

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: Andrew B. Miller

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 May 16, 2016

the term to end

filling unexpired term of (if applicable)

Signed

Mayor

Title of Official

PERFORMANCE EVALUATION REPORT

NAME (FIRST, LAST, MI) Andrew Miller	ID # 5679	RANK Ptln.	DIVISION/UNIT Patrol C-2
DUTY ASSIGNMENT (I.E. DESK, STREET PATROL, BOOKING) Street Patrol	PERIOD COVERED Annual	FROM 01/01/19	TO 12/31/19

PERFORMANCE LEVEL DEFINITIONS

OUTSTANDING = 5 VERY GOOD = 4 ACCEPTABLE = 3 NEEDS IMPROVEMENT = 2 UNSATISFACTORY = 1
 In making the evaluation of each category below, supervisors are to evaluate the employee's performance only for the past Twelve month period and compare that performance to guidelines established in section 6.15 C (1 through 18) of General Order # 02-47 Personnel Performance Evaluations.

1. DUTY PERFORMANCE (ALL EMPLOYEES)

4	PERSONAL APPEARANCE	4	COMMAND PRESENCE	3	REPORT WRITING ABILITY	3	INTERPERSONAL SKILLS (VERBAL)
4	RESPONSIVENESS TO SUPERVISION	4	ATTENDANCE	3	RELIABILITY	3	PERFORMANCE UNDER STRESS
2	PERFORMANCE	4	PUNCTUALITY	3	INVESTIGATIVE/PROBLEM SOLVING SKILLS		
3	JUDGMENT	3	CARE AND USE OF EQUIPMENT	2	KNOWLEDGE OF LAWS, POLICIES, ETC		

2. DAYS LOST DURING PERIOD COVERED BY THIS REPORT

SICK: **2** INJURED ON-DUTY: INJURED OFF-DUTY: OTHER: **TOTAL OCCURENCES: 2**

3. SUPERVISORY PERSONNEL ONLY

LEADERSHIP
QUALITIES

EFFECTIVENESS OF
DELEGATION

TRAINING/COACHING
OF SUBORDINATES

EVALUATION OF
SUBORDINATES

4. 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. Any factors rated as a 1 or a 5 in the above sections must be articulated in this section.)

Performance (2)- Ptln. Miller's productivity and initiative towards proactive police work throughout this year has left a lot to be desired.

Attendance (4)- Ptln. Miller utilized 2 sick days throughout the year.

Responsiveness to Supervision (4)- Ptln. Miller does what is asked of him. When given a task or directive from a supervisor, Ptln. Miller completes such task without incident and no further reminder.

Report Writing Ability (3)- Ptln. Miller's reports are adequate and contain most of the needed info. From time to time Ptln. Miller needs to be asked to fix something or add something in his narrative but for the most part his reports are adequate.

Knowledge of Laws, Policies, Etc. (2)- Ptln. Miller needs to improve and expand his knowledge of laws and procedures. Ptln. Miller has increased his knowledge this year compared to the last year and this should continue with more time on the job.

Command Presence (4)- Ptln. Miller displays a strong command presence and generally maintains control over his scenes.

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

Ptln. Miller should continue along the course he has taken, while improving upon his proactivity in order to become a more well-rounded officer. Ptln. Miller has attended IDC as well as Defensive Tactics instructor training. As Ptln. Miller's confidence in his ability to do his job increases he should become a more complete officer, this should improve with time on the job.

(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.

☐ OUTSTANDING ☐ VERY GOOD ☒ ACCEPTABLE ☐ NEEDS IMPROVEMENT ☐ UNSATISFACTORY

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

Signature James R. Holt Jr. / James Holt Jr. Rank Lt. Date 1/29/20
Print / Signature

7. SUPERVISOR REVIEWING WITH EMPLOYEE: Name:

Signature Joseph W. Cimpi Rank Sgt. Date 1/29/20
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" of this report.

Signature Andrew Miller Rank Plt Date 1/29/20
Print / Signature

PERFORMANCE EVALUATION REPORT

NAME (FIRST, LAST, MI) Andrew Miller	ID # 5679	RANK P.O.	DIVISION/UNIT Patrol C-2
DUTY ASSIGNMENT (I.E. DESK, STREET PATROL, BOOKING) Street Patrol	PERIOD COVERED Annual	FROM 01/2018	TO 12/2018

PERFORMANCE LEVEL DEFINITIONS

EXCELLENT = 5

GOOD = 4

ACCEPTABLE = 3

NEEDS IMPROVEMENT = 2

UNSATISFACTORY = 1

In making the evaluation of each category below, supervisors are to evaluate the employee's performance only for the past Twelve month period and compare that performance to guidelines established in section 6.15 C (1 through 18) of General Order # 02-47 Personnel Performance Evaluations.

1. DUTY PERFORMANCE (ALL EMPLOYEES)

4	GENERAL APPEARANCE	3	ASSIGNMENT TASKS	3	WORK QUALITY	2	KNOWLEDGE OF LAWS, POLICIES, ETC.
3	RESPONSIVENESS TO SUPERVISION	4	ATTENDANCE	3	RELIABILITY	3	REPORT WRITING ABILITY
2	INITIATIVE	4	PUNCTUALITY	3	INVESTIGATIVE/PROBLEM SOLVING SKILLS	3	INTERACTION WITH PUBLIC
3	JUDGMENT	3	CARE AND USE OF EQUIPMENT	3	INTERACTION WITH OTHER MEMBERS OF THE DEPARTMENT		
4	COMMAND PRESENCE	3	PERFORMANCE UNDER STRESS	3	COMMUNICATION SKILLS (VERBAL)		

2. SUPERVISORY PERSONNEL ONLY

LEADERSHIP
QUALITIESEFFECTIVENESS OF
DELEGATIONTRAINING/COACHING
OF SUBORDINATESEVALUATION OF
SUBORDINATES

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. Any factors rated as a 1 or a 5 in the above sections must be articulated in this section.)

Initiative (2) - Ptlm. Miller shows has shown very little proactivity throughout the year. Even after being spoken with regarding his lack of proactivity, it increased but was still subpar.

Attendance (4) - Ptlm. Miller utilized 1 sick day throughout the year.

Responsiveness to Supervision (3) - Ptlm. Miller does what is asked of him. When given a task or directive from a supervisor, Ptlm. Miller completes such task without incident and no further reminder.

Report Writing Ability (3) - Ptlm. Miller's reports are adequate and contain most of the needed info. From time to time Ptlm. Miller needs to be asked to fix something or add something in his narrative. His reports are adequate at this point and should improve with time on the job or more experience with completing the reports.

Knowledge of Laws, Polices, ETC. (2) - Ptlm. Miller needs to improve and expand his knowledge of laws and procedures. Ptlm. Miller due to his lack of knowledge of these laws and policies can show some lack of confidence when it comes time to make a decision and thus relies on contacting a supervisor. This should improve with time and more experience on the job.

Punctuality (4) - Ptlm. Miller is always on time and ready to deploy for his shift.

Command Presence (4) - Ptlm. Miller displays a strong command presence and generally maintains controls over his scenes.

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

Ptlm. Miller should continue along the course he has taken, while improving upon his proactivity in order to become a more well-rounded officer. Ptlm. Miller has attended IDC as well as Defensive Tactics trainer training. As Ptlm. Miller's confidence in his ability to do his job increases he should become a more complete officer, this should improve with time on the job.

(Continue on Back)

(Goal settings Continue From Front)

4. 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.

☐ EXCELLENT ☐ GOOD ☒ ACCEPTABLE ☐ NEEDS IMPROVEMENT ☐ UNSATISFACTORY

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

Signature James R. Holt Jr. / James R. Holt Jr. Rank _____ Lt. _____ Date 1/16/19
Print / Signature

6. SUPERVISOR REVIEWING WITH EMPLOYEE: Name: Sgt. Joseph W. Cimpi #1415

Signature Joseph W. Cimpi Rank _____ Sgt. _____ Date 1/16/19
Print / Signature

7. EMPLOYEE'S COMMENTS: (Optional)

8. 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 Andrew Miller Rank PT/1m Date 1/16/19
Print / Signature

PERFORMANCE EVALUATION REPORT

NAME (FIRST, LAST, MI) Miller, Andrew	ID # 5679	RANK Pt1m	DIVISION/UNIT C-2
DUTY ASSIGNMENT (I.E. DESK, STREET PATROL, BOOKING) Street Patrol	PERIOD COVERED 1 year	FROM 01/01/17	TO 12/31/17

PERFORMANCE LEVEL DEFINITIONS
EXCELLENT = 5 GOOD = 4 ACCEPTABLE = 3 NEEDS IMPROVEMENT = 2 UNSATISFACTORY = 1
 In making the evaluation of each category below, supervisors are to evaluate the employee's performance only for the past Twelve month period and compare that performance to guidelines established in section 6.15 C (1 through 18) of General Order # 02-47 Personnel Performance Evaluations.

1. DUTY PERFORMANCE (ALL EMPLOYEES)

4	GENERAL APPEARANCE	3	ASSIGNMENT TASKS	3	WORK QUALITY	2	KNOWLEDGE OF LAWS, POLICIES, ETC.
3	RESPONSIVENESS TO SUPERVISION	3	ATTENDANCE	3	RELIABILITY	3	REPORT WRITING ABILITY
3	INITIATIVE	4	PUNCTUALITY	3	INVESTIGATIVE/PROBLEM SOLVING SKILLS	3	INTERACTION WITH PUBLIC
3	JUDGMENT	2	CARE AND USE OF EQUIPMENT	3	INTERACTION WITH OTHER MEMBERS OF THE DEPARTMENT		
3	COMMAND PRESENCE	3	PERFORMANCE UNDER STRESS	3	COMMUNICATION SKILLS (VERBAL)		

2. SUPERVISORY PERSONNEL ONLY

LEADERSHIP QUALITIES	EFFECTIVENESS OF DELEGATION	TRAINING/COACHING OF SUBORDINATES	EVALUATION OF SUBORDINATES
-----------------------------	------------------------------------	--	-----------------------------------

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. Any factors rated as a 1 or a 5 in the above sections must be articulated in this section.)

Officer Miller has been employed with the Utica Police Department for a year and a half.

5 - Attendance - Officer Miller used zero sick days during this Evaluation period.

5- General Appearance - Officer Miller routinely presents himself in a professional manner appearing in a clean and pressed uniform with polished boots and duty belt

3 - Initiative - Officer Miller has shown to have consistant and acceptable production numbers throughout the year. He could be more proactive in the future.

3 - Judgement // Knowledge of Laws, Policies, Etc. - During this evaluation perior PO Miller has shown good judgement while on calls. As a newer Officer he needs to continue learning laws and policy and procedure to become a more complete Officer.

2 - Care and Use of Equipment -- PO Miller was issued Counseling Memorandum for on-duty mva involving Car 47 when on 01/27/17 he attempted to back out of the sallie port before allowing the gate to open fully, therefore striking the gate causing damage to the right rear bumper of Car 47 and substantial damage to the sallie port gate.

During this evaluation period Officer Miller failed to enter a reason for running a DMV photo request through EJustice. He was issued a counseling memo regarding the incident and was receptive to the counseling

Closed Cases 95
 Arrests 74
 Premise Checks 40
 Traffic Tickets 66
 Parking Tickets 19
 Hot Spots 0
 ET Scenes 8
 1156A 0
 Days Out 115
 Days In 38

These numbers are for January through November. Decembers numbers were not available at this time.

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

Officer Miller can best improve his performance by becoming more proactive. He has shown an ability and interest to do so already, and with time and more experience he will continue to develop as a well rounded, proactive police officer. Officer Miller shows promise as one of our newer Officers. He has good demeanor when on calls and can usually handle any call with little assistance. As a newer Officer he needs to continue to learn the Laws and Policy and Procedure which will make him more of a well rounded Officer.

(Continue on Back)

(Goal settings Continue From Front)

4. 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.

☐ EXCELLENT ☐ GOOD ☒ ACCEPTABLE ☐ NEEDS IMPROVEMENT ☐ UNSATISFACTORY

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

Signature J. Holt J. Holt Rank Lt #4016 Date 1/25/18
Print / Signature

6. SUPERVISOR REVIEWING WITH EMPLOYEE Name:

Signature K. Strife K. Strife Rank Sgt #8175 Date 1/16/18
Print / Signature

7. EMPLOYEE'S COMMENTS: (Optional)

8. 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 Andrew Miller Andrew Miller Rank Patrolman Date 1/16/18
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 05 DAY 16 YEAR 2020

TO:
Utica Civil Service Commission

NAME OF EMPLOYEE:
Miller, Andrew B

FROM: (Check only one)

☒ City ☐ County ☐ Town ☐ Village or District

ADDRESS:

DEPARTMENT:

Police Department

TITLE OF POSITION:

Police Officer

SALARY:

\$ 69,941.

NAME AND TITLE OF LAST EMPLOYEE IN POSITION:

☐ Veteran

☐ Non-Veteran

☐ Disabled Veteran

☐ Exempt Volunteer Fireman

DATE OF BIRTH:

SOCIAL SECURITY NUMBER:

ID# 5679

Check Nature of Personnel Change

Date Effective

Action Necessary by Appointing Officer:

A
P
P
O
I
N
T
M
E
N
T
S

☐ Permanent

☐ Provisional

☐ Temporary

☐ Substitute

☐ For Term of Office

☐ Permanent Promotion

☐ Provisional Promotion

☐ Non-Competitive Class

☐ Exempt Class

☐ Labor Class

From: To:

From: To:

From: To:

Return report of Certification

Attach application (MSD-330)

State length of employment

Give facts under Remarks

Give facts under Remarks

Return report of Certification

Attach nomination

Attach application (MSD-330)

Submit this form only

Attach application (MSD-330)

T
E
R
M
I
N
A
S

☐ Resignation

☐ Retirement

☐ Deceased

☐ Removal

☐ Layoff (Lack of Work or Funds)

Submit signed resignation

Give effective date

Indicate date

Attach copy of proceedings

Give facts under Remarks

O
T
H
E
R

☐ Military Leave of Absence

☐ Other Leave of Absence

☐ Transfer

☐ Demotion

☐ Suspension

☐ Reinstatement

☐ Change in Classification

☐ New Position

☒ Change in Salary

☐ Change in Name

☐ Other

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Submt form MSD-222

Indicate new saalry

Give facts under Remarks

Give facts under Remarks

Remarks: (Continue on back if necessary)

Longevity inc. eff. 5/16/20.

Appointing Officer

Title

Address

3.75% contract. inc. eff. 4/1/20.

Longevity inc. eff. 5/16/19.

