS STANDARDS BELOW STANDARDS

6. REVIEWING COMMANDING OFFICER: (Immediate Supervisor) Name:

Signature Howard Brodt/ [Redacted] Rank _____ Lt. _____ Date 1/5/2022
Print / Signature

7. SUPERVISOR REVIEWING WITH EMPLOYEE: Name:

Signature Frederick Bruzzese/ [Redacted] Rank _____ Sgt. _____ Date 1/16/22
Print / Signature

8. EMPLOYEE'S COMMENTS: (Optional)

9. EMPLOYEE'S SIGNATURE: This signature does not necessarily indicate agreement with this report. It verifies that this report has been personally reviewed with me and that I have received a copy of this report. If I do not agree with this report, I have indicated this by writing "under protest" next to my signature. I have also indicated whether I "request appeal" or "waive appeal" on this report.

Signature Daniel Forte/ [Redacted] Rank _____ PO _____ Date 1/16/2022
Print / Signature

Report all personnel changes to this form
Send ONE COPY prior to payroll affected by this change
SUPPLEMENTARY PAYROLL CERTIFICATION AND
REPORT OF PERSONNEL CHANGE

DATE

MONTH 08 DAY 09 YEAR 2022

TO: Utica Civil Service Commission

NAME OF EMPLOYEE: Forte, Daniel K

FROM: (Check only one)
 City County Town Village or District

ADDRESS: [REDACTED]

DEPARTMENT: Police Department

TITLE OF POSITION: Police Officer

SALARY: \$68,027.

NAME AND TITLE OF LAST EMPLOYEE IN POSITION:

Veteran Non-Veteran
 Disabled Veteran Exempt Volunteer Fireman

DATE OF BIRTH: [REDACTED]

SOCIAL SECURITY NUMBER: [REDACTED]

	Check Nature of Personnel Change	Date Effective	Action Necessary by Appointing Officer
A P P O I N T M E N T S	<input type="checkbox"/> Permanent		Return report of Certification
	<input type="checkbox"/> Provisional		Attach application (MSD-330)
	<input type="checkbox"/> Temporary	From: To:	State length of employment
	<input type="checkbox"/> Substitute	From: To:	Give facts under Remarks
	<input type="checkbox"/> For Term of Office	From: To:	Give facts under Remarks
	<input type="checkbox"/> Permanent Promotion		Return report of Certification
	<input type="checkbox"/> Provisional Promotion		Attach nomination
	<input type="checkbox"/> Non-Competitive Class		Attach application (MSD-330)
	<input type="checkbox"/> Exempt Class		Submit this form only
	<input type="checkbox"/> Labor Class		Attach application (MSD-330)
T E R M I O N N A S	<input type="checkbox"/> Resignation		Submit signed resignation
	<input type="checkbox"/> Retirement		Give effective date
	<input type="checkbox"/> Deceased		Indicate date
	<input type="checkbox"/> Removal		Attach copy of proceedings
	<input type="checkbox"/> Layoff (Lack of Work or Funds)		Give facts under Remarks
O T H E R C H A N G E S	<input type="checkbox"/> Military Leave of Absence		Give facts under Remarks
	<input type="checkbox"/> Other Leave of Absence	From: To:	Give facts under Remarks
	<input type="checkbox"/> Transfer		Give facts under Remarks
	<input type="checkbox"/> Demotion		Give facts under Remarks
	<input type="checkbox"/> Suspension		Give facts under Remarks
	<input type="checkbox"/> Reinstatement		Give facts under Remarks
	<input type="checkbox"/> Change in Classification		Give facts under Remarks
	<input type="checkbox"/> New Position		Submit form MSD-222
	<input checked="" type="checkbox"/> Change in Salary	04/01/2022	Indicate new salary
	<input type="checkbox"/> Change in Name		Give facts under Remarks
<input type="checkbox"/> Other		Give facts under Remarks	

Remarks: (Continue on back if necessary)

PBA Contract Salary Increase
3.25% - Eff. 04/01/22- \$68,027.
3% - Eff. 04/02/21- \$65,886.

Appointing Officer
Title
Address

[Signature]
Chief of Police

CERTIFICATE
valid until

This certifies that the above
employment is in accordance with
Law and Rules made in pursuance
to law. Subject to any limitation or
condition specified above.

By

Date

(Date)

Payroll Changes

**Department of Public Safety
Bureau of Police
Utica, N.Y.**

Police Salaries

Effective period: 8 /12/2022

Changes Pertaining To:

Police/civilian: Police

Lastname: Forte	Firstname: Daniel	MI: K
Title Police Officer	Employee ID	3055

Annual Salary: \$68,027.00	Salary/Wages Due: \$2,736.42
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A.5.3123.101	\$2,616.42	Salary
A.5.3123.108	\$120.00	Night Differential
Salary/Wages Due:	\$2,736.42	

Notes:

PBA contract settled pay 10 days at new rate, eff. 4/1/2021 3% increase, and eff. 4/1/2022 3.25% increase. ///// Longevity inc. eff. 6/29/22, 7 days at the old rate and 3 days at the new rate. ///// Normal Gross. Longevity inc. eff. 6/29/21. Normal Gross. Transferred from B3 to C3 eff. 4/27/21, entitled to ND. Transferred from Logistics to B3 eff. 12/23/20. acct 3122 to

Submitted by: *R M a l*

Date Submitted: 8/10/2022

Approved by: *Mark W. Williams*

Report all personnel changes to this form
Send ONE COPY prior to payroll affected by this change
SUPPLEMENTARY PAYROLL CERTIFICATION AND
REPORT OF PERSONNEL CHANGE

DATE

MONTH 06 DAY 29 YEAR 2022

TO: **Utica Civil Service Commission**

NAME OF EMPLOYEE: **Forte, Daniel K**

FROM: (Check only one)
 City County Town Village or District

ADDRESS: [REDACTED]

DEPARTMENT: **Police Department**

TITLE OF POSITION: **Police Officer**

SALARY: **\$ 63,967.**

NAME AND TITLE OF LAST EMPLOYEE IN POSITION:

Veteran Non-Veteran
 Disabled Veteran Exempt Volunteer Fireman

DATE OF BIRTH: [REDACTED]

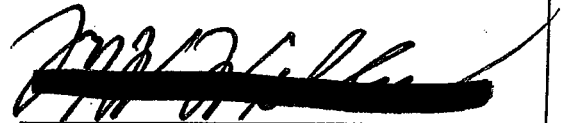
SOCIAL SECURITY NUMBER: [REDACTED]

	Check Nature of Personnel Change	Date Effective	Action Necessary by Appointing Officer:
A P P O I N T M E N T S	<input type="checkbox"/> Permanent		Return report of Certification
	<input type="checkbox"/> Provisional		Attach application (MSD-330)
	<input type="checkbox"/> Temporary	From: To:	State length of employment
	<input type="checkbox"/> Substitute	From: To:	Give facts under Remarks
	<input type="checkbox"/> For Term of Office	From: To:	Give facts under Remarks
	<input type="checkbox"/> Permanent Promotion		Return report of Certification
	<input type="checkbox"/> Provisional Promotion		Attach nomination
	<input type="checkbox"/> Non-Competitive Class		Attach application (MSD-330)
	<input type="checkbox"/> Exempt Class		Submit this form only
T E R M I O N N A S	<input type="checkbox"/> Labor Class		Attach application (MSD-330)
	<input type="checkbox"/> Resignation		Submit signed resignation
	<input type="checkbox"/> Retirement		Give effective date
	<input type="checkbox"/> Deceased		Indicate date
	<input type="checkbox"/> Removal		Attach copy of proceedings
O T H E R C H A N G E S	<input type="checkbox"/> Layoff (Lack of Work or Funds)		Give facts under Remarks
	<input type="checkbox"/> Military Leave of Absence		Give facts under Remarks
	<input type="checkbox"/> Other Leave of Absence	From: To:	Give facts under Remarks
	<input type="checkbox"/> Transfer		Give facts under Remarks
	<input type="checkbox"/> Demotion		Give facts under Remarks
	<input type="checkbox"/> Suspension		Give facts under Remarks
	<input type="checkbox"/> Reinstatement		Give facts under Remarks
	<input type="checkbox"/> Change in Classification		Give facts under Remarks
	<input type="checkbox"/> New Position		Submit form MSD-222
	<input checked="" type="checkbox"/> Change in Salary	6/29/22	Indicate new salary
<input type="checkbox"/> Change in Name		Give facts under Remarks	
<input type="checkbox"/> Other		Give facts under Remarks	

Remarks: (Continue on back if necessary)

Longevity inc. eff. 6/29/22.

Appointing Officer
Title
Address


Chief of Police

CERTIFICATE
valid until

This certifies that the above
employment is in accordance with
Law and Rules made in pursuance
to law. Subject to any limitation or
condition specified above.

By

Date

(Date)

Payroll Changes

Department of Public Safety
Bureau of Police
Utica, N.Y.

Police Salaries

Effective period: 7 /1 /2022

Changes Pertaining To:

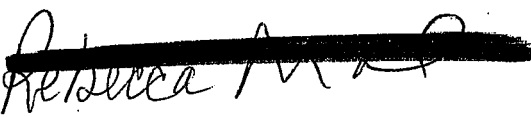
Police/civilian: Police

Lastname: Forte	Firstname: Daniel	MI: K
Title Police Officer	Employee ID	3055

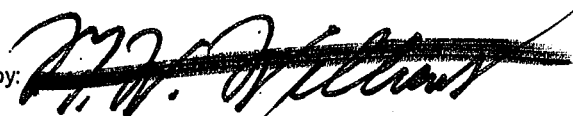
Annual Salary: \$63,967.00	Salary/Wages Due: \$2,465.50
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A.5.3123.101	\$2,345.50	Salary- 7 days old & 3 days new
A.5.3123.108	\$120.00	Night Differential
Salary/Wages Due:	\$2,465.50	

Notes:
Longevity inc. eff. 6/29/22, 7 days at the old rate and 3 days at the new rate. // Normal Gross. Longevity inc. eff. 6/29/21. Normal Gross. Transferred from B3 to C3 eff. 4/27/21, entitled to ND. Transferred from Logistics to B3 eff. 12/23/20. acct 3122 to 3123. Normal Gross. New Hire, sworn in 6/26/20, on payroll 6/29/20. DOB 11/27/94 acct 3122.