+

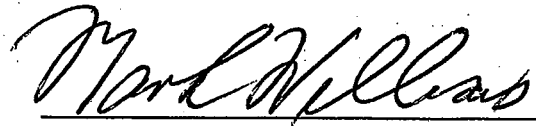
CERTIFICATE
valid until

(Date)

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


Chief of Police

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 04 DAY 01 YEAR 2020

TO:
Utica Civil Service Commission

NAME OF EMPLOYEE:
Miller, Andrew B

FROM: (Check only one)

☒ City ☐ County ☐ Town ☐ Village or District

ADDRESS:

DEPARTMENT:
Police Department

TITLE OF POSITION:
Police Officer

SALARY:
\$ 67,038.

NAME AND TITLE OF LAST EMPLOYEE IN POSITION:

☐ Veteran ☐ Non-Veteran
☐ Disabled Veteran ☐ Exempt Volunteer Fireman

DATE OF BIRTH:

SOCIAL SECURITY NUMBER:

ID# 5679

Check Nature of Personnel Change

Date Effective

Action Necessary by Appointing Officer:

A
P
P
O
I
N
T
M
E
N
T
S

- ☐ Permanent
☐ Provisional
☐ Temporary
☐ Substitute
☐ For Term of Office
☐ Permanent Promotion
☐ Provisional Promotion
☐ Non-Competitive Class
☐ Exempt Class
☐ Labor Class

From: To:
From: To:
From: To:

Return report of Certification
Attach application (MSD-330)
State length of employment
Give facts under Remarks
Give facts under Remarks
Return report of Certification
Attach nomination
Attach application (MSD-330)
Submit this form only
Attach application (MSD-330)

T
E
R
M
I
N
A
S

- ☐ Resignation
☐ Retirement
☐ Deceased
☐ Removal
☐ Layoff (Lack of Work or Funds)

Submit signed resignation
Give effective date
Indicate date
Attach copy of proceedings

O
T
H
E
R

C
H
A
N
G
E
S

- ☐ Military Leave of Absence
☐ Other Leave of Absence
☐ Transfer
☐ Demotion
☐ Suspension
☐ Reinstatement
☐ Change in Classification
☐ New Position
☒ Change in Salary
☐ Change in Name
☐ Other

From: To:

4/1/20

Give facts under Remarks
Give facts under Remarks
Give facts under Remarks
Give facts under Remarks
Give facts under Remarks
Give facts under Remarks
Submt form MSD-222
Indicate new saalry
Give facts under Remarks
Give facts under Remarks

Remarks: (Continue on back if necessary)

3.75% contract. inc. eff. 4/1/20.

Longevity inc. eff. 5/16/19.

3.75% contract inc. eff. 4/1/19

Appointing Officer

Title

Address

Mark H. Miller

Chief of Police

CERTIFICATE
valid until

(Date)

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

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 05 DAY 16 YEAR 2019

TO:
Utica Civil Service Commission

NAME OF EMPLOYEE:
Miller, Andrew B

FROM: (Check only one)

☒ City ☐ County ☐ Town ☐ Village or District

ADDRESS:

DEPARTMENT:
Police Department

TITLE OF POSITION:
Police Officer

SALARY:
\$ 64,615.

NAME AND TITLE OF LAST EMPLOYEE IN POSITION:

☐ Veteran ☐ Non-Veteran
☐ Disabled Veteran ☐ Exempt Volunteer Fireman

DATE OF BIRTH:

SOCIAL SECURITY NUMBER:

ID# 5679

Check Nature of Personnel Change

Date Effective

Action Necessary by Appointing Officer:

A
P
P
O
I
N
T
M
E
N
T
S

☐ Permanent

☐ Provisional

☐ Temporary

☐ Substitute

☐ For Term of Office

☐ Permanent Promotion

☐ Provisional Promotion

☐ Non-Competitive Class

☐ Exempt Class

☐ Labor Class

From: To:

From: To:

From: To:

Return report of Certification

Attach application (MSD-330)

State length of employment

Give facts under Remarks

Give facts under Remarks

Return report of Certification

Attach nomination

Attach application (MSD-330)

Submit this form only

Attach application (MSD-330)

Submit signed resignation

Give effective date

Indicate date

Attach copy of proceedings

Give facts under Remarks

Give facts under Remarks

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Submit form MSD-222

Indicate new salary

Give facts under Remarks

Give facts under Remarks

Remarks: (Continue on back if necessary)

Longevity inc. eff. 5/16/19.

3.75% contract inc. eff. 4/1/19

New Contract salary changes eff. 4/1/18
pp. 6/8/18

Appointing Officer

Title

Address

Chief of Police

CERTIFICATE
valid until

(Date)

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

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 04 DAY 01 YEAR 2019

TO:
Utica Civil Service Commission

NAME OF EMPLOYEE:
Miller, Andrew B

FROM: (Check only one)

☒ City ☐ County ☐ Town ☐ Village or District

ADDRESS:

DEPARTMENT:
Police Department

TITLE OF POSITION:
Police Officer

SALARY:
\$ 61,655.

NAME AND TITLE OF LAST EMPLOYEE IN POSITION:

☐ Veteran ☐ Non-Veteran
☐ Disabled Veteran ☐ Exempt Volunteer Fireman

DATE OF BIRTH:

SOCIAL SECURITY NUMBER:

ID# 5679

Check Nature of Personnel Change

Date Effective

Action Necessary by Appointing Officer:

A
P
P
O
I
N
T
M
E
N
T
S

☐ Permanent
☐ Provisional
☐ Temporary
☐ Substitute
☐ For Term of Office
☐ Permanent Promotion
☐ Provisional Promotion
☐ Non-Competitive Class
☐ Exempt Class
☐ Labor Class

From: To:
From: To:
From: To:

Return report of Certification
Attach application (MSD-330)
State length of employment
Give facts under Remarks
Give facts under Remarks
Return report of Certification
Attach nomination
Attach application (MSD-330)
Submit this form only
Attach application (MSD-330)

T
E
R
M
I
O
N
N
A
S

☐ Resignation
☐ Retirement
☐ Deceased
☐ Removal
☐ Layoff (Lack of Work or Funds)

Submit signed resignation
Give effective date
Indicate date
Attach copy of proceedings
Give facts under Remarks

O
T
H
E
R

C
H
A
N
G
E
S

☐ Military Leave of Absence
☐ Other Leave of Absence
☐ Transfer
☐ Demotion
☐ Suspension
☐ Reinstatement
☐ Change in Classification
☐ New Position
☒ Change in Salary
☐ Change in Name
☐ Other

From: To:

Give facts under Remarks
Give facts under Remarks
Give facts under Remarks
Give facts under Remarks
Give facts under Remarks
Give facts under Remarks
Submit form MSD-222
Indicate new salary
Give facts under Remarks
Give facts under Remarks

4/1/19

Remarks: (Continue on back if necessary)

3.75% contract inc. eff. 4/1/19

New Contract salary changes eff. 4/1/18
pp. 6/8/18
Longevity inc. eff. 5/16/18

Appointing Officer
Title
Address

Mark H. Miller
Chief of Police

CERTIFICATE
valid until

(Date)

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

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 08 YEAR 2018

TO:
Utica Civil Service Commission

NAME OF EMPLOYEE:
Miller, Andrew B

FROM: (Check only one)

☒ City ☐ County ☐ Town ☐ Village or District

ADDRESS:

DEPARTMENT:
Police Department

TITLE OF POSITION:
Police Officer

SALARY:
\$ 59,426.

NAME AND TITLE OF LAST EMPLOYEE IN POSITION:

☐ Veteran ☐ Non-Veteran
☐ Disabled Veteran ☐ Exempt Volunteer Fireman

DATE OF BIRTH:

SOCIAL SECURITY NUMBER:

ID# 5679

Check Nature of Personnel Change

Date Effective

Action Necessary by Appointing Officer:

A
P
P
O
I
N
T
M
E
N
T
S

☐ Permanent

☐ Provisional

☐ Temporary

☐ Substitute

☐ For Term of Office

☐ Permanent Promotion

☐ Provisional Promotion

☐ Non-Competitive Class

☐ Exempt Class

☐ Labor Class

From: To:

From: To:

From: To:

Return report of Certification

Attach application (MSD-330)

State length of employment

Give facts under Remarks

Give facts under Remarks

Return report of Certification

Attach nomination

Attach application (MSD-330)

Submit this form only

Attach application (MSD-330)

T
E
R
M
I
N
A
S

☐ Resignation

☐ Retirement

☐ Deceased

☐ Removal

☐ Layoff (Lack of Work or Funds)

Submit signed resignation

Give effective date

Indicate date

Attach copy of proceedings

Give facts under Remarks

O
T
H
E
R

C
H
A
N
G
E
S

☐ Military Leave of Absence

☐ Other Leave of Absence

☐ Transfer

☐ Demotion

☐ Suspension

☐ Reinstatement

☐ Change in Classification

☐ New Position

☒ Change in Salary

☐ Change in Name

☐ Other

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

4/1/18

Remarks: (Continue on back if necessary)

New Contract salary changes eff. 4/1/18
pp. 6/8/18

Appointing Officer

Title

Address

Chief of Police

Longevity inc. eff. 5/16/18

CERTIFICATE
valid until

(Date)

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

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 05 DAY 16 YEAR 2018

TO:
Utica Civil Service Commission

NAME OF EMPLOYEE:
Miller, Andrew B

FROM: (Check only one)

☒ City ☐ County ☐ Town ☐ Village or District

ADDRESS:

DEPARTMENT:
Police Department

TITLE OF POSITION:
Police Officer

SALARY:
\$ 54,920

NAME AND TITLE OF LAST EMPLOYEE IN POSITION:

☐ Veteran ☐ Non-Veteran
☐ Disabled Veteran ☐ Exempt Volunteer Fireman

DATE OF BIRTH:

SOCIAL SECURITY NUMBER:
ID# 5679

Check Nature of Personnel Change

Date Effective

Action Necessary by Appointing Officer:

A
P
P
O
I
N
T
M
E
N
T
S

☐ Permanent

☐ Provisional

☐ Temporary

☐ Substitute

☐ For Term of Office

☐ Permanent Promotion

☐ Provisional Promotion

☐ Non-Competitive Class

☐ Exempt Class

☐ Labor Class

From: To:

From: To:

From: To:

Return report of Certification

Attach application (MSD-330)

State length of employment

Give facts under Remarks

Give facts under Remarks

Return report of Certification

Attach nomination

Attach application (MSD-330)

Submit this form only

Attach application (MSD-330)

Submit signed resignation

Give effective date

Indicate date

Attach copy of proceedings

Give facts under Remarks

Give facts under Remarks

From: To:

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Submit form MSD-222

Indicate new salary

Give facts under Remarks

Give facts under Remarks

O
T
H
E
R

C
H
A
N
G
E
S

☐ Military Leave of Absence

☐ Other Leave of Absence

☐ Transfer

☐ Demotion

☐ Suspension

☐ Reinstatement

☐ Change in Classification

☐ New Position

☒ Change in Salary

☐ Change in Name

☐ Other

5/16/18

Remarks: (Continue on back if necessary)

Longevity inc. eff. 5/16/18

Longevity inc. eff. 5/16/17


Address change eff. 11/16/16

New Employee eff. 5/16/16.

Appointing Officer

Title

Address


Chief of Police

CERTIFICATE
valid until

(Date)

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

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 05 DAY 16 YEAR 2017

TO:
Utica Civil Service Commission

NAME OF EMPLOYEE:
Miller, Andrew B

FROM: (Check only one)

☒ City ☐ County ☐ Town ☐ Village or District

ADDRESS:

DEPARTMENT:
Police Department

TITLE OF POSITION:
Police Officer

SALARY:
\$ 51,258.

NAME AND TITLE OF LAST EMPLOYEE IN POSITION:

☐ Veteran ☐ Non-Veteran
☐ Disabled Veteran ☐ Exempt Volunteer Fireman

DATE OF BIRTH:

SOCIAL SECURITY NUMBER:
ID# 5679

	<u>Check Nature of Personnel Change</u>	<u>Date Effective</u>	<u>Action Necessary by Appointing Officer:</u>
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 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	5/16/17	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. 5/16/17

Address change eff. 11/16/16

New Employee eff. 5/16/16.

Appointing Officer

Title

Address


Chief of Police

CERTIFICATE
valid until

(Date)

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

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 11 DAY 16 YEAR 2016

TO:
Utica Civil Service Commission

NAME OF EMPLOYEE:
Miller, Andrew B

FROM: (Check only one)

☒ City ☐ County ☐ Town ☐ Village or District

ADDRESS:

DEPARTMENT:
Police Department

TITLE OF POSITION:
Police Officer

SALARY:
\$ 42,317

NAME AND TITLE OF LAST EMPLOYEE IN POSITION:

☐ Veteran ☐ Non-Veteran
☐ Disabled Veteran ☐ Exempt Volunteer Fireman

DATE OF BIRTH:

SOCIAL SECURITY NUMBER:

ID# 5679

Check Nature of Personnel Change

Date Effective

Action Necessary by Appointing Officer:

A
P
P
O
I
N
T
M
E
N
T
S

☐ Permanent
☐ Provisional
☐ Temporary
☐ Substitute
☐ For Term of Office
☐ Permanent Promotion
☐ Provisional Promotion
☐ Non-Competitive Class
☐ Exempt Class
☐ Labor Class

From: To:

From: To:

From: To:

Return report of Certification

Attach application (MSD-330)

State length of employment

Give facts under Remarks

Give facts under Remarks

Return report of Certification

Attach nomination

Attach application (MSD-330)

Submit this form only

Attach application (MSD-330)

T
E
R
M
I
N
A
T
I
O
N
S

☐ Resignation
☐ Retirement
☐ Deceased
☐ Removal
☐ Layoff (Lack of Work or Funds)

Submit signed resignation

Give effective date

Indicate date

Attach copy of proceedings

Give facts under Remarks

O
T
H
E
R

C
H
A
N
G
E
S

☐ Military Leave of Absence
☐ Other Leave of Absence
☐ Transfer
☐ Demotion
☐ Suspension
☐ Reinstatement
☐ Change in Classification
☐ New Position
☐ Change in Salary
☐ Change in Name
☒ Other

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

From: To:

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Give facts under Remarks

Submt form MSD-222

Indicate new saaly

Give facts under Remarks

Give facts under Remarks

Remarks: (Continue on back if necessary)

Address change eff. 11/16/16

New Employee eff. 5/16/16.

Appointing Officer

Title

Address

Chief of Police

CERTIFICATE
valid until

(Date)

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

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 05 DAY 16 YEAR 2016

TO:
Utica Civil Service Commission

NAME OF EMPLOYEE:
Miller, Andrew B

FROM: (Check only one)

☒ City ☐ County ☐ Town ☐ Village or District

ADDRESS:

DEPARTMENT:
Police Department

TITLE OF POSITION:
Police Officer

SALARY:
\$ 42,317

NAME AND TITLE OF LAST EMPLOYEE IN POSITION:

☐ Veteran ☐ Non-Veteran
☐ Disabled Veteran ☐ Exempt Volunteer Fireman

DATE OF BIRTH:


SOCIAL SECURITY NUMBER:
ID# 5679

	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 checked="" type="checkbox"/> Permanent	5/16/2016	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 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. 5/16/16.