Submitted by: 

Date Submitted: 6/15/2022

Approved by: 

Report all personnel changes to this form
Send ONE COPY prior to payroll affected by this change
SUPPLEMENTARY PAYROLL CERTIFICATION AND
REPORT OF PERSONNEL CHANGE

DATE

MONTH 06 DAY 26 YEAR 2020

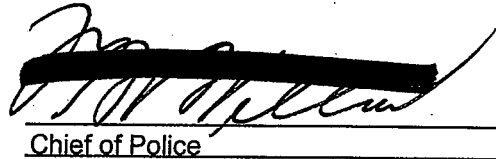
TO: Utica Civil Service Commission		NAME OF EMPLOYEE: Forte, Daniel K	
FROM: (Check only one) <input checked="" type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Town <input type="checkbox"/> Village or District		ADDRESS: [REDACTED]	
DEPARTMENT: Police Department		TITLE OF POSITION: Police Officer	SALARY: \$ 49,288.
NAME AND TITLE OF LAST EMPLOYEE IN POSITION:		<input type="checkbox"/> Veteran <input type="checkbox"/> Disabled Veteran	<input type="checkbox"/> Non-Veteran <input type="checkbox"/> Exempt Volunteer Fireman
		DATE OF BIRTH:	SOCIAL SECURITY NUMBER: ID# 3055

	<i>Check Nature of Personnel Change</i>	<i>Date Effective</i>	<i>Action Necessary by Appointing Officer:</i>
A P P O I N T M E N T S	<input checked="" type="checkbox"/> Permanent	6/26/20	Return report of Certification
	<input type="checkbox"/> Provisional		Attach application (MSD-330)
	<input type="checkbox"/> Temporary	From: To:	State length of employment
	<input type="checkbox"/> Substitute	From: To:	Give facts under Remarks
	<input type="checkbox"/> For Term of Office	From: To:	Give facts under Remarks
	<input type="checkbox"/> Permanent Promotion		Return report of Certification
	<input type="checkbox"/> Provisional Promotion		Attach nomination
	<input type="checkbox"/> Non-Competitive Class		Attach application (MSD-330)
	<input type="checkbox"/> Exempt Class		Submit this form only
	<input type="checkbox"/> Labor Class		Attach application (MSD-330)
T E R M I O N N A S	<input type="checkbox"/> Resignation		Submit signed resignation
	<input type="checkbox"/> Retirement		Give effective date
	<input type="checkbox"/> Deceased		Indicate date
	<input type="checkbox"/> Removal		Attach copy of proceedings
O T H E R C H A N G E S	<input type="checkbox"/> Layoff (Lack of Work or Funds)		Give facts under Remarks
	<input type="checkbox"/> Military Leave of Absence		Give facts under Remarks
	<input type="checkbox"/> Other Leave of Absence	From: To:	Give facts under Remarks
	<input type="checkbox"/> Transfer		Give facts under Remarks
	<input type="checkbox"/> Demotion		Give facts under Remarks
	<input type="checkbox"/> Suspension		Give facts under Remarks
	<input type="checkbox"/> Reinstatement		Give facts under Remarks
	<input type="checkbox"/> Change in Classification		Give facts under Remarks
	<input type="checkbox"/> New Position		Submit form MSD-222
	<input type="checkbox"/> Change in Salary		Indicate new salary
<input type="checkbox"/> Change in Name		Give facts under Remarks	
<input type="checkbox"/> Other		Give facts under Remarks	

Remarks: (Continue on back if necessary)

New employee eff. 6/26/20. On payroll 6/29/20.

Appointing Officer
Title
Address


Chief of Police

CERTIFICATE
valid until

This certifies that the above
employment is in accordance with
Law and Rules made in pursuance
to law. Subject to any limitation or
condition specified above.

By
Date

(Date)

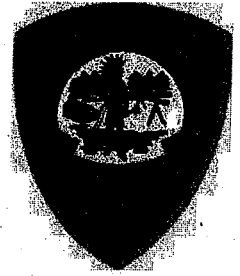


UTICA, NEW YORK

POLICE DEPARTMENT

413 Oriskany St W

Utica, NY 13502



INTRA-AGENCY CORRESPONDENCE

Mark Williams

Chief of Police

Date:05/19/2022

TO: Mark Williams, Chief of Police

FROM: Daniel Forte

SUBJECT: Crime Prevention Through Environmental Design Course

SIR: I would like to express my interest in participating in the Crime Prevention Through Environmental Design Course scheduled for August 23rd- August 25th.

I have been employed by the Utica Police Department since June of 2020 and in that time I have been working as a patrolman. During my time on the road I have acquired a wide range of knowledge in the world of policing. Prior to my employment as a law enforcement officer, I was working as a security guard for approximately five years.

I am extremely interesting in this training due to the fact we go on several burglary calls throughout our shift and I would like to be able to tell the victim what actions he can take along with his neighbors to prevent crime occurring in their neighborhood besides just having camera's outside of their residences. During my time as a law enforcement officer I learned that having more than just cameras can make an impact on the crime rate in the neighborhood. I would like to have the resources on my tool belt that I can share with the community on how to lower the crime rate in their community.

I feel that if I get accepted to go to this training I can take all the information I learn and pass it onto fellow officers along with the community. I feel like this is a great training to attend due to the fact of how beneficial it would be to pass on the information to the community about the different strategies they can do to prevent crime in their neighborhoods. This training will make me a better officer for the Utica Police Department.

Respectfully submitted,

PO Daniel Forte #3055

Squad C [REDACTED]

NAME: Daniel Forte

RANK: patrolman

~~Daniel Forte~~ #3055

PROBATIONARY REPORT

COPY

To Appointing Officer:

Please complete this form in triplicate:

- Forward original to the Civil Service Commission.
- Give one copy to the employee.
- Retain one copy for your files.

DATE THIS REPORT DUE:	The Civil Service Commission requires that this report be filed two weeks prior to the end of the probationary term. See date probationary term ends below.	
EMPLOYEE'S NAME:	Daniel Forte	DATE OF APPOINTMENT:
SOCIAL SECURITY NUMBER:	3864	DEPARTMENT OR AGENCY:
STATUS/TITLE OF POSITION:	Police Officer	JURISDICTIONAL CLASSIFICATION:
ORIGINAL LENGTH OF THE PROBATIONARY TERM:	1 year	
NUMBER OF DAYS ABSENT DURING THE PROBATIONARY TERM:	0	
NUMBER OF DAYS PROBATIONARY TERM IS TO BE EXTENDED:	0	
DATE PROBATIONARY TERM ENDS:	6/29/21	
IF SATISFACTORY, DATE PERMANENT STATUS BEGINS:	6/30/21	

CERTIFICATE OF APPOINTING OFFICER:

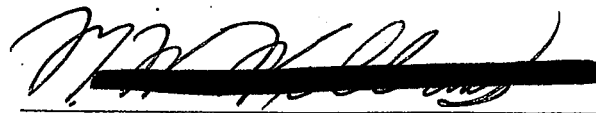
I hereby certify that the probationer has been observed and it has been found that the conduct, capacity, and fitness of the probationer is:

SATISFACTORY. Employee will be retained as a permanent employee. Employee has served ~~(Maximum)~~ (Shortened) probationary period. Minimum probationary period is usually eight weeks, except in the case of trainee positions (12 weeks) and Police Officer (26 weeks).

UNSATISFACTORY. Employee will be discharged or returned to prior permanent position.

Copy of letter to employee attached.

Copy of letter to employee to be submitted.



 Authorized Signature
 Mark Williams

 Print Name
 Chief

 Title

I have received a copy of this form.

 6/30/21

 Signature of Employee Date



CITY OF UTICA
DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE CHIEF OF POLICE



ROBERT PALMIERI
Mayor

MARK W. WILLIAMS
Chief of Police

Dec 21, 2020

TO: PO Daniel Forte

RE: Utica Police Chapter 5 & 8 receipt

As a Utica Police Officer you are bound by strict rules and regulations as outlined in the Utica Police Policy and Procedure Manual; which were written as guidelines for conduct and responsibility.

This written notification is to inform you that as a Utica Police Officer you are expected to read, understand and adhere to the rules and regulation of the **“Utica Police Policy and Procedure Manual”**

On December 21, 2020, PO Daniel Forte was spoken to by members of the Office of Professional Standards at which time he was advised regarding his/her responsibilities in reviewing and knowing what is in the Utica Police Policy and Procedure Manual, specifically the outlined policy and procedure for the following chapters; Also as part of the MVPA refresher course training I, spoke to PO Daniel Forte regarding ECD (Electronic Control Device), and Pursuit Driving

Please read;

UTICA POLICY AND PROCEDURE CHAPTER 5 & 8 (Rules and Regulations)

- **CHAPTER FIVE (5), ARTICLE TEN (10): PROFESSIONAL STANDARDS INVESTIGATIONS.**
- **CHAPTER EIGHT (8), ARTICLE ONE (1): PROFESSIONAL STANDARDS OF CONDUCT AND ETHICS**

Also discussed were the implications of being a Brady and Giglio Officer, Use of personal and social media both on and off duty, officer involved domestic incidents and personnel complaints.

BRADY RULE

The Brady Rule, named for *Bardy v. Maryland*, 373 U.S. 83 (1963), which requires prosecutors to disclose materially exculpatory evidence in the government’s possession to the defense. “Brady Material” or evidence the prosecutor is required to disclose under this rule includes any evidence favorable to the accused—evidence that goes towards the negating a defendant’s guilt, that would reduce a defendants potential sentence, or evidence going to the credibility of a witness.

If the prosecution does not disclose material exculpatory evidence under this rule, and prejudice has ensued, the evidence will be suppressed. The evidence will be suppressed regardless of whether the prosecutor knew the evidence was in his or her possession, or whether or not the prosecutor intentionally or inadvertently withheld the evidence from the defense. The defendant bears the burden of proving that the disclosed evidence was material, and the defendant must show that there is a reasonable probability that there would be a difference in the outcome of the trial had the evidence been disclosed by the prosecutor.

Police Officers who have been dishonest are sometimes referred to as "Brady Cops." Because of the Brady ruling, prosecutors are required to notify defendants and their attorneys whenever a law enforcement official involved in their case has a sustained record for knowingly lying in an official capacity.

TESTIFYING


1. Telling lies under oath; standard operating procedure for police officers acting as witnesses in trials.
2. Police perjury is the act of a police officer giving false testimony

Giglio v. United States, 405 U.S. 150 (1972), is a United States Supreme Court case in which the Court held that the prosecutor's failure to inform the jury that the witness had been promised not to be prosecuted in exchange for his / her testimony was a failure to fulfill the duty to present all material evidence to the jury, and constituted a violation of due process, requiring a new trial. This is the case even if the failure to disclose was a matter of negligence and not intent. The case extended the Court's holding in **Brady v. Maryland**, requiring such agreements to be disclosed to defense counsel. As a result of this case, the term "**Giglio material**" is something used to refer to any information pertaining to deals that witnesses in a criminal case have entered into with the government.

After speaking to personnel from the office of Professional Standards, I hereby acknowledge that I have been spoken to regarding my responsibilities in reviewing, knowing and adhering to the rules and regulations of the Utica Police Departments "Policy and Procedure." I am fully aware that any acts committed by me, violating and portion of the Utica Police Policy and Procedure, can result in disciplinary action against me to include termination. I understand that it is my sole responsibility to review and adhere to the Utica police Policy and Procedure.

X ~~Daniel Forte~~ Daniel Forte
Signature of Officer Print Name

X 12/21/2020
Month/Day/Year

X  Sgt
Witness: Name, Rank

PO Daniel Forte

New York State Law Enforcement Accreditation Program

12.9 Oath of Office

ADMINISTRATION

STANDARD 12.9 The agency requires that all law enforcement personnel take an oath of office to enforce the law and uphold the Constitution of the United States, the Constitution of the State of New York, and any other applicable requirement

A. The oath of office is as follows:

*(State of New York)
(County of Oneida)
(City of Utica)*

I, Daniel Forte do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of New York, and that I will faithfully execute the office of Police Officer of the City of Utica, according to the best of my ability.