Appointing Officer
Title
Address


Chief of Police

CERTIFICATE
valid until

(Date)

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

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 05 DAY 16 YEAR 2016

TO:
Utica Civil Service Commission

NAME OF EMPLOYEE:
Miller, Andrew B

FROM: (Check only one)

☒ City ☐ County ☐ Town ☐ Village or District

ADDRESS:

DEPARTMENT:

Police Department

TITLE OF POSITION:

Police Officer

SALARY:

\$ 42,317

NAME AND TITLE OF LAST EMPLOYEE IN POSITION:

☐ Veteran

☐ Non-Veteran

☐ Disabled Veteran

☐ Exempt Volunteer Fireman

DATE OF BIRTH:

SOCIAL SECURITY NUMBER:

ID# 5679

Check Nature of Personnel Change

Date Effective

Action Necessary by Appointing Officer:

A
P
P
O
I
N
T
M
E
N
T
S

☒ Permanent

5/16/2016

Return report of Certification

☐ Provisional

Attach application (MSD-330)

☐ Temporary

From: To:

State length of employment

☐ Substitute

From: To:

Give facts under Remarks

☐ For Term of Office

From: To:

Give facts under Remarks

☐ Permanent Promotion

Return report of Certification

☐ Provisional Promotion

Attach nomination

☐ Non-Competitive Class

Attach application (MSD-330)

☐ Exempt Class

Submit this form only

☐ Labor Class

Attach application (MSD-330)

T
E
R
M
I
O
N
N
A
S

☐ Resignation

Submit signed resignation

☐ Retirement

Give effective date

☐ Deceased

Indicate date

☐ Removal

Attach copy of proceedings

☐ Layoff (Lack of Work or Funds)

Give facts under Remarks

O
T
H
E
R

☐ Military Leave of Absence

Give facts under Remarks

☐ Other Leave of Absence

From: To:

Give facts under Remarks

☐ Transfer

Give facts under Remarks

☐ Demotion

Give facts under Remarks

☐ Suspension

Give facts under Remarks

☐ Reinstatement

Give facts under Remarks

☐ Change in Classification

Give facts under Remarks

☐ New Position

Submit form MSD-222

☐ Change in Salary

Indicate new salary

☐ Change in Name

Give facts under Remarks

☐ Other

Give facts under Remarks

Remarks: (Continue on back if necessary)

New Employee eff. 5/16/16.

Appointing Officer

Title

Address

Chief of Police

CERTIFICATE
valid until

(Date)

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

UTICA POLICE DEPARTMENT

Personnel Order



Issue date: 12/31/19	Subject: Assignment / Transfer Orders	P.O. 19-53
Issuing Authority Don Cinque	Approved by: Chief M. Williams	

Sgt. Chris Faniglula

Will leave B – Platoon, Squad 1 at the completion of his tour on Wednesday, January 1, 2020. He will report to Capt. Cinque on Thursday, January 2, 2020 at [REDACTED] hours for assignment as an Administrative Sergeant for the Patrol Division.

Sgt. Joseph Cimpi

Will leave C – Platoon Squad 2 at the completion of his tour on Thursday January 2, 2020. He will maintain an RDO on January 3, 2020 and will report to Lt. Sean Dougherty on Saturday January 4th, 2020 at [REDACTED] hours for assignment in [REDACTED] - Platoon Squad [REDACTED].

Sgt. Benny Perra

Will leave C- Platoon Squad 3 at the completion of his tour Sunday January 5, 2020. He will maintain an RDO on January 6, 2010 and will report to Lt. Dougherty on January 7, 2020 at [REDACTED] hours for assignment in [REDACTED] - Platoon Squad [REDACTED].

Sgt. Charles Goldstein

Will leave the Tactical Unit at the completion of his tour on Weds. January 1, 2020. He will have an RDO January 2, 2020 and will report to Lt. James Holt on Friday January 3, 2020 at [REDACTED] hours for assignment in [REDACTED] - Platoon Squad [REDACTED].

PO Patrick West

Will leave the Tactical Unit at the completion of his tour on Weds. January 1, 2020. He will have an RDO January 2, 2020 and will report to Lt. Sean Dougherty on Friday January 3, 2020 at [REDACTED] hours for assignment in [REDACTED] - Platoon Squad [REDACTED].

PO Dave Desens

Will leave the Tactical Unit at the completion of his tour on Weds. January 1, 2020. He will have an RDO January 2, 2020 and will report to Lt. Sean Dougherty on Friday January 3, 2020 at [REDACTED] hours for assignment in [REDACTED] - Platoon Squad [REDACTED]

PO Tyler Sheppard

Will leave the Tactical Unit at the completion of his tour on Tuesday, December 31. He will have an RDO January 1, 2020 and will report to Lt. Sean Dougherty on Thursday, January 2, 2020 at [REDACTED] hours for assignment in [REDACTED] - Platoon Squad [REDACTED]

PO Clifford Wiley

Will leave B - Platoon, Squad 1 at the completion of his tour on Saturday, January 4, 2020. He will report to Lt. Howard Brodt on Sunday, January 5, 2020 at [REDACTED] hours for January 6, 2020. He will be assigned to [REDACTED] - Platoon, Squad [REDACTED]

PO Donald Talerico

Will leave the Tactical Unit at the completion of his tour on Weds. January 1, 2020. He will report to Lt. James Holt on Thursday January 2, 2020 at [REDACTED] hours for assignment in [REDACTED] - Platoon Squad [REDACTED]

PO Carlie Heilig

Will leave C - Platoon Squad 3 at the completion of her tour on Sunday, January 5, 2020. She will have an RDO on January 6, 2020 and report to Lt. Dougherty on Tuesday, January 7, 2020 at [REDACTED] hours for assignment in [REDACTED] - Platoon, Squad [REDACTED]

PO Andrew Miller

Will leave C - Platoon Squad 2 at the completion of his tour on Thursday January 2, 2020. He will maintain an RDO on January 3 and 4, 2020 and will report to Lt. Sean Dougherty on Sunday January 5th, 2020 at [REDACTED] hours for assignment in [REDACTED] - Platoon Squad [REDACTED]

PO Kyle Fee

Will leave A- Platoon, Squad 2, on Tuesday, January 14, 2020 at the completion of his tour. He will report to Lt. James Holt on Friday January 17, at [REDACTED] hours for assignment in [REDACTED] - Platoon, Squad [REDACTED]

PO Marissa Vomer

Will leave C – Platoon, Squad 3, on Saturday January 4, 2020 at the completion of her tour. She will take an RDO on January 5, 2020 and report to Lt. Holt on Monday January 6, 2020 at [REDACTED] hours for assignment in [REDACTED] Platoon, Squad [REDACTED]

PO Patrick Wuest

Will leave the Tactical Unit at the completion of his tour on Tuesday, December 31. He will have an RDO January 1, 2020 and will report to Lt. James Holt on Thursday, January 2, 2020 at [REDACTED] hours for assignment in [REDACTED] Platoon Squad [REDACTED]. Will require final Sgt ride along upon transfer.

PO Adrian Viscomi

Will leave the Tactical Unit at the completion of his tour on Tuesday, December 31. He will have an RDO January 1, 2020 and will report to Lt. James Holt on Thursday, January 2, 2020 at [REDACTED] hours for assignment in [REDACTED] Platoon Squad [REDACTED] to continue the FTO program.

PO Sado Korman

Will leave B – Platoon, Squad 3 at the completion of his tour on January 7, 2020 (5th day), have an RDO on January 8, 2020 and report to Lt. James Holt on Thursday January 9, 2020 for assignment in [REDACTED] Platoon, Squad [REDACTED]

PO Benny Grullon

Will leave C – Platoon, Squad 1 at the completion of his tour on Saturday January 4, 2020. He will maintain RDO's on January 5 and 6. He will report to Lt. Howard Brodt on January 6 at 2345 hours for his shift which will commence at [REDACTED] hours on January 7, 2020 in [REDACTED] Platoon, Squad [REDACTED]

Captain Donald Cinque

UTICA POLICE DEPARTMENT

Personnel Order



Issue date: 02/15/17	Subject: Assignment / Transfer Orders	P.O. 17-12
Issuing Authority Captain D Cinque	Approved by: Chief M. Williams	

Officer Enid Tatarevic

Will leave C Platoon Squad 1 at the completion of his tour of duty on Saturday, February 18, 2017. RDOs February 19 & 20, 2017. He will report to Lieutenant Michael D'Ambro for roll call on Monday, February 20, 2017 at 2345 hours for his tour of duty that will commence on Tuesday, February 21, 2017 at [REDACTED] hours in [REDACTED] Platoon Squad [REDACTED]

Officer Sean Flanagan

Will leave C Platoon Squad 2 at the completion of his tour of duty on Thursday, February 16, 2017. RDOs on February 17 & 18, 2017. He will report to Lieutenant Michael D'Ambro for roll call on Saturday, February 18, 2017 at 2345 hours for his tour of duty that will commence on Sunday, February 19, 2017 at [REDACTED] hours in [REDACTED] Platoon Squad [REDACTED]

Officer Jordan Dodge

Will leave A Platoon Squad 3 at the completion of his tour of duty on Monday, February 20, 2017. RDOs on February 21 & 22, 2017. He will report to Lieutenant James Holt for roll call on Thursday, February 23, 2017 at [REDACTED] hours for his tour of duty in [REDACTED] Platoon Squad [REDACTED]

Officer Andrew Miller

Will leave A Platoon Squad 2 at the completion of his tour of duty on Thursday, February 16, 2017. He will report to Lieutenant James Holt for 5th Day Training on Friday, February 17, 2017 at [REDACTED] hours in [REDACTED] Platoon Squad [REDACTED]

Officer Brandon Burnham

Will leave B Platoon Squad 3 at the completion of his 5th Day Training on Wednesday, February 15, 2017. RDOs on February 16-18, 2017. He will report to Lieutenant James Holt for roll call on Sunday, February 19, 2017 at [REDACTED] hours for his tour of duty in [REDACTED] Platoon Squad [REDACTED]

Officer Jared Platt

Will leave the Tactical Unit at the completion of his tour of duty on Saturday, February 18, 2017. RDOs on February 19 & 20, 2017. He will report to Lieutenant James Holt for roll call on Tuesday, February 21, 2017 at [REDACTED] hours for his tour of duty in [REDACTED] Platoon Squad [REDACTED]

Officer Christopher Vomer

Will leave the Tactical Unit at the completion of his tour of duty on Thursday, February 16, 2017. RDOs on February 17 & 18, 2017. He will report to Lieutenant James Holt for roll call on Sunday, February 19, 2017 at [REDACTED] hours for his tour of duty in [REDACTED] Platoon Squad [REDACTED]

Captain Donald E. Cinque

UTICA POLICE DEPARTMENT

Personnel Order



Issue date: 01/18/17	Subject: Assignment / Transfer Orders	P.O. 17-03
Issuing Authority Captain DE Cinque	Approved by: Chief M. Williams	

Officer Christopher Vomer

Will leave B Platoon Squad 2 on Monday January 23, 2017 at the completion of his tour at 1600 hrs. He will report to Lieutenant Brian Bansner on Wednesday January 25, 2017 at [REDACTED] hrs. to continue Field Training in the Tactical Unit.

Officer Jared Platt

Will leave B Platoon Squad 3 on Saturday January 21, 2017 at the completion of his tour at 1600 hrs. He will report to Lieutenant Brian Bansner on Tuesday Jan. 24, 2017 at [REDACTED] hrs. to continue Field Training in the Tactical Unit.

Officer Andrew Miller

Will leave C Platoon Squad 2 on Tuesday January 24, 2017 at the completion of his 5th day at 1600 hrs. He will report to Lieutenant Michael D'Ambro on Wednesday January 25, 2017 at 2345 hrs. for his tour which will commence at [REDACTED] hrs on the 26th to continue Field Training in [REDACTED] Platoon Squad [REDACTED]

Officer Alan Merrick

Will leave C Platoon Squad 2 on Tuesday January 24th, 2016 at the completion of his 5th day at 1600 hrs. He will report to Lieutenant Michael D'Ambro on Wednesday January 25, 2017 at 2345 hrs. for his shift which will commence at 0000 hours on the 26th of January at [REDACTED] hrs to continue Field Training in [REDACTED] Platoon Squad [REDACTED]

Officer Benjamin Lester

Will leave A Platoon Squad 3 on Saturday January 21, 2017 at the completion of his tour at 0800 hrs. He will report to Lieutenant James Holt on Tuesday January 24th at [REDACTED] hrs. for his shift on Tuesday December 19, 2016 to continue Field Training in [REDACTED] Platoon Squad [REDACTED]

Officer Richard Lange

Will leave B Platoon Squad 2 on Monday January 23, 2017. He will report to Lieutenant James Holt on Thursday January 27, 2017 at [REDACTED] hrs. for assignment in [REDACTED] Platoon Squad [REDACTED]

Officer Adis Gracanin

Will leave the Tactical Unit on Saturday January 21, 2017 at the completion of his tour at 0300 hrs on Sunday. He will report to Lieutenant Sean Dougherty on Tuesday January 24, 2017 at [REDACTED] hrs. to continue Field Training in the [REDACTED] Platoon Squad [REDACTED] (This is a [REDACTED] RDO, however needs to work it).

Officer Jordan Dodge

Will leave the Tactical Unit on Saturday January 21, 2017 at the completion of his tour at 0300 hrs on Sunday. He will report to Lieutenant Michael D'Ambro on Monday January 23rd at 2345 for his shift which will commence at [REDACTED] hours on the 24th of January, to continue Field Training in [REDACTED] Platoon Squad [REDACTED]

Officer Tyler DeMarco

Will leave A Platoon Squad 2 on Monday January 23, 2017 at the completion of his tour at 0800 hrs. He will report to Lieutenant Sean Dougherty on Thursday January 26, 2017 at [REDACTED] hrs. to continue Field Training in [REDACTED] Platoon Squad [REDACTED]

Officer Brandon Burnham

Will leave A Platoon Squad 3 on Saturday January 21, 2017 at the completion of his tour at 0800 hrs. He will report to Lieutenant Sean Dougherty on Tuesday January 24, 2017 at [REDACTED] hrs. to continue Field Training in [REDACTED] Platoon Squad [REDACTED]

Captain Donald E. Cinque

UTICA POLICE DEPARTMENT

Personnel Order



Issue date: 11/16/16	Subject: Assignment / Transfer Orders	P.O. 16-38
Issuing Authority Captain DE Cinque	Approved by: Chief M. Williams	

Officer Kyle Piersall

Will leave the Warrants Unit on the completion of his tour on Friday Nov. 18, 2016 and will report to Lt. James Holt at [REDACTED] hours Monday Nov. 21, 2016 for assignment in [REDACTED] Platoon Squad [REDACTED]

Officer Donald Talerico

Will leave C platoon at the completion of his tour on Friday November 18, 2016 and will report to Sgt. Michael Murphy at [REDACTED] hours on Monday Nov. 21, 2016 for a temporary loan to Warrants.

Officer Christopher Vomer

Will leave the Logistics and Resources Unit on Friday November 18, 2016 at the completion of his tour at 1600 hrs. He will report to Lieutenant Michael D'Ambro on Monday Nov. 21, 2016 at [REDACTED] hrs. to continue Field Training in [REDACTED] Platoon Squad [REDACTED]

Officer Jared Platt

Will leave the Logistics and Resources Unit on Friday November 18, 2016 at the completion of his tour at 1600 hrs. He will report to Lieutenant Michael D'Ambro on Monday Nov. 21, 2016 at [REDACTED] hrs. to continue Field Training in [REDACTED] Platoon Squad [REDACTED]

Officer Andrew Miller

Will leave the Logistics and Resources Unit on Friday November 18, 2016 at the completion of his tour at 1600 hrs. He will report to Lieutenant Sean Dougherty on Monday Nov. 21, 2016 at [REDACTED] hrs. to continue Field Training in [REDACTED] Platoon Squad [REDACTED]

Officer Alan Merrick

Will leave the Logistics and Resources Unit on Friday November 18, 2016 at the completion of his tour at 1600 hrs. He will report to Lieutenant Sean Dougherty on Monday Nov. 21, 2016 at [REDACTED] hrs. to continue Field Training in [REDACTED] Platoon Squad [REDACTED]

Officer Benjamin Lester

Will leave the Logistics and Resources Unit on Friday November 18, 2016 at the completion of his tour at 1600 hrs. He will report to Lieutenant Sean Dougherty on Monday Nov. 21, 2016 at [REDACTED] hrs. to continue Field Training in [REDACTED] Platoon Squad [REDACTED]

Officer Richard Lange

Will leave the Logistics and Resources Unit on Friday November 18, 2016 at the completion of his tour at 1600 hrs. He will report to Lieutenant James Holt on Monday Nov. 21, 2016 at [REDACTED] hrs. to continue Field Training in [REDACTED] Platoon Squad [REDACTED]

Officer Adis Gracanin

Will leave the Logistics and Resources Unit on Friday November 18, 2016 at the completion of his tour at 1600 hrs. He will report to Lieutenant James Holt on Monday Nov. 21, 2016 at [REDACTED] hrs. to continue Field Training in [REDACTED] Platoon Squad [REDACTED]

Officer Jordan Dodge

Will leave the Logistics and Resources Unit on Friday November 18, 2016 at the completion of his tour at 1600 hrs. He will report to Lieutenant James Holt on Monday Nov. 21, 2016 at [REDACTED] hrs. to continue Field Training in [REDACTED] Platoon Squad [REDACTED]

Officer Tyler DeMarco

Will leave the Logistics and Resources Unit on Friday November 18, 2016 at the completion of his tour at 1600 hrs. He will report to Lieutenant Brian Bansner on Tuesday Nov. 22, 2016 at [REDACTED] hrs. to continue Field Training in the Tactical Unit.

Officer Brandon Burnham

Will leave the Logistics and Resources Unit on Friday November 18, 2016 at the completion of his tour at 1600 hrs. He will report to Lieutenant Brian Bansner on Tuesday Nov. 22, 2016 at [REDACTED] hrs. to continue Field Training in the Tactical Unit.

DEPARTMENT OF PUBLIC SAFETY

BUREAU OF POLICE

413 Oriskany Street West

Utica, New York 13502

1/11/18

INTRA-AGENCY MEMORANDUM

SUBJECT: Instructor Development Course

TO: Chief of Police: Mark W. Williams

I am submitting this letter due to my interest in becoming a General Topics instructor, with an emphasis focused on Defensive Tactics.

I have been employed with the Utica Police Department since May 16, 2016, with the majority of my time working in C Platoon. I recognize my Police experience is limited, however I continue to acquire and strengthen my skillset through both provided training and situational experience.

I believe training is the foundation of a good police officer, and defensive tactics is an aspect of the police duties that is ever evolving. I find proper and effective tactical training is imperative to an officer's safety allowing for combative individuals to be apprehended without incident.

Although my background in police work is not extensive, I have trained, competed, and also instructed mixed martial arts, for over ten years. During this time, I have trained under many reputable and world class instructors, in the arts of Brazilian Jiu Jitsu, Muay Thai Kick Boxing, Western Style Boxing, Judo, and Wrestling. These martial arts are something I continue to train in today. Throughout my martial arts experience, I have acquired a high level skill set that could be utilized effectively and safely in everyday police work.

Through my knowledge obtained within the martial arts, and my extensive Utica Police Department training, I would like to share my knowledge by instructing new recruits and police officers with this agency.

I would be available to instruct at the needs of the Utica Police Department at any time.

I greatly appreciate your time, and consideration.

Respectfully,

P.O. Andrew Miller

NAME: Andrew Miller / Adh Miller 5679

RANK: Patrolman

CITY OF UTICA, CIVIL SERVICE COMMISSION

PROBATIONARY REPORT

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 <u>two weeks</u> prior to the end of the probationary term. See date probationary term ends below.		
EMPLOYEE'S NAME:	Andrew Miller	DATE OF APPOINTMENT:	5/16/16
SOCIAL SECURITY NUMBER:	[REDACTED]	DEPARTMENT OR AGENCY:	Utica Police Dept.
STATUS/TITLE OF POSITION:	Police Officer	JURISDICTIONAL CLASSIFICATION:	
ORIGINAL LENGTH OF THE PROBATIONARY TERM AS SHOWN ON THE GCCS-12(AorB): 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: 5/16/17			
IF SATISFACTORY, DATE PERMANENT STATUS BEGINS: 5/17/17			

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.

Mark Williams
Authorized Signature
Mark Williams
Print Name
Chief
Title

I have received a copy of this form.

Adm
Signature of Employee

6/16/17
5/16/17
Date



CITY OF UTICA

Utica Police Department
413 Oriskany St. W, Utica, NY. 13502
(315) 735-3301

CHIEF OF POLICE: MARK WILLIAMS

TO: *Andrew Miller* **Police Officer**

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 regulations of the **"Utica Police Policy and Procedure Manual."**

On 10/15//2016, you were spoken to by the Office of Professional Standards, at which time you were advised regarding your responsibility in reviewing and knowing what is in the Utica Police Policy and Procedure Manual, specifically the outlined policy and procedure for the following chapters;

Please read;

UTICA POLICY AND PROCEDURE CHARTER, 5 & 8 (RULES AND REGULATION)

- **CHAPTER FIVE, ARTICLE TEN; PROFESSIONAL STANDARDS INVESTIGATIONS**
- **CHAPTER EIGHT, ARTICLE ONE: PROFESSIONAL STANDARDS OF CONDUCT AND ETHICS**

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

Brady Rule

The Brady Rule, named for Brady v. Maryland, 373 U.S. 83 (1963), 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 negating a defendant's guilt, that would reduce a defendant's 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 undisclosed 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 prosecution's failure to inform the jury that a witness had been promised not to be prosecuted in exchange for his 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.^[1] As a result of this case, the term *Giglio material* is sometimes used to refer to any information pertaining to deals that witnesses in a criminal case may have entered into with the government.¹

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



Signature of Officer

Date 11/15/16 Day of 11/15, 20 16.

Witness: Name, Rank

By affixing my signature to this document, I am indicating that I have read the "Mohawk Valley Police Academy Rules and Regulations," that I understand them, and that I agree to conduct myself in a manner that does not violate these rules and regulations. It is also acknowledged that each recruit will abide by their respected agencies rules regulations.

(Recruit signature) Andrew Miller Andrew Miller

Date: 5/16/16

Sgt CW Reilly 6/8/16
Sergeant Christine W. Reilly, Director, MVPA DATE

Sgt James Laurey 6/9/16
Sergeant James Laurey, Director, MVPA DATE

New York State Division of Criminal Justice Services
POLICE OFFICER REGISTRY ENTRY FORM - CERTIFICATION OF INITIAL EMPLOYMENT
(Executive Law § 845)

SECTION I - REGISTRANT INFORMATION (To be completed by the registrant)

Were you previously a police officer in NYS? Yes No Police Officer as defined by NYS Criminal Procedure Law § 1.20.	Last Name <i>Miller</i>	First Name <i>Andrew</i>	MI <i>B</i>	Date of Birth [REDACTED]	Gender <input checked="" type="radio"/> M <input type="radio"/> F	Social Security Number* [REDACTED]
Home Residence Mailing Address [REDACTED]			City, State, Zip [REDACTED]		County of Home Residence [REDACTED]	
Home Residence Street Address (if Different) [REDACTED]			City, State, Zip [REDACTED]		City, State, Country of birth (if other than U.S.) [REDACTED]	
I am the person named above. I understand that the information in Section I is part of a written statement that will be presented to the Division of Criminal Justice Services for filing, and I certify that it is true to the best of my knowledge and belief.						
Signature <i>Andrew Miller</i>						Date <i>5/16/16</i>

*Pursuant to the New York State Personal Privacy Protection Law, DCJS is authorized to collect personal identifying information as part of a public safety agency record. Personal identifying information on this form shall not be revealed, released, transferred, disseminated or otherwise communicated orally, in writing, or by electronic means other than to the registrant. Disclosure of personal identifying information is voluntary. Refusal to provide personal identifying information shall not result in the denial of any right, benefit, or privilege.

SECTION II - AGENCY INFORMATION (To be completed by the chief law enforcement officer)

Last Name Williams	First Name Mark	MI W	Title of Person Signing Section II Chief of Police
Name of Law Enforcement Agency Utica Police Department			Telephone 315-223-3400
Address 413 Oriskany Street W.		City, State, ZIP Utica, NY, 13502	
Type of Appointment Full-time <input checked="" type="checkbox"/> Part-time <input type="checkbox"/>	Background Check Conducted Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Residency Verified Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Fingerprints submitted to DCJS Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
I am the chief law enforcement officer responsible for appointing the person named in Section I as a police officer of the above named law enforcement agency. I understand that the information in Section II is part of a written statement that will be presented to the Division of Criminal Justice Services for filing, and I certify that it is true to the best of my knowledge and belief. I understand I am responsible for providing the registrant with the requisite training pursuant to § 209-g of the General Municipal Law.			
Signature <i>Mark W. Williams</i>			Date <i>5/24/16</i>

SECTION III - CIVIL SERVICE INFORMATION (To be completed by the civil service officer for all registrants Full or Part-time)

Last Name Wrobel	First Name Lori	MI A	Title of Person Signing Section III Executive Secretary
Name of Civil Service or Personnel Agency City of Utica Civil Service			Telephone 315-792-0227
Address 1 Kennedy Plaza		City, State, ZIP Utica, New York 13502	
Title and Civil Service Classification of the Registrant Police Officer - Competitive			
I am the civil service officer responsible for certifying the appointment of individuals appearing on the payroll of the law enforcement agency named in Section II. I understand that the information in Section III is part of a written statement that will be presented to the Division of Criminal Justice Services for filing, and I certify that it is true to the best of my knowledge and belief.			
Signature <i>Lori A. Wrobel</i>			Date <i>05-20-16</i>

SECTION IV - OATH OF OFFICE (To be completed by the registrar responsible for recording oaths of office)

Last Name Lindsey	First Name Patricia	MI	Title of Person Signing Section IV City Clerk
Name of Recording Office City of Utica City Clerks Office			Telephone 315-792-0117
Address 1 Kennedy Plaza		City, State, ZIP Utica, New York 13502	
Oath of Office Date <i>5/16/16</i>	Oath of Office Title of the Registrant Police Officer		
I am the officer responsible for recording the oaths of office of individuals appointed as police officers of the law enforcement agency named in Section II. The person named in Section I has filed an oath of office as a police officer, pursuant to an appointment received from the person named in Section II. I understand that the information in Section IV is part of a written statement that will be presented to the Division of Criminal Justice Services for filing, and I certify that it is true to the best of my knowledge and belief.			
Signature <i>Patricia A. Lindsey</i>			Date <i>5/23/16</i>