Sworn on:

Date of hire: the 26 day of June

Officer's signature:

~~Daniel Forte~~

Date: 12/21/2020

New York State Law Enforcement Accreditation Program

12.9 Oath of Office

ADMINISTRATION

STANDARD 12.9 The agency requires that all law enforcement personnel take an oath of office to enforce the law and uphold the Constitution of the United States, the Constitution of the State of New York, and any other applicable requirement

A. The oath of office is as follows:

*(State of New York)
(County of Oneida)
(City of Utica)*

I, Daniel Forte - Daniel Forte do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of New York, and that I will faithfully execute the office of Police Officer of the City of Utica, according to the best of my ability.

Sworn on:

Date of hire: the 26th day of June

Officer's signature: Daniel Forte

Date: 06/26th/2020

jmoran

From: mwilliams
Sent: Tuesday, August 10, 2021 2:33 PM
To: dsabanovic; dlentricchia; dforte
Cc: Mayor; enoonan; bbansner; hbrodt; jfanelli; jmoran
Subject: Re: Unattended Death- [REDACTED]

Sergeant Sabanovic and Officers Forte & Lentricchia,

On August 7, 2021 you each responded to an unattended death call at [REDACTED] Street involving the deceased- [REDACTED]

Today Officer John Fanelli received a telephone from the deceased person's family, who wanted to express their appreciation to you for your professionalism and compassion.

Thank you for representing our police department proudly! Great job!

Best,
Chief Williams

Megan, please place a copy of this email in each officer's personnel file.

Chief of Police Mark W. Williams



City of Utica Police Department

413 Oriskany Street West

Utica, New York 13502

Office Telephone: [REDACTED]

E-mail address [REDACTED]

CONFIDENTIALITY NOTICE: This electronic mail transmission may contain privileged and confidential information intended only for the individual or entity named above. Any dissemination, use, distribution, copying or disclosure of this communication by any other person or entity is strictly prohibited. Should you receive this transmission in error, please notify the sender by telephone or by return e-mail.

From: jfanelli
Sent: Tuesday, August 10, 2021 10:59 AM
To: mwilliams [REDACTED]; enoonan [REDACTED]
Subject: 21- RMS 31059, [REDACTED] Street

Dear Chief Williams and Noonan I received a call at the desk from the family of [REDACTED] who had just passed away on an unattended death investigation. The family could not believe how professional and compassionate the officers on scene were and asked me to pass it along to you.

TY JF

Utica Police Department

Professional Standards

Officer Disciplinary History

Police Officer Daniel Forte [3055/]

Part I - Personal Information

Name: Police Officer Daniel Forte
: Badge No: 3055 Hire Dt: 06/29/2020

Department: Patrol Division
Bureau: Uniformed Patrol
Division: Uniformed Patrol

Part II - Discipline History

MVA2021-0003 Case #: RMS 21-26009 Vehicle accident

UPD Policy and Procedure Violation: Oct 20, 2021: Command Discipline - [Action/discipline completed]

- C) You accept and agree to attend a department approved On-Line remedial training regarding vehicle operations.
- D) You accept the loss of 3 Vacation Days from your 2022 accrued time bank.

Printed: Dec 07, 2022 12:51 By: Sgt Hiram Rios

Concise Officer History

Police Officer Daniel Forte [3055/]

: Hire date: Jun 29, 2020
 Current assignment(s):
 Department: Patrol Division
 Bureau: Uniformed Patrol
 Division: Uniformed Patrol

Involved Officer: Soft Hand/Empty hand
 Received: Mar 26, 2021 16:38

IA No: SH2021-0017

Case No: RMS 21-10727

Incident disposition/finding: Within Policy

Involved Officer: E-File
 Received: May 25, 2021 13:48

IA No: EF2021-0023

Incident disposition/finding: Administratively Closed
 Role: NIBRS AUDIT

Involved Officer: Vehicle accident
 Received: Jul 03, 2021 19:54

IA No: MVA2021-0003

Case No: RMS 21-26009

Incident disposition/finding: Sustained
 Role: On-Duty MVA -Driver

Allegations:

Care of Property 700.3.1 - 700 Agency - Owned and Personal Property - Sustained -
 Oct 20, 2021
 Safety 320.5.12 A & B - 320 Safety Seat-belt - Sustained - Oct 20, 2021
 Seat Belt Use 4. 3.20 - 320 Safety - Sustained - Oct 20, 2021
 Safety consideration responding/lights 309.5 - 309 Officers response to calls -
 Sustained - Oct 20, 2021

Actions taken:

UPD Policy and Procedure Violation: Oct 20, 2021 - Command Discipline

C) You accept and agree to attend a
 department approved On-Line remedial training
 regarding vehicle operations.

D) You accept the loss of 3 Vacation Days
 from your 2022 accrued time bank.

Involved Officer: Soft Hand/Empty hand
 Received: Sep 27, 2021 19:35

IA No: SH2021-0099

Case No: RMS 21-38279

Incident disposition/finding: Within Policy

Involved Officer: Use of force
 Received: Nov 08, 2021 23:22

IA No: UOF2021-0062

Case No: RMS 21-44283

Incident disposition/finding: Within Policy
 Role: Arresting Officer

Use(s) of force	Effective/Not Effective
Take Down	Effective

Verbal Commands NOT effective
Presence of Authority NOT effective

Service being conducted: Arrest

Involved Officer: Use of force
Received: Feb 03, 2022 21:47

IA No: UOF2022-0006

Case No: 22-4286

Incident disposition/finding: Within Policy

Use(s) of force Effective/Not Effective
Come Along NOT effective
Take Down Effective

Service being conducted: Arrest

Involved Officer: External/Citizen
Received: Apr 21, 2022 12:00

IA No: CC2022-0015

Case No: RMS 22-11345

Incident disposition/finding: Not Sustained

Involved Officer: Use of force
Received: May 05, 2022 00:29

IA No: UOF2022-0037

Case No: RMS 22-16348

Incident disposition/finding: Within Policy

Use(s) of force Effective/Not Effective
Hard Hand Strikes Limited
Take Down Limited
Verbal Commands NOT effective
Presence of Authority NOT effective

Service being conducted: Arrest

Involved Officer: Use of force
Received: Aug 03, 2022 21:57

IA No: UOF2022-0075

Case No: RMS 22-30729

Incident disposition/finding: Within Policy
Role: Arresting Officer

Use(s) of force Effective/Not Effective
Verbal Commands NOT effective
Come Along Effective

Service being conducted: Dispute

Involved Officer: Use of force
Received: Aug 05, 2022 00:49

IA No: UOF2022-0076

Case No: RMS 22-30924

Incident disposition/finding: Within Policy
Role: Assisting Officer

Use(s) of force Effective/Not Effective
Come Along Effective
Empty Hand Control Limited
Take Down Effective
Verbal Commands NOT effective
Presence of Authority NOT effective

Service being conducted: Arrest

Report summary: totals by incident type:

Incident type	Received
Alert	0
Anonymous	0
Background Investigation	0
Civilian Injury	0
Department Discipline	0
Discretionary arrest	0
Drug test	0
E-File	1
External/Citizen	1
Firearm discharge	0
Foil Request	0
Forced entry	0
Generic incident	0
Integrity test	0
Internal/Department	0
K9 Utilization	0
Mental Health Law Arrest	0
Notice of Claim	0
Officer Injury	0
Show of force	0
Soft Hand/Empty hand	2
Stop	0
UPD Damaged Prop Car/Equip	0
Use of force	5
Vehicle accident	1
Vehicle pursuit	0
Total	10

Printed: Dec 07, 2022 12:50 By: Sgt Hiram Rios



CITY OF UTICA

DEPARTMENT OF PUBLIC SAFETY
BUREAU OF POLICE
413 ORISKANY STREET WEST
UTICA, NEW YORK 13502

ROBERT PALMIERI
Mayor

MARK WILLIAMS
Chief of Police

October 19, 2021

PO Daniel Forte
Platoon C / Squad 3
Uniform Patrol Division

PO Forte,

On July 3rd 2021 at approximately 1825 Hrs you were dispatched to 1412 City St for a report of a physical domestic with an active fight taking place. While you were operating your patrol vehicle marked unit 44 south on City St at Noyes St with the stop sign, you proceeded through the intersection colliding with a vehicle which was westbound on Noyes St and which had the right of way. You were found to be in violation of NYS V&T law and you were faulted for the officer involved MVA PD. Data from the vehicle download also indicated that you were not wearing your seat belt at the time of the collision. It should also be noted that your BWC was not activated at the time of the collision. Further, your emergency lights were not activated at the time of the collision. As a result of the collision the cost of repair to UPD car 44 was \$10,490.29.

As a result of the investigation it was determined that you have violated Department Procedural Manual

700.3.1 Care of Property

Members shall be responsible for the safekeeping, serviceable condition, proper care, proper use and replacement of agency property that has been assigned or entrusted to them.

Intentional or negligent abuse or misuse of agency property may lead to discipline including, but not limited to, the cost of repair or replacement.

Policy 320.5.12 Safety

- a. Unsafe or improper driving habits or actions in the course of employment or appointment.
- b. Any personal action contributing to a preventable traffic accident.

309.5 SAFETY CONSIDERATIONS

Responding with emergency lights and siren does not relieve the operator of an emergency vehicle of the duty to continue to drive with due regard for the safety of all persons and property, and does not protect the operator from the consequences of reckless disregard for the safety of others. (Vehicle and Traffic Law § 1104)

UTICA POLICE PROCEDURAL MANUAL

CHAPTER 8 ARTICLE 3

3.20 SEAT BELT USE:

Last Revision Date 6/7/2016

A. Any time a member is operating a vehicle or is a passenger in a vehicle during his tour of duty, the use of a seatbelt will be mandatory. Only in cases of rare and exigent circumstances may non-use of a seat belt be necessitated and only for a brief period of time.

LEXIPOL

424.5 ACTIVATION OF THE AUDIO/VIDEO RECORDER.

This policy is not intended to describe every possible situation in which the recorder should be used, although there are many situations where its use is appropriate. Members should activate the recorder any time the member believes it would be appropriate or valuable to record an incident.


The recorder should be activated in any of the following situations:


- a. Upon being dispatched to a call or upon arriving if they respond as a backup unit.


On October 19, 2021, a Command Discipline hearing was commenced. You were offered PBA representation and you declined. Also present during this hearing was N/A. We came to the following resolution.

- A) You accept the findings of the investigation.
- B) You accept responsibility for violating the Departmental Procedural Manual.
- C) You accept and agree to attend a department approved On-Line remedial training regarding vehicle operations.
- D) You accept the loss of 3 Vacation Days from your 2022 accrued time bank.
- E) You also understand that in the future, this behavior or any other violation of Departmental Rules or Regulations of a similar nature will be subject to further disciplinary action.

You are being furnished a copy of this letter. The original with acknowledgment, signed by you, will be placed in your personnel file.