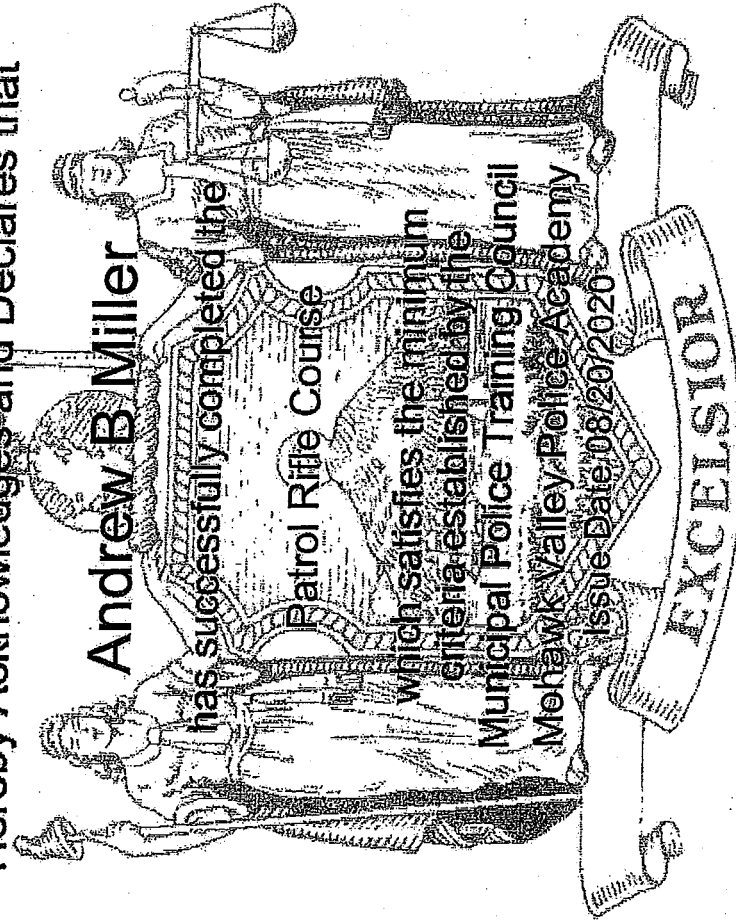
State of New York

Division of Criminal Justice Services

Municipal Police Training Council

Hereby Acknowledges and Declares that

Andrew B. Miller



Ronald G. Spike

Ronald G. Spike
Chairman
Municipal Police Training Council

Michael R. Wood

Michael R. Wood
Deputy Commissioner
Division of Criminal Justice Services

State of New York

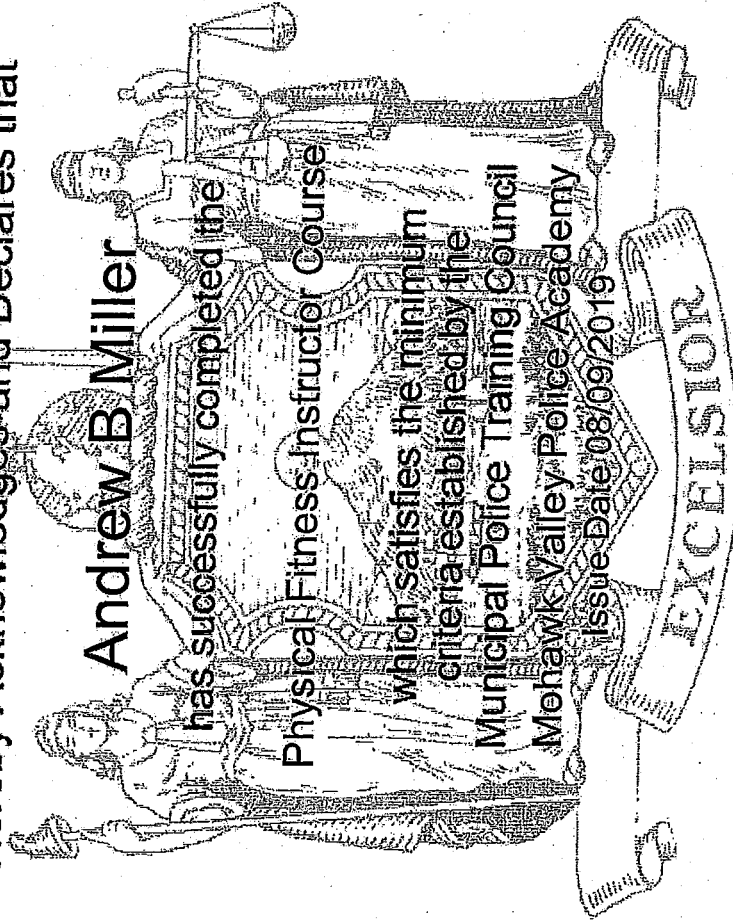
Division of Criminal Justice Services

Municipal Police Training Council

Hereby Acknowledges and Declares that

Andrew B Miller

has successfully completed the
Physical Fitness-Instructor Course
which satisfies the minimum
criteria established by the
Municipal Police Training Council
Mohawk Valley Police Academy
Issue Date 08/09/2019



Ronald G. Spike

Ronald G. Spike
Chairman
Municipal Police Training Council

Michael R. Wood

Michael R. Wood
Deputy Commissioner
Division of Criminal Justice Services

UTICA POLICE DEPARTMENT

Mayor Robert Palmieri

Chief Mark W. Williams

LETTER FOR FILE

OFFICER CHRISTOPHER EVANS, OFFICER ANDREW MILLER and OFFICER RICHARD LANGE

On May 27th, 2018, Officers Christopher Evans, Andrew Miller and Richard Lange encountered a highly aggressive and agitated male who menaced them with a knife in the middle of the roadway in front of a home on Seymour Avenue. Prior to their arrival, they were informed by communications that this emotionally disturbed subject had just stabbed an individual inside a residence there. Once met by this armed and disturbed subject, officers yelled for him to disarm himself. The subject then began to stab himself in the chest and throat while advancing towards Officers Miller and Lange.

After a taser deployment and ensuing struggle, the officers were able to detain the subject in handcuffs. Officer Lange and Officer Evans rendered medical aid to the subject by applying direct pressure with cloths and combat gauze to the open wounds on his neck. Officer Miller assisted by keeping the combative male restrained and from flailing around. UFD arrived on scene and took over medical treatment.

During the encounter, it was highly likely that the subject would try to bite and strike them and that they would be directly exposed to the blood of this subject. These officers acted without hesitation and without regard for their own safety in an effort to save the life of this bloody and combative individual.

Dated May 23, 2019


Mark W. Williams, Chief of Police

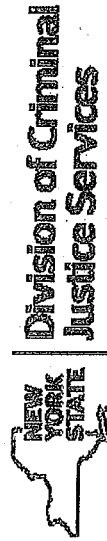
State of New York Division of Criminal Justice Services

Hereby Acknowledges and Declares that

Andrew Miller

is certified as a

Defensive Tactics Instructor



A handwritten signature in black ink, appearing to read "Michael R. Wood".

Michael R. Wood
Deputy Commissioner

State of New York

Division of Criminal Justice Services

Municipal Police Training Council

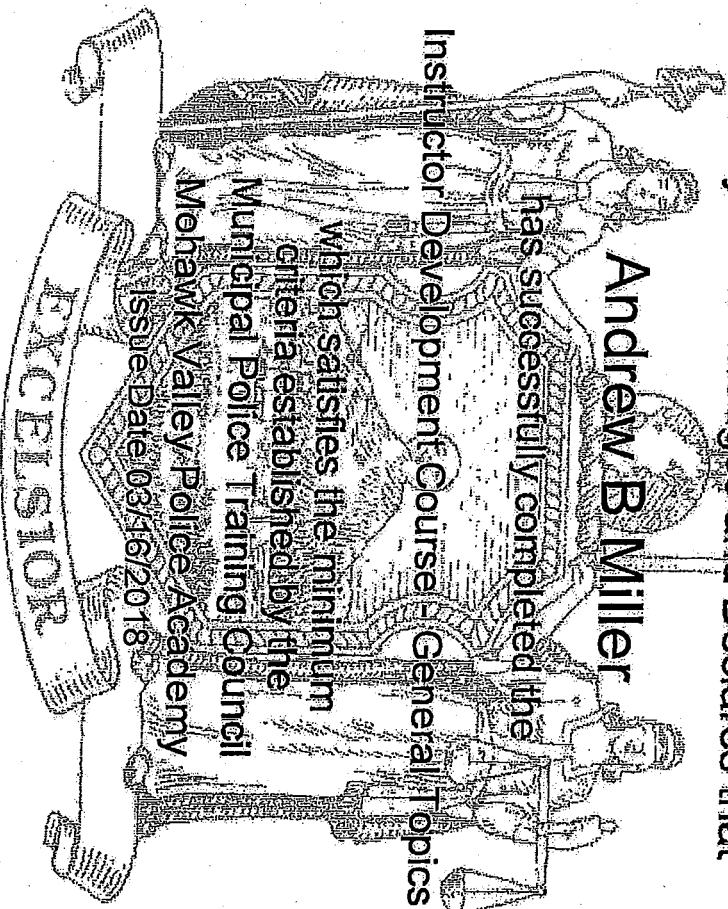
Hereby Acknowledges and Declares that

Andrew B Miller

has successfully completed the
Instructor Development Course - General Topics

which satisfies the minimum
criteria established by the
Municipal Police Training Council
Mohawk Valley Police Academy

Issue Date 03/16/2018



Ronald G. Spike

Ronald G. Spike
Chairman
Municipal Police Training Council

Michael R. Wood

Michael R. Wood
Deputy Commissioner
Division of Criminal Justice Services

UTICA POLICE DEPARTMENT

Mayor Robert Palmieri

Chief Mark W. Williams

LETTER FOR FILE

Sergeant Joseph Cimpi, Officer Donald Talerico, Officer Alexander Castilla, Officer Christopher Vomer, Officer Brandon Burnham and Officer Andrew Miller

On March 13th, 2017, officers were assigned to the GIVE Detail from the hours of 4:00 p.m. to midnight. At approximately 9:00 p.m., Investigator Aaron Donaldson received information that there was a lone male subject walking on foot in the area of Sunset Ave near Shaw Street and was believed to be in possession of a firearm. A description of the male was provided to the officers by Investigator Donaldson. At one point, the male met up with three additional subjects and they were now standing in front of a market located on Oswego Street. Officer Charles Parkosewich was assisting in plain clothes and advised the rest of the marked units that the subject was observed in front of the store and was now walking with the other individuals westbound on Oswego Street.

The marked units consisted of Officer Brandon Burnham and Officer Andrew Miller, Sergeant Joseph Cimpi and Officer Donald Talerico and Sergeant Kerry Carville with Officers Alexander Castilla and Christopher Vomer. All patrol units were nearby and were able to converge onto the subjects from all points, so as to apprehend the subjects if they decided to flee. The subject, who was believed to be in possession of the firearm, was apprehended by Sergeant Carville and handcuffed. Officer Parkosewich was able to locate a loaded .22 caliber Burgo Revolver in the male's waistband. Sergeant Cimpi then searched the subject and located a .22 caliber live ammunition round.

If not for the number of officers on scene tactically positioned to ensure the subjects could not escape, the armed suspect may have fled the area or possibly attempted to use the handgun on an officer to escape. Due to Investigator Donaldson's gathering of information and Officer Parkosewich providing a distinct description of the subject, as well as all the marked units working together, a dangerous armed criminal was apprehended and an illegally possessed handgun was seized without incident. The actions of these officers bring honor to themselves and the Utica Police Department.

Dated: May 25, 2017



Mark W. Williams, Chief of Police

Training Course Summary

Print Date: September 17, 2020

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Prerequisites</u>			<u>Comments</u>
			<u>Credits</u>	<u>Hours</u>	<u>Course 1</u>	
2017000000004	2016 December Inservice	In Service	0.00	8.00	<u>Course 2</u>	Active Shooter Training

Course Schedule

Schedule

<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
-----------------	------------------------	----------------------	----------------	------------------------

	12/05/2016 08:00	12/05/2016 16:00		
	12/05/2016 08:00	12/05/2016 16:00		
	12/07/2016 08:00	12/07/2016 16:00		
	12/07/2016 08:00	12/07/2016 16:00		
	12/09/2016 08:00	12/09/2016 16:00		
	12/15/2016 08:00	12/15/2016 16:00		
	12/19/2016 08:00	12/19/2016 16:00		

Instructor

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

Training Course Summary

Print Date: September 17, 2020

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Prerequisites</u>			<u>Comments</u>
			<u>Credits</u>	<u>Hours</u>	<u>Course 1</u>	
2017000000032	2017 April In-Service	In Service	0.00	8.00		Fair and Impartial Policing/DV Form review

Course Schedule

Schedule

<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
	04/10/2017 08:00	04/10/2017 16:00		
	04/18/2017 08:00	04/18/2017 16:00		
	04/20/2017 08:00	04/20/2017 16:00		
	04/24/2017 08:00	04/24/2017 16:00		

Instructor

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

Training Course Summary

Print Date: September 17, 2020

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Prerequisites</u>			<u>Comments</u>
			<u>Credits</u>	<u>Hours</u>	<u>Course 1</u>	
2018000000002	2017 December Inservice/Active Shooter	In Service	0.00	8.00		Training conducted at DHS by Inv Joe Amerosa

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>
		12/04/2017 08:00	12/04/2017 16:00		
		12/06/2017 08:00	12/06/2017 16:00		
		12/08/2017 08:00	12/08/2017 16:00		
		12/12/2017 08:00	12/12/2017 16:00		
		12/14/2017 08:00	12/14/2017 16:00		
		12/22/2017 08:00	12/22/2017 16:00		

Instructor

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

Training Course Summary

Print Date: September 17, 2020

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Prerequisites</u>			<u>Comments</u>
			<u>Credits</u>	<u>Hours</u>	<u>Course 1</u>	
2017000000007	2017 January In-Service	In Service	0.00	8.00	<u>Course 2</u>	Arrest Diversion/ DV/ NARCO/ Workplace Violence/Sexual Harassment/City Court Procedures

Course Schedule

Schedule

<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
	01/20/2017 08:00	01/20/2017 16:00		
	01/24/2017 08:00	01/24/2017 16:00		
	01/26/2017 08:00	01/26/2017 16:00		

Instructor

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

Training Course Summary

Print Date: September 17, 2020

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Prerequisites</u>			<u>Comments</u>
			<u>Credits</u>	<u>Hours</u>	<u>Course 1</u>	
2017000000087	2017 September in-service In Service Fall Firearms	In Service	0.00	8.00	Course 2	in-service Night fire and tactical course.

Course Schedule

Schedule

<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
	09/07/2017 14:00	09/07/2017 22:00		
	09/11/2017 14:00	09/11/2017 22:00		
	09/13/2017 14:00	09/13/2017 22:00		
	09/15/2017 14:00	09/15/2017 22:00		
	09/21/2017 14:00	09/21/2017 16:00		
	09/29/2017 14:00	09/29/2017 22:00		

Instructor

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

Training Course Summary

Print Date: September 17, 2020

Course Information

Course NO	Title	Type	Prerequisites			Comments
			Credits	Hours	Course 1	
2018000000036	2018 April In Service/EVOC	In Service	0.00	8.00		EVOC Instructors: Geddes, Berger, Howe, Grande, Acquaviva

Course Schedule

Schedule	Start Date/Time	End Date/Time	Company	Course Location
Class ID	04/09/2018 08:00	04/09/2018 16:00		
	04/17/2018 08:00	04/17/2018 16:00		
	04/19/2018 08:00	04/19/2018 16:00		
	04/23/2018 08:00	04/23/2018 16:00		
	04/25/2018 08:00	04/25/2018 16:00		
	04/27/2018 08:00	04/27/2018 16:00		

Instructor

Reserve Date	Course Category	Serial ID	Notes
--------------	-----------------	-----------	-------

Training Course Summary

Print Date: September 17, 2020

Course Information

Course NO	Title	Type	Credits	Hours	Course 1	Course 2	Comments
2019000000005	2018 December Inservice	In Service	0.00	8.00			Active Shooter/ Inv Amerosa

Course Schedule

Schedule	Class ID	Start Date/Time	End Date/Time	Company	Course Location
		12/03/2018 08:00	12/03/2018 16:00		
		12/07/2018 08:00	12/07/2018 16:00		
		12/11/2018 08:00	12/11/2018 16:00		
		12/17/2018 08:00	12/17/2018 16:00		
		12/19/2018 08:00	12/19/2018 16:00		
		12/21/2018 08:00	12/21/2018 16:00		

Instructor

Instructor	Reserve Date	Course Category	Serial ID	Notes
------------	--------------	-----------------	-----------	-------

Training Course Summary

Print Date: September 17, 2020

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Prerequisites</u>			<u>Comments</u>
			<u>Credits</u>	<u>Hours</u>	<u>Course 1</u>	
201800000009	2018 February In-Service	In Service	0.00	0.00		CPR/Cultural Diversity/Workplace Violence-Sexual Harassment

Course Schedule

Schedule

<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
	02/02/2018 08:00	02/02/2018 16:00		
	02/06/2018 08:00	02/06/2018 16:00		
	02/08/2018 08:00	02/08/2018 16:00		
	02/12/2018 08:00	02/12/2018 16:00		
	02/16/2018 08:00	02/16/2018 16:00		
	02/22/2018 08:00	02/22/2018 16:00		

Instructor

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

Training Course Summary

Print Date: September 17, 2020

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Prerequisites</u>			<u>Comments</u>
			<u>Credits</u>	<u>Hours</u>	<u>Course 1</u>	
2018000000001	2018 January Inservice UOF/Person With Diss.	In Service	0.00	8.00	<u>Course 2</u>	Use of Force and Person with disabilities.