Captain Brian D. Bansner
Patrol Division Commander


Witnessing Supervisor


PO Daniel Forte

N/A
(PBA Representative)

I acknowledge the content of this letter and a copy of it has been provided to me.

PERFORMANCE EVALUATION REPORT

NAME (FIRST, LAST, MI) Daniel Forte	ID # 3055	RANK PO	DIVISION/UNIT Patrol/C-3
DUTY ASSIGNMENT (I.E. DESK, STREET PATROL, BOOKING) Street Patrol, Booking	PERIOD COVERED Annual	FROM 1/1/21	TO 12/31/21
<p>PERFORMANCE LEVEL DEFINITIONS EXCEEDS STANDARDS = 3 MEETS STANDARDS = 2 BELOWE STANDARDS = 1 In making the evaluation of each category below, supervisors are to evaluate the employee's performance only for the past Twelve month period.</p>			
1. DUTY PERFORMANCE (ALL EMPLOYEES)			
2 PERSONAL APPEARANCE	2 COMMAND PRESENCE	2 REPORT WRITING ABILITY	2 INTERPERSONAL SKILLS (VERBAL)
2 RESPONSIVENESS TO SUPERVISION	3 ATTENDANCE	2 RELIABILITY	2 PERFORMANCE UNDER STRESS
2 PERFORMANCE	3 PUNCTUALITY	2 INVESTIGATIVE/PROBLEM SOLVING SKILLS	
2 JUDGMENT	2 CARE AND USE OF EQUIPMENT	2 KNOWLEDGE OF LAWS, POLICIES, ETC	
2. DAYS LOST DURING PERIOD COVERED BY THIS REPORT			
SICK: 0	INJURED ON-DUTY: 0	INJURED OFF-DUTY: 0	OTHER: 0 TOTAL OCCURENCES: 0

3. NARRATIVE SECTION (This section is to be used to record specific and personal characteristics of this employee which are not adequately covered in the rating sections above.)
 PO Forte has been employed with the Utica Police Department for 1.5 years.

Personal Appearance: PO Forte reports to work with his uniform clean and pressed. His boots are shined.

Attendance: PO Forte used 0 sick days during this evaluation period. This is excellent for obvious reasons.

Punctuality: PO Forte is always on time and prepared for his tour.

Report Writing Ability: PO Forte's reports contain all the necessary information with very few errors.

Interpersonal Skills: It was noted in PO Forte's E-File on 8/14/21 that he along with other officers were commended for their professionalism on a unattended death investigation. The deceased's family expressed their appreciation to the officers involved for their professionalism and compassion.

Command Presence: PO Forte has a calm, relaxed demeanor which is good when he is interacting with members of the public but there are times that he needs to be more assertive on scenes that need it.

PO Forte is usually among the squad leaders in parking tickets.

How can this employee best improve his/her performance? (Include setting Career /Performance Goals).
PO Forte should maintain his positive attitude and can best improve his performance by attending more trainings to expand his knowledge of laws and policies. PO Forte should strive to be more proactive in terms of vehicle and/or citizen stops which will expedite his learning of NYS PL & VTL.

(Continue on Back)

(Goal settings Continue From Front)

5. OVERALL PERFORMANCE RATING: This overall rating is to be based on the following factors:

- A. The employee's performance in his/her present assignment during the evaluation period; AND
- B. Consideration of the general needs of the Department, comparing the capabilities and characteristics of this employee to all other employees of equal rank and pay grade known to the evaluator.

EXCEEDS STANDARDS MEETS STANDARDS BELOW STANDARDS

6. REVIEWING COMMANDING OFFICER: (Immediate Supervisor) Name:

Signature Howard Brodt/ [Signature] Rank _____ Lt. _____ Date 1/5/2022
Print / Signature

7. SUPERVISOR REVIEWING WITH EMPLOYEE: Name:

Signature Frederick Bruzese/ [Signature] Rank _____ Sgt. _____ Date 1/16/22
Print / Signature

8. EMPLOYEE'S COMMENTS: (Optional)

9. EMPLOYEE'S SIGNATURE: This signature does not necessarily indicate agreement with this report. It verifies that this report has been personally reviewed with me and that I have received a copy of this report. If I do not agree with this report, I have indicated this by writing "under protest" next to my signature. I have also indicated whether I "request appeal" or "waive appeal" on this report.

Signature Daniel Forte/ [Signature] #3 Sgt Rank _____ PO _____ Date 1/16/2022
Print / Signature

Utica Police Department

Training Course Summary

Print Date: December 07, 2022

Course Information

Course NO	Title	Type	Credits	Hours	Course 1	Course 2	Comments
2021000000002	2021 January inservice	In Service	0.00	8.00			Cultural Diversity: Sgt. Wood Use of Force: Lt Holt

Prerequisites

Course Schedule

Schedule	Class ID	Start Date/Time	End Date/Time	Company	Course Location
		01/11/2021 08:00	01/11/2021 16:00		
		01/15/2021 08:00	01/15/2021 16:00		
		01/19/2021 08:00	01/19/2021 16:00		
		01/21/2021 08:00	01/21/2021 16:00		
		01/25/2021 08:00	01/25/2021 16:00		
		01/29/2021 08:00	01/29/2021 16:00		

Instructor

Instructor Reserve Date Course Category Serial ID Notes

Utica Police Department

Training Course Summary

Print Date: December 07, 2022

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Credits</u>	<u>Hours</u>	<u>Course 1</u>	<u>Course 2</u>	<u>Comments</u>
2021000000010	April 2021 Inservice: TASER/DV	In Service	0.00	8.00			