Course Schedule

Schedule

<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
	01/03/2018 08:00	01/03/2018 16:00		
	01/05/2018 08:00	01/05/2018 16:00		
	01/09/2018 08:00	01/09/2018 16:00		
	01/11/2018 08:00	01/11/2018 16:00		
	01/19/2018 08:00	01/19/2018 16:00		
	01/25/2018 08:00	01/25/2018 16:00		

Instructor

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

Training Course Summary

Print Date: September 17, 2020

Course Information

Course NO	Title	Type	Prerequisites			Comments
			Credits	Hours	Course 1	
2019000000004	2018 September Inservice	In Service	0.00	0.00	Course 2	Firearms/ Inv Amerosa

Course Schedule

Schedule

Class ID	Start Date/Time	End Date/Time	Company	Course Location
	09/10/2018 08:00	09/10/2018 16:00		
	09/14/2018 08:00	09/14/2018 16:00		
	09/18/2018 08:00	09/18/2018 16:00		
	09/20/2018 08:00	09/20/2018 16:00		
	09/24/2018 08:00	09/24/2018 16:00		
	09/28/2018 08:00	09/28/2018 16:00		

Instructor

Instructor	Reserve Date	Course Category	Serial ID	Notes
------------	--------------	-----------------	-----------	-------

Training Course Summary

Print Date: September 17, 2020

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Prerequisites</u>			<u>Comments</u>
			<u>Credits</u>	<u>Hours</u>	<u>Course 1</u>	
2019000000007	2019 Feb Inservice	In Service	0.00	8.00	<u>Course 2</u>	Legal Updates/ Alcohol awareness/ EAP services

Course Schedule

Schedule

<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
	02/05/2019 08:00	02/05/2019 16:00		
	02/07/2019 08:00	02/07/2019 16:00		
	02/11/2019 08:00	02/11/2019 16:00		
	02/15/2019 08:00	02/15/2019 16:00		
	02/21/2019 08:00	02/21/2019 16:00		
	02/25/2019 08:00	02/25/2019 16:00		

Instructor

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

Training Course Summary

Print Date: September 17, 2020

Course Information

Course NO	Title	Type	Credits	Hours	Course 1	Course 2	Comments
2019000000003	2019 January Inservice	In Service	0.00	8.00			Infectious Disease (Phil Taurisano UFD)/Use of Force (LT Holt)/ DV/Work place violence/Sexual Harassment (PO Jess Dodge)

Course Schedule

Schedule	Class ID	Start Date/Time	End Date/Time	Company	Course Location
		01/08/2019 08:00	01/08/2019 16:00		
		01/10/2019 08:00	01/10/2019 16:00		
		01/14/2019 08:00	01/14/2019 16:00		
		01/16/2019 08:00	01/16/2019 16:00		
		01/18/2019 08:00	01/18/2019 16:00		
		01/24/2019 08:00	01/24/2019 16:00		

Instructor	Reserve Date	Course Category	Serial ID	Notes
------------	--------------	-----------------	-----------	-------

Training Course Summary

Print Date: September 17, 2020

Course Information

Course NO	Title	Type	Credits	Hours	Course 1	Course 2	Comments
2019000000031	2019 May Inservice Firearms	In Service	0.00	8.00			Lead Instructor Inv. Amerosa

Course Schedule

Class ID	Start Date/Time	End Date/Time	Company	Course Location
	05/06/2019 05:00	05/06/2019 13:00		
	05/08/2019 05:00	05/08/2019 13:00		
	05/10/2019 05:00	05/10/2019 13:00		
	05/16/2019 05:00	05/16/2019 13:00		
	05/20/2019 05:00	05/20/2019 13:00		
	05/24/2019 05:00	05/24/2019 13:00		

Instructor	Reserve Date	Course Category	Serial ID	Notes
------------	--------------	-----------------	-----------	-------

Training Course Summary

Print Date: September 17, 2020

Course Information

Course NO	Title	Type	Prerequisites			Comments
			Credits	Hours	Course 1	
2019000000050	2019 November inservice defensive Tac	In Service	0.00	8.00	Course 2	Defensive tactics/ CIT/Sexual Harassment / Critical Incident and continuity / Supervisor performance Eval training

Course Schedule

Schedule	Class ID	Start Date/Time	End Date/Time	Company	Course Location
		11/04/2019 08:00	11/04/2019 16:00		
		11/08/2019 08:00	11/08/2019 16:00		
		11/12/2019 08:00	11/12/2019 16:00		
		11/14/2019 08:00	11/14/2019 16:00		
		11/18/2019 08:00	11/18/2019 16:00		
		11/22/2019 08:00	11/22/2019 16:00		

Instructor	Reserve Date	Course Category	Serial ID	Notes
------------	--------------	-----------------	-----------	-------

Training Course Summary

Print Date: September 17, 2020

Course Information

Course NO	Title	Type	Prerequisites			Comments
2020000000002	2020 February in-service	In Service	<u>Credits</u>	<u>Hours</u>	<u>Course 1</u>	<u>Course 2</u>
			0.00	8.00		
						CPR recert/ DV/ Workplace Violence/Sexual Harassment

Course Schedule

Schedule

<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
	02/04/2020 08:00	02/04/2020 16:00		
	02/10/2020 08:00	02/10/2020 16:00		
	02/12/2020 08:00	02/12/2020 16:00		
	02/20/2020 08:00	02/20/2020 16:00		
	02/24/2020 08:00	02/24/2020 16:00		
	02/26/2020 08:00	02/26/2020 16:00		

Instructor

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

Training Course Summary

Print Date: September 17, 2020

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Prerequisites</u>			<u>Comments</u>
			<u>Credits</u>	<u>Hours</u>	<u>Course 1</u>	
2020000000001	2020 January inservice	In Service	0.00	8.00	<u>Course 2</u>	Discovery/Bail reform/UOF

Course Schedule

Schedule

<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
-----------------	------------------------	----------------------	----------------	------------------------

01/07/2020 08:00 01/07/2020 16:00

01/13/2020 08:00 01/13/2020 16:00

01/15/2020 08:00 01/15/2020 16:00

01/21/2020 08:00 01/21/2020 16:00

01/23/2020 08:00 01/23/2020 16:00

01/29/2020 08:00 01/29/2020 16:00

Instructor

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

Training Course Summary

Print Date: September 17, 2020

Course Information

Course NO	Title	Type	Prerequisites			Comments
			Credits	Hours	Course 1	
2019000000030	April 2019 Inservice	In Service	0.00	0.00		Cultural Awareness training Refugee center/ DWI SFST refresher

Course Schedule

Class ID	Schedule		Company	Course Location	
	Start Date/Time	End Date/Time		Course 1	Course 2
	04/02/2019 08:00	04/02/2019 16:00			
	04/04/2019 08:00	04/04/2019 16:00			
	04/08/2019 08:00	04/08/2019 16:00			
	04/12/2019 08:00	04/12/2019 16:00			
	04/18/2019 08:00	04/18/2019 16:00			
	04/22/2019 08:00	04/22/2019 16:00			

Instructor	Reserve Date	Course Category	Serial ID	Notes
------------	--------------	-----------------	-----------	-------

Training Course Summary

Print Date: September 17, 2020

Course Information

Course NO	Title	Type	Credits	Hours	Course 1	Course 2	Comments
2017000000067	August 2017 Inservice	In Service	0.00	8.00			Legall Updates/Infectious disease/Supervisor training/CPTED/Pursuit Policy

Course Schedule

Schedule	Class ID	Start Date/Time	End Date/Time	Company	Course Location
		08/08/2017 08:00	08/08/2017 16:00		
		08/14/2017 08:00	08/14/2017 16:00		
		08/16/2017 08:00	08/16/2017 16:00		
		08/18/2017 08:00	08/18/2017 16:00		
		08/22/2017 08:00	08/22/2017 16:00		
		08/24/2017 08:00	08/24/2017 16:00		

Instructor

Instructor	Reserve Date	Course Category	Serial ID	Notes
------------	--------------	-----------------	-----------	-------

Course Information

Course NO	Title	Type	Credits	Hours	Course 1	Course 2	Comments
2018000000042	DT Instructor School	State Sponsored Certifications	0.00	80.00			

Course Schedule

Schedule	Class ID	Start Date/Time	End Date/Time	Company	Course Location
		06/04/2018 08:00	08/17/2018 16:00		

Instructor

Instructor	Reserve Date	Course Category	Serial ID	Notes
------------	--------------	-----------------	-----------	-------

Training Course Summary

Print Date: September 17, 2020

Course Information

Course NO	Title	Type	Credits	Hours	Course 1	Course 2	Comments
2017000000021	Feb 2017 Inservice Blue Courage	In Service	0.00	8.00			Blue Courage/Officer Wellness Instructors: Capt Cinque and Sgt. Laurey

Course Schedule

Schedule	Class ID	Start Date/Time	End Date/Time	Company	Course Location
		02/07/2017 08:00	03/07/2017 16:00		
		02/13/2017 08:00	02/13/2017 16:00		
		02/17/2017 08:00	02/17/2017 16:00		
		02/17/2017 08:00	02/17/2017 16:00		
		02/21/2017 08:00	02/21/2017 16:00		
		02/23/2017 08:00	02/23/2017 16:00		

Instructor

Instructor	Reserve Date	Course Category	Serial ID	Notes
------------	--------------	-----------------	-----------	-------

Course Information

Course NO	Title	Type	Credits	Hours	Course 1	Course 2	Comments
2020000000015	FEMA Mobile Field Force Operations	Other Outside agency sponsored	0.00	40.00			

Course Schedule

Schedule	Class ID	Start Date/Time	End Date/Time	Company	Course Location
		02/17/2020 08:00	02/21/2020 16:00		

Instructor

Instructor	Reserve Date	Course Category	Serial ID	Notes
------------	--------------	-----------------	-----------	-------

Training Course Summary

Print Date: September 17, 2020

Course Information

Course NO	Title	Type	Credits	Hours	Course 1	Course 2	Comments
2018000000018	IDC	State Sponsored Certifications	0.00	80.00			

Course Schedule

Schedule	Class ID	Start Date/Time	End Date/Time	Company	Course Location
		03/05/2018 08:00	03/16/2018 16:00		

Instructor

Reserve Date	Course Category	Serial ID	Notes
--------------	-----------------	-----------	-------

Course Information

Course NO	Title	Type	Credits	Hours	Course 1	Course 2	Comments
2017000000060	June 2017 Firearms w/ Use of Force Review	In Service	0.00	8.00			Inv Amerosa Lead Instructor- Oneida County Range

Course Schedule

Schedule	Class ID	Start Date/Time	End Date/Time	Company	Course Location
		06/05/2017 08:00	06/05/2017 16:00		
		06/07/2017 08:00	06/07/2017 16:00		
		06/09/2017 08:00	06/09/2017 16:00		
		06/15/2017 08:00	06/15/2017 16:00		
		06/19/2017 08:00	06/19/2017 16:00		
		06/23/2017 08:00	06/23/2017 16:00		

Instructor

Reserve Date	Course Category	Serial ID	Notes
--------------	-----------------	-----------	-------

Training Course Summary

Print Date: September 17, 2020

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Prerequisites</u>			<u>Comments</u>
			<u>Credits</u>	<u>Hours</u>	<u>Course 1</u>	
2018000000045	JUne 2018 Inservice	In Service	0.00	8.00	<u>Course 2</u>	Infectious Disease, Barricaded Subject, Legal Updates, Raise the age

Course Schedule

Schedule

<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
	06/04/2018 08:00	06/04/2018 16:00		---
	06/12/2018 08:00	06/12/2018 16:00		---
	06/14/2018 08:00	06/14/2018 16:00		---
	06/18/2018 08:00	06/18/2018 16:00		---
	06/22/2018 08:00	06/22/2018 16:00		---

Instructor

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

Training Course Summary

Print Date: September 17, 2020

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Prerequisites</u>		
			<u>Credits</u>	<u>Hours</u>	<u>Comments</u>
202000000026	June 2020 EVOC	In Service	0.00	8.00	

Course Schedule

Schedule

<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
	06/03/2020 08:00	06/03/2020 16:00		
	06/09/2020 08:00	06/09/2020 16:00		
	06/11/2020 08:00	06/11/2020 16:00		
	06/17/2020 08:00	06/17/2020 16:00		
	06/19/2020 08:00	06/19/2020 16:00		
	06/23/2020 08:00	06/23/2020 16:00		
	06/25/2020 08:00	06/25/2020 16:00		

Instructor

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

Training Course Summary

Print Date: September 17, 2020

Course Information

Course NO	Title	Type	Credits	Hours	Course 1	Course 2	Comments
2019000000029	June Inservice 2019	In Service	0.00	8.00			Narcan Refresher training/ Leads On-Line training/ Taserrecert

Course Schedule

Class ID	Start Date/Time	End Date/Time	Company	Course Location
	06/07/2019 08:00	06/07/2019 16:00		---
	06/11/2019 08:00	06/11/2019 16:00		---
	06/13/2019 08:00	06/13/2019 16:00		---
	06/17/2019 08:00	06/17/2019 16:00		---
	06/21/2019 08:00	06/21/2019 16:00		---
	06/27/2019 08:00	06/27/2019 16:00		---

Instructor

Reserve Date	Course Category	Serial ID	Notes
--------------	-----------------	-----------	-------

Course Information

Course NO	Title	Type	Credits	Hours	Course 1	Course 2	Comments
2020000000031	Patrol Rifle	State Sponsored Certifications	0.00	32.00			

Course Schedule

Class ID	Start Date/Time	End Date/Time	Company	Course Location
	08/17/2020 08:00	08/20/2020 16:00		---

Instructor

Reserve Date	Course Category	Serial ID	Notes
--------------	-----------------	-----------	-------

Training Course Summary

Print Date: September 17, 2020

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Credits</u>	<u>Hours</u>	<u>Prerequisites</u>		<u>Comments</u>
2019000000033	PT Instructor School	State Sponsored Certifications	0.00	40.00	<u>Course 1</u>	<u>Course 2</u>	MVPA hosting agency Sgt. Laurey course instructor

Course Schedule

Schedule

<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
---	08/05/2019 08:00	08/09/2019 16:00	---	---

Instructor

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

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Credits</u>	<u>Hours</u>	<u>Prerequisites</u>		<u>Comments</u>
2019000000014	RBT train the Trainer	State Sponsored Certifications	0.00	40.00	<u>Course 1</u>	<u>Course 2</u>	

Course Schedule

Schedule

<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
---	03/25/2019 08:00	03/29/2019 16:00	---	---

Instructor

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

Training Course Summary

Print Date: September 17, 2020

Course Information

<u>Course NO</u>	<u>Title</u>	<u>Type</u>	<u>Prerequisites</u>			
			<u>Credits</u>	<u>Hours</u>	<u>Course 1</u>	<u>Course 2</u>
202000000023	TASER inservice	In Service	0.00	4.00		

Course Schedule

Schedule

<u>Class ID</u>	<u>Start Date/Time</u>	<u>End Date/Time</u>	<u>Company</u>	<u>Course Location</u>
	04/03/2020 08:00	04/03/2020 12:00		
	04/06/2020 08:00	04/06/2020 12:00		
	04/07/2020 08:00	04/07/2020 12:00		
	04/14/2020 08:00	04/14/2020 12:00		
	04/15/2020 08:00	04/15/2020 12:00		
	04/16/2020 08:00	04/16/2020 12:00		
	04/20/2020 08:00	04/20/2020 12:00		
	04/23/2020 08:00	04/23/2020 12:00		
	04/24/2020 08:00	04/24/2020 12:00		
	04/28/2020 08:00	04/28/2020 12:00		
	04/30/2020 08:00	04/30/2020 12:00		

Instructor

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

Concise OfficerStacked Incidents Listing

Police Officer Andrew B Miller [5679/2016000000009]

: 2016000000009 Hire date: May 16, 2016

Current assignment(s):

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

Incidents Listing -----

Received Dt Officers	IA No	Incident type Involved Citizens	Acc Lev	Involved
Jul 26, 2017 Officer Andrew B Miller	UOF2017-0092	Use of force [REDACTED]	5	Police

On 7/26/17 at approximately 1825 hours Ptlm. Miller transported a female, [REDACTED] into the station regarding 3 open warrants and one count of harassment 2nd along with PO Heilig.

Upon arrival at the station [REDACTED] was highly uncooperative. While trying to un-handcuff [REDACTED] in the holding cage, [REDACTED] made several attempts to fight with Ptlm. Miller causing him to use soft hand come along techniques and a takedown while in the holding cage.

After being taken down to the ground, [REDACTED] was then placed in the restrain chair at approximately 1830 hours.

Photographs were secured of [REDACTED] who had no injuries and did not complaint of any injuries.

A response to resistance investigation was then initiated under RMS 17-33295 and she was subsequently charged with two more counts of harassment against Ptlm. Miller for spitting on him on two separate occasions.

Aug 20, 2017 Officer Andrew B Miller	UOF2017-0112	Use of force [REDACTED]	5	Police
---	--------------	----------------------------	---	--------

On 8/20/17 at approximately 1947 hours several units were dispatched to the area of [REDACTED] South St. regarding a call for a large fight. Upon arrival there were numerous people actively fighting.

During the course of dispersing the group from the area one male, [REDACTED] refused to leave the area and continued to act in a violent manner. Despite being told several times to leave the area by Ptlm. Miller and several other officers [REDACTED] refused and kept coming towards officer Miller in an aggressive manner. Due to [REDACTED] refusal to disperse when being advised he was advised by Ptlm. Miller that he was under arrest for disorderly conduct. When Ptlm. Miller attempted to place [REDACTED] in custody, [REDACTED] began to actively resist in an attempt to prevent Ptlm. Miller from handcuffing him. Ptlm. Miller then used a takedown technique to bring [REDACTED] onto the ground. Once on the ground after a brief struggle [REDACTED] was secured in handcuffs.

Photographs were secured of [REDACTED] who did not sustain any injuries.

A response to resistance investigation was initiated under RMS 17-37268. A response to resistance form was completed by Ptlm. Miller as well.

Sep 01, 2017 UOF2017-0119
Officer Alexander T Castilla

Use of force

5 Police

Officer Andrew B Miller

Police

This evening, at approximately 1853 hours, Car 58 (PO Miller) and Car 7 (PO Castilla) were dispatched to [REDACTED] N Genesee St ([REDACTED]) regarding a check the welfare of an intoxicated male. Once the officers were on scene they deemed that the male in question, [REDACTED], met the criteria for 22.09 custody. While PO Miller and PO Castilla were escorting [REDACTED] to the UFD stretcher [REDACTED] started to become aggressive and resist the officers. [REDACTED] was advised regarding his resistance and was given verbal commands / warnings by the officers to stop resisting. [REDACTED] continued to resist the officers which subsequently led the officers to utilize and soft empty hand take down. Once [REDACTED] was placed in a position of advantage on the ground he was handcuffed to the rear and escorted to the UFD stretcher. The officers escorted [REDACTED] to the UFD ambulance and once inside the ambulance [REDACTED] continued to be uncooperative with the firefighters and eventually spit in PO Miller's face. At that point PO Miller assisted UFD with an empty hand restraint until [REDACTED] was secured to the ambulance stretcher. PO Castilla notified me regarding the Use of Force, I responded to the scene, interviewed a witness, and the following response to resistance investigation was initiated.

Sep 12, 2017 EF2017-0046
Officer Andrew B Miller

E-File

5 Police

On 9/12/17 Captain Cinque delivered several counseling memos related to Ejustice violations. Counseling memo was placed in the Officers file.

Dec 06, 2017 UOF2017-0156
Officer James P Fitzgerald

Use of force

5 Police

Officer Jordan D Dodge

Police

Officer Andrew B Miller

Police

On 12/5/17 at approximately 1545 hours I was advised by the B-Platoon Squad Commander that there was a prisoner in the cage that was refusing to go to court. The prisoner was [REDACTED] who was here for a trespass charge. [REDACTED] had been arrested several times in the last few days for various charges including resisting arrest, unauthorized use involving a failure to comply and several traffic offenses.

At approximately 1605-1610 hours two deputies from the Oneida County Sheriff's Office who work as the transport team at Utica City Court came over to the booking area along with one of the public defenders in an attempt to talk [REDACTED] into come over to the court voluntarily so he could be arraigned by the judge. [REDACTED] refused. At this time Ptlm. Miller, Dodge and Fitzgerald then attempted to put [REDACTED] in handcuffs in order to escort him into court but [REDACTED] began to refuse and attempt to prevent the officers from placing him into handcuffs. The officers then utilized a takedown technique while [REDACTED] was in the holding cage in order to put him in handcuffs. After [REDACTED] was handcuffed he was placed in the restraint chair. Photographs were secured of [REDACTED] who had a small amount of blood coming from his lip but did not appear to be injured in any other way.

Response to resistance forms were completed by Ptlm. Dodge, Miller and Fitzgerald. Their BWC footage was tagged and they also completed narratives. A response to resistance investigation was initiated under RMS 17-53531.

Respectfully submitted,

Sgt. Joseph W. Cimpi #1415

Apr 17, 2018 UOF2018-0043
Dzenan Sabanovic

Use of force

5 Sergeant

Police

Officer Andrew B Miller

On April 17, 2018 at approximately 1920 hours Officer Andrew Miller and I responded to [REDACTED] Whitesboro Street in an attempt to locate [REDACTED] and [REDACTED] regarding a Criminal Trespass 2ND and Harassment 2nd which occurred earlier in the day at [REDACTED] Howard Avenue. While on the front porch [REDACTED] mother, who I now know to be [REDACTED] opened the door. [REDACTED] advised me that [REDACTED] was not home but her son [REDACTED] was. I asked [REDACTED] if she can call [REDACTED] and she did. [REDACTED] came outside and we advised him he was under arrest. [REDACTED] was handcuffed without incident. [REDACTED] became upset and started cursing at me. She kept [REDACTED] me a cell phone with a recording that was in a foreign language which I didn't understand. Officer Miller was searching [REDACTED] when an unknown black male told [REDACTED] that he will take his cell phone. I advised the black male that all of [REDACTED] property was staying with him. At this time [REDACTED] walked up to Officer Miller and [REDACTED] while Officer Miller was still searching [REDACTED] and started to reach for his front pocket. I advised her to move back two times and she refused I grabbed her arm and advised her to step back. As she stepped back she attempted to kick me but missed. [REDACTED] then raised her arm and pointed her finger at me. As she pointed her finger at me she slightly poked my left eyelid. I advised [REDACTED] that she was going to jail and attempted to handcuff her, however she started actively resisting by grabbing a hold of a metal porch pole. She wrapped her arms around the pole and refused to let go, preventing Officer Miller and I from handcuffing her. At this time several other parties came out of the house and started to interfere. We were successful in pushing them back. We continued to struggle with [REDACTED] I was attempting to pull her arm and handcuff her, however I was not successful because she was still holding onto the metal pole. During the struggle she ripped the pole off of the porch and fell to the ground. As [REDACTED] fell to the ground she finally let go of the metal pole. I grabbed her right arm and I was finally able to place her in handcuffs.

May 02, 2018	UOF2018-0062	Use of force	5	Sergeant
Benjamin L Perra		[REDACTED]		Police
Officer Christopher J Evans				Police
Officer Silas R Frye				Police
Officer Richard V Lange				Police
Officer Andrew B Miller				Police

Greetings,

This evening, at approximately 2006 hours, units were dispatched to [REDACTED] Seymour Ave regarding a male suspect who allegedly stabbed a female victim with a pencil and was threatening to cut himself with a knife. When Car 55 (PO Lange) and Car 57 (PO Miller) arrived on scene they met with the suspect, [REDACTED] in the roadway. [REDACTED] was in possession of a knife and walking towards the officers. PO Lange and PO Miller drew their department issued duty pistols, brought them to the high ready, and began commanding [REDACTED] to drop the knife. At that point [REDACTED] began stabbing himself and cut himself in the throat with the knife. Sgt. Perra arrived on scene and the officers continued to command [REDACTED] to drop the knife and get on the ground. [REDACTED] then threw the knife towards PO Lange and descended to his knees. The officers were commanding [REDACTED] to get on the ground, but [REDACTED] did not comply with the officers' orders. At that point PO Lange un-holstered his Taser (SN: [REDACTED] and deployed his 25 ft cartridge (SN: [REDACTED]). The deployment of the Taser did not have an effect on [REDACTED] who then stood up, started to advance towards the officers in an aggressive manner, and began aggressively fighting with the officers. As a response to [REDACTED] aggressive fighting the officers utilized aggressive counter measures in the form of hard hand strikes and take downs. While on the ground [REDACTED] still continued to aggressively fight the officers and at that point Sgt. Perra administered two kicks to [REDACTED]s head. After Sgt. Perra administered the two kicks [REDACTED] ceased fighting the officers and they were able to handcuff him to the rear. PO Evans and PO Frye arrived on scene and observed the officers struggling with [REDACTED]. The officers ran to the aid of the PO Miller, PO Lange, and Sgt. Perra and when they approached the group they noticed that [REDACTED] was bleeding profusely. At that point PO Evans and PO Frye began rendering medical attention to [REDACTED] until UFD arrived on scene and took over. As a result of the incident the following occurred: PO Miller sustained an

injury to the right side of his face, his right thumb, and was exposed to biological fluid (██████████ blood) [Assault Inv / injury - 18-21038]; Sgt. Perra sustained an injury to his right foot and was exposed to biological fluid (██████████ blood) [Harassment Inv / injury - 18-21039]; PO Lange, PO Evans, & PO Frye were exposed to biological fluid (██████████ blood). The following fact finding investigation was initiated.

Jul 08, 2018 UOF2018-0086 Use of force 5 Police
Officer Andrew B Miller ██████████

On 7/8/18 at approximately 1719 hours car 55, PO Miller and car 59, PO Vomer were dispatched to Eagle and Elm regarding a dispute in progress. PO Miller arrived on scene at 1722 hours and upon his arrival was advised by a black male who is now know to be ██████████ that a black female, who is now know to be ██████████ had hit him and he wanted her arrested. PO Miller then observed ██████████ attempt to leave the area. After seeing this ██████████ attempt to flee the scene PO Miller stopped her and advised her to place her hands behind his back. As she did this ██████████ then flopped to the ground and began flailing her body so Ptlm. Miller couldn't secure her in handcuffs. After a brief struggle and PO Vomer's arrival who only gave verbal commands, ██████████ complied and was placed in handcuffs.

██████████ was ultimately booked and held on charges for domestic harassment, domestic criminal mischief and resisting arrest.

Photographs were secured of the scene and ██████████ did not complain of any injuries but was evaluated by UFD on scene due to her being claiming to be pregnant. ██████████ signed off any further medical treatment.

Response to resistance form was completed by Ptlm. Miller. BWC footage was tagged for Vomer, Miller and me. A narrative was also completed by Ptlm. Miller. A response to resistance investigation was initiated under RMS 18-27868.

Respectfully submitted,

Sgt. Joseph W. Cimpi #1415

Jul 21, 2018 UOF2018-0098 Use of force 5 Sergeant
Kevin R Strife ██████████
Officer Andrew B Miller ██████████
██████████
██████████

On 07/20/18 I reported for the 1600-0000hrs shift, I was assigned as one of the street supervisors. At approximately 2045hrs I responded to ██████████ Prospect St regarding a Menacing incident.

Upon my arrival there were several units already on scene and a perimeter was already set up. Units on scene were stacking up to make entry to the first floor to clear out the residents due to the suspect reported to be in the second floor apartment. At this time I deployed my issued Smith and Wesson MP 15 rifle and a ballistic shield from the trunk area of Unit 50. Along with Sgt. Cimpi, PO Kellogg, PO Dewey, PO Miller and I approached the house and were able to remove a w/f and small child from the first floor apartment without incident. The w/f and small child were escorted by Sgt. Cimpi to a safe area outside the home and down the street. At this point, along with PO Kellogg, I cleared the first floor apartment for any other person who might be in there. PO Dewey, Miller, Kellogg, and myself held the second floor door at gunpoint. PO Dewey attempted to make contact with the suspect, ██████████, for several minutes. Inv. Acquaviva also attempted several times to make contact. During this time we could hear movement coming from the 2nd floor apartment. After several failed attempts, ██████████ stated that he would be opening the 2nd floor apartment door. We advised him to show his hands to us prior to opening the door all the way. Once we saw two empty hands we advised him to come out and keep his hands in the air, he complied. At

this point PO Dewey advised M [REDACTED] to turn around so that we could make sure that he didn't have any weapons, he complied. During the whole interaction with [REDACTED] I had my rifle pointed at his chest area (center mass) and PO Miller had the less than lethal shotgun pointed at [REDACTED] as well. Once it was determined that M [REDACTED] was not armed, we made our ascent up the stairs to him. My weapon was still pointed at [REDACTED]. As we got to [REDACTED] we were able to detain him without incident, and he was escorted out of the house. There was also a w/f inside the apartment. She was escorted out of the home and we then conducted protective sweep of the apartment to make sure that there was no one hurt or left inside the second floor apartment. Once completed Officer Dewey was left at the threshold of the door to secure the apartment. This ends my involvement in this incident. I completed a use of force report regarding pointing my weapon at [REDACTED]

Aug 13, 2018 UOF2018-0116
Officer Richard V Lange

Use of force [REDACTED]

3 Police

Officer Andrew B Miller

Police

On 8/13/18 at approximately 2052 hours car 52, Ptlm. Lange, car 55, Ptlm. Miller and I were dispatched to [REDACTED] Saratoga St. regarding an MHL 9.41 in which a female was combative and holding a knife.