Prerequisites

Course Schedule

<u>Schedule</u>	<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
		04/05/2021 08:00	04/05/2021 16:00		
		04/09/2021 08:00	04/09/2021 16:00		
		04/13/2021 08:00	04/13/2021 16:00		
		04/14/2021 08:00	04/14/2021 16:00		
		04/19/2021 08:00	04/19/2021 16:00		
		04/29/2021 08:00	04/29/2021 16:00		

<u>Instructor</u>	<u>Reserve Date</u>	<u>Course Category</u>	<u>Serial ID</u>	<u>Notes</u>

Utica Police Department

Training Course Summary

Print Date: December 07, 2022

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Credits</u>	<u>Hours</u>	<u>Prerequisites</u>		<u>Comments</u>
					<u>Course 1</u>	<u>Course 2</u>	
202100000020	Defensive Tactics	In Service	0.00	8.00			Lead Instructor- PO Andrew Miller

Course Schedule

<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
	06/08/2021 08:00	06/08/2021 16:00		
	06/10/2021 08:00	06/10/2021 16:00		
	06/14/2021 08:00	06/14/2021 16:00		
	06/18/2021 08:00	06/18/2021 16:00		
	06/24/2021 08:00	06/24/2021 16:00		
	06/28/2021 08:00	06/28/2021 16:00		

<u>Instructor</u>	<u>Reserve Date</u>	<u>Course Category</u>	<u>Serial ID</u>	<u>Notes</u>

Utica Police Department

Training Course Summary

Print Date: December 07, 2022

Course Information

Course NO	Title	Type	Credits	Hours	Course 1	Course 2	Comments
2021000000009	Feb 2021 Inservice: Legal Updates/CID Best Practic	In Service	0.00	8.00			

Prerequisites

Course Schedule

Schedule	Class ID	Start Date/Time	End Date/Time	Company	Course Location
		02/02/2021 08:00	02/02/2021 16:00		
		02/08/2021 08:00	02/08/2021 16:00		
		02/16/2021 08:00	02/16/2021 16:00		
		02/18/2021 08:00	02/18/2021 16:00		
		02/24/2021 08:00	02/24/2021 16:00		
		02/26/2021 08:00	02/26/2021 16:00		

Instructor

Instructor	Reserve Date	Course Category	Serial ID	Notes

Utica Police Department

Training Course Summary

Print Date: December 07, 2022

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Credits</u>	<u>Hours</u>	<u>Course 1</u>	<u>Course 2</u>	<u>Comments</u>
2022000000005	Feb Inservice 2022	In Service	0.00	8.00			Annual TASER re-cert/ BOLA cert for supervisors

Prerequisites

Course Schedule

<u>Schedule</u>	<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
		02/03/2022 08:00	02/03/2022 16:00		
		02/07/2022 08:00	02/07/2022 16:00		
		02/11/2022 08:00	02/11/2022 16:00		
		02/15/2022 08:00	02/15/2022 16:00		
		02/17/2022 08:00	02/17/2022 16:00		
		02/25/2022 08:00	02/25/2022 16:00		

<u>Instructor</u>	<u>Reserve Date</u>	<u>Course Category</u>	<u>Serial ID</u>	<u>Notes</u>

Utica Police Department

Training Course Summary

Print Date: December 07, 2022

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Prerequisites</u>		<u>Comments</u>
			<u>Credits</u>	<u>Hours</u>	
2022000000001	January 2022 Inservice /UOFLegal Updates	In Service	0.00	8.00	Training by Oneida County DA office and Lt Holt

Course Schedule

<u>Schedule</u>	<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
		01/06/2022 08:00	01/06/2022 16:00		
		01/10/2022 08:00	01/10/2022 16:00		
		01/14/2022 08:00	01/14/2022 16:00		
		01/20/2022 08:00	01/20/2022 16:00		
		01/24/2022 08:00	01/24/2022 16:00		
		01/28/2022 08:00	01/28/2022 16:00		

Instructor

<u>Reserve Date</u>	<u>Course Category</u>	<u>Serial ID</u>	<u>Notes</u>

Utica Police Department

Training Course Summary

Print Date: December 07, 2022

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Credits</u>	<u>Hours</u>	<u>Course 1</u>	<u>Course 2</u>	<u>Comments</u>
2022000000027	June 2022 DT/Pepper Spray	In Service	0.00	8.00			

Prerequisites

Course Schedule

<u>Schedule</u>	<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
		06/03/2022 08:00	06/03/2022 16:00		
		06/07/2022 08:00	06/07/2022 16:00		
		06/13/2022 08:00	06/13/2022 16:00		
		06/17/2022 08:00	06/17/2022 16:00		
		06/23/2022 08:00	06/23/2022 16:00		
		06/27/2022 08:00	06/27/2022 16:00		

Instructor

Reserve Date

Course Category

Serial ID

Notes

Utica Police Department

Training Course Summary

Print Date: December 07, 2022

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Credits</u>	<u>Hours</u>	<u>Course 1</u>	<u>Course 2</u>	<u>Comments</u>
2021000000031	November 2021 Inservice	In Service	0.00	8.00			SFST Refresher/ FTO refresher/ Person with Dissabilities/ Work Place Violance/Sexual Harassment Instructor: Wooden /Parkosewich

Course Schedule

<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
	11/01/2021 08:00	11/01/2021 16:00		
	11/05/2021 08:00	11/05/2021 16:00		
	11/09/2021 08:00	11/09/2021 16:00		
	11/15/2021 08:00	11/15/2021 16:00		
	11/19/2021 08:00	11/19/2021 16:00		
	11/23/2021 08:00	11/23/2021 16:00		

Instructor

Reserve Date Course Category Serial ID Notes