Upon arrival we observed an unknown b/f who we now know to be [REDACTED] [REDACTED] was on the front porch of the residence being restrained by her father, [REDACTED] was yelling and screaming for him to let her go. After [REDACTED] was released from her father's hold she appeared to be compliant. However, she was only compliant for a second and then kicked Ptlm. Miller in the testicles and then punched Ptlm. Lange with a closed fist in his right eye.

Ptlm. Miller and Ptlm. Lange then used soft hand techniques to gain control of [REDACTED] while I handcuffed her. After [REDACTED] was handcuffed we maintained control of her on the front porch and held her down until UFD arrived and medicated her so that she would calm down. It should also be mentioned that while holding [REDACTED] down she spit and struck Ptlm. Lange in the left side of the face with her spit.

Eventually [REDACTED] was placed on a stretcher and restrained. She was then transported to [REDACTED] Hospital regarding an MHL 9.41 by UFD. Ptlm. Gray rode in the ambulance with UFD while Ptlm. Lange and Miller followed.

Ultimately [REDACTED] was turned over to [REDACTED] Hospital for an MHL 9.41 arrest. One city court information for harassment 2nd was completed by Ptlm. Miller while two were completed by Ptlm. Lange. Photographs of the scene and [REDACTED] were secured. BWC footage was tagged. Narratives and Response to resistance forms were completed by Ptlm. Miller and Lange. Both Ptlm. Miller and Lange suffered injuries and completed injury exposure forms. They both declined medical attention at this time.

A response to resistance investigation was initiated under RMS 18-33565.

Respectfully submitted,

Sgt. Joseph W. Cimpi #1415

Aug 16, 2018 UOF2018-0118
Officer Andrew B Miller

Use of force [REDACTED]

5 Police

Officer Marissa J Vomer

Police

Greetings,

This evening, at approximately 1853 hours, Officer C. Vomer was conducting a traffic stop regarding V & T. PO Vomer stated he activated his emergency lights as the vehicle failed to signal into the driveway of [REDACTED] West Street. The vehicle bearing NY [REDACTED] was operated by a [REDACTED]. PO Vomer was just on a previous call with this subject down the street and was familiar with

him. PO Miller responded to the scene to assist. PO Vomer learned that the operator's license was Revoked and upon advising the subject of same, he refused to exit the vehicle after being told he was under arrest. PO Vomer and Miller then escorted [REDACTED] out of the vehicle by grabbing his arm. The officers had to pull [REDACTED] out of the vehicle as he was actively pulling away. [REDACTED] was taken to the ground and both PO Vomer and Miller attempted to place [REDACTED] into handcuffs. [REDACTED] refused to place his hands behind his back and held onto his phone yelling to the person on the phone to come to West Street. PO Vomer and Miller both yelled verbal commands to stop resisting while advising him he was under arrest and to put his hands behind his back, however [REDACTED] refused to comply and continued to resist. After a brief struggle he was placed into handcuffs and placed into the rear of car 57, without any further incident. I asked [REDACTED] if he had any injuries and if he needed medical attention and he stated he did not. He was then transported to headquarters and charged with Resisting Arrest, V & T 1198 7A, 402 (1), 402 (4), 1163 (B), 509 (1), 511 (1A), 401 (3). A fact finding investigation was initiated regarding the response to resistance.

Oct 04, 2018 UOF2018-0147
Officer Andrew B Miller

Use of force [REDACTED]

5 Police

This evening, at approximately 1820 hours, PO Miller was assigned to car 55 and responded to [REDACTED] Lincoln Ave to assist with a possible Robbery Investigation. Per dispatch the suspect had called and requested the police to respond so he could discuss the situation. PO Miller stated that as he approached the residence, he saw the caller / suspect on the front porch with a cane. PO Miller stated that as he approached the suspect, along with several other officers approaching, he then attempted to evade PO Miller and started to run into the common hallway and close the door. PO Miller then was able to get into the hallway and grab ahold of the suspect. The suspect fell on his back against the stairway and PO Miller was able to handcuff him to detain him while Car 52 was investigating the call with the caller. A show up was conducted and he was positively identified by the victim and was subsequently charged with Robbery 3rd. He was identified as [REDACTED]. A fact finding investigation was initiated regarding the response to resistance.

Nov 20, 2018 UOF2018-0171
Officer Andrew B Miller

Use of force [REDACTED]

5 Police

Officer Kyle D. Fee

Police

On 11/20/18 at approximately 1655 hours Car 55, Ptlm. Miller and car 56, Ptlm. Fee were dispatched to [REDACTED] Rosemont Pl. for an attempt to locate.

The attempt to locate was for [REDACTED] who was involved in a domestic incident earlier in the day on a report taken by PO Jessica Dodge.

Upon arrival they were let in by [REDACTED] son and wife who showed them to the bathroom in which [REDACTED] was located. After speaking with [REDACTED] through the door he eventually came out. Upon trying to place [REDACTED] in handcuffs in order to maintain the element of surprise so that no further altercations with the victim or officers could occur Sabic refused and began to tense his body so that he could not be handcuffed. Ptlm. Miller and Ptlm. Fee then used a takedown technique to get [REDACTED] to the ground where he was eventually placed in handcuffs. After being placed in handcuffs, [REDACTED] was advised by his wife, [REDACTED] that he was under arrest for the harassment that occurred earlier.

Photographs of the scene and [REDACTED] were secured. [REDACTED] did not make any complaint and did not complain of any injuries. A response to resistance form was completed by Ptlm. Miller and Ptlm. Fee. All BWC footage was tagged.

[REDACTED] was ultimately charged on booked on charges of domestic harassment 2nd and resisting arrest. A response to resistance investigation was initiated under RMS 18-47857.

Respectfully submitted,

Sgt. Joseph W. Cimpi #1415

Jan 05, 2019 UOF2019-0006 Use of force 5 Police
 Officer Andrew B Miller

On 01/05/19 at approximately 2022 hours Ptlm. Miller, car 56 made a vehicle stop of a Red Honda [REDACTED] in front of [REDACTED] Bleecker St. for speeding at a high rate of speed on Bleecker St. As he conducted the stop the operator, [REDACTED] exited the driver side door and attempted to walk in the store. Ptlm. Miller gave [REDACTED] strong verbal commands to get back in the car to which [REDACTED] did not comply with. Ptlm. Miller then grabbed a hold of [REDACTED] and pulled him away from the store and up against the vehicle. Once up against the vehicle Ptlm. Miller placed [REDACTED] in handcuffs.

Photographs of the scene and [REDACTED] were secured. [REDACTED] did not make any complaint and did not complain of any injuries. A response to resistance form was completed by Ptlm. Miller. All BWC footage was tagged.

[REDACTED] was ultimately charged on booked on charges of Obstruction Governmental Administration 2nd and several VTL Charges. A response to resistance investigation was initiated under RMS 19-625.

Feb 04, 2019 UOF2019-0018 Use of force 5 Police
 Officer Derek K Schultz
 Officer Andrew B Miller
 Officer Matthew R Felitto

On 2/3/19 Officers Miller, Schultz, and Felitto responded to a Domestic at [REDACTED]. During the incident Officer Miller made a MHL 9.41 arrest of [REDACTED]. Ms. [REDACTED] was handcuffed without incident but then began to act irate. She began to hit her head on anything she could. Officer Miller had to hold her while UFD was en route. Once UFD arrived she was placed into the ambulance and would not sit down on the stretcher and attempted to escape out of the back door. Officer Miller had to use an empty hand escort technique to place her on the stretcher as UFD personnel restrained her with straps. Officers Schultz and Felitto assisted Officer Miller with holding her down. Officer Miller accompanied UFD inside the ambulance as they transported Ms. [REDACTED] to [REDACTED] hospital. Once at the hospital Ms. [REDACTED] began spitting and kicking at everyone and everything she could. Once again Officers Miller, Schultz, and Felitto had to assist staff with holding her down so that a nurse could give her a shot to calm her down.

Feb 11, 2019 UOF2019-0024 Use of force 5 Sergeant
 Kerry Carville
 Officer Alexander T Castilla
 Officer Richard V Lange
 Officer Andrew B Miller

This evening, at approximately 1652 hours units responded to a shots fired incident in the area of [REDACTED] Neilson Street. PO Femia and Balio called out with three parties at the corner of James Street and Miller Street. Subjects were detained due to the close proximity of the shots fired. One of the males detained was handcuffed due to him reaching in his pockets and not complying with verbal commands. This subject, whom I now know to be 16 year old [REDACTED] Dob [REDACTED] began to try to break free of the Officers grasp upon my arrival. The subject was only being detained at the time and due to his behaviors he was placed into the rear of Patrol Car 51. He was refusing to get into the vehicle so myself, Officers Lange, Miller and Castilla grabbed a hold of him and placed him into the patrol car. The subject tried to kick and using soft hand techniques he was put

inside the car. [REDACTED] once inside the patrol car, began to kick the rear passenger's side door repeatedly. I then open the door to advise him to cease his actions and he then tried to exit the vehicle. He was then taken to the ground by Officers Miller, Lange and I he was then placed back into the patrol car, while PO Castilla assisted from the driver's side rear pulling him into the car. Once he was inside the vehicle I had PO Dodge transport him to headquarters. It was later learned that these subjects were seen on video running from the area of shots fired. All three subjects were taken to headquarters, [REDACTED] was placed into the workstation as he was a Juvenile. Photographs were secured of him and he did not request any medical attention. Two handguns were located moments after the subjects were taken to headquarters and charges are pending. A fact finding investigation was initiated regarding the response to resistance.

Mar 13, 2019 UOF2019-0048
Officer Andrew B Miller

Use of force

5 Police

On March 8th, 2019, I Andrew Miller reported to the Utica Police Department for the [REDACTED] hours shift. I was assigned to the Uniform Patrol Division, zone 54 wearing BWC 5679, under Squad Commander Lt. Holt.

At approximately 1630 hours, Ptlm. was dispatched to Rt. 12 South bound, just past the Burrstone exit to check the welfare of a white male carrying a suitcase. Dispatch advised that the male was walking on the shoulder of the road and was yelling at cars.

The male was located on Rt. 12 South just before the French Rd. exit. The male told Ptlm. Miller that he was walking to Florida, and was not yelling at the cars. The male was identified as [REDACTED]. The male said that he did not want to talk to police anymore, and said he was going to continue walking. [REDACTED] was dispersed from the area. Ptlm. Miller then continued to watch [REDACTED] walk South bound on Rt. 12. [REDACTED] was not obstructing traffic, and was not yelling at any cars. Ptlm. then cleared from the area, and was dispatched to another call.

After his next call for service was cleared, dispatch again advised that they received multiple 911 calls regarding the same male on Rt. 12 continuing to yell at cars, and that he was on a bridge by Lomond Place. Dispatched advised that the callers stated they thought he might try and jump off the bridge. Ptlm. continued towards this location. Initially Ptlm. Miller did not see this male at the above location. Ptlm. Miller continued to drive South Bound on Rt. 12, and was about to turn right onto the Rt 840 on ramp to loop back around. As Ptlm. Miller was doing this he observed a male matching [REDACTED]'s description on Rt 12 South, past the city line. He then advised dispatch of my findings and to notify New Hartford PD. Ptlm. Miller then took a detour to get back on to Rt. 12 South bound in an attempt to speak with the male and await New Hartford PD's arrival as the male may be possibly suicidal as relayed by dispatch.

Ptlm. Miller then located the male and conducted a citizen stop on [REDACTED]. Ptlm. Miller advised [REDACTED] that we again had multiple calls of him yelling at vehicles passing. [REDACTED] stated that he was not yelling at cars, and that he was a prophet. [REDACTED] stated that also Osama's head just got cut off yesterday. [REDACTED] then yelled at Ptlm. Miller and said that he was leaving. Due to [REDACTED] not speaking logically, Ptlm. Miller wanted to continue to interview him. [REDACTED] then started to walk away from Ptlm. Miller and turned his back away from him. Ptlm. Miller then went to approach [REDACTED] then turned back at Ptlm. Miller and displayed a knife in his right hand, and told Ptlm. Miller to get back. [REDACTED] held the knife approximately shoulder height in a threatening manner. Ptlm. Miller was scared for his life and thought [REDACTED] was going to stab him. [REDACTED] was approximately ten feet from Ptlm. Miller. Ptlm. Miller then grabbed onto his service weapon, still holstered and advised [REDACTED] to drop the knife, and back peddled so that he could create space. As he was back backing up, [REDACTED] put the knife away. [REDACTED] then continued to walk up to him in a threatening manner, and stated "shoot me". Ptlm. Miller then un-holstered his Taser [REDACTED], and continued to give commands. [REDACTED] continued to walk at Miller and Ptlm. Miller discharged his Taser striking [REDACTED] center mass. The Taser successfully deployed, and he fell down to the ground. [REDACTED] received (1) 5 second cycle. Once [REDACTED] was on the ground he complied and placed his hands behind his back. Ptlm. then secured hand cuffs on [REDACTED]. Sgt. Cimpi as well as other officers arrived on scene.

[REDACTED] was then stood up, and Ptlm. Miller removed the knife from his right pant

pocket. The knife was approximately 3 inches long and was silver in color. The knife was turned over to PO M. Vomer.

Ptlm. Miller then removed the Taser probes from [REDACTED], and he was loaded in the back of car 54.

Ptlm. Miller then measured from where the incident to the city line. The measurement was 1640 feet past the city line into New Hartford.

Due to the incident occurring in New Hartford. New Hartford took custody of [REDACTED]

[REDACTED] refused medical treatment at this time.

[REDACTED] was charged with Menacing 2nd and criminal possession of a weapon 3rd by New Hartford PD. Photographs of the scene and [REDACTED] were secured. [REDACTED] declined any medical attention. A response to resistance investigation was initiated under RMS 19-8735.

Respectfully submitted,

Sgt. Joseph W. Cimpi

Sep 15, 2019	UOF2019-0130	Use of force	5	Police
Officer Andrew B Miller		[REDACTED]		
Officer David V Lentricchia		[REDACTED]		Police
Officer Brian E Comeskey		[REDACTED]		Police

Greetings,

On September 15, 2019 at approximately 1635 hours several units responded to York St at Green St regarding several parties beating up another party. Upon arrival Officer Lentricchia located the individuals in question on Lenox Ave at Warren St. The alleged victim [REDACTED] pointed towards the group of juveniles and they immediately fled the area through the backyards. Officer Lentricchia exited his vehicle and pursued the juveniles. Officers Miller and Comeskey arrived on scene. Officer Miller recognized one of the parties in question as a suspect from a robbery that he responded to on September 14, 2019 (RMS 19-35501). Officer Miller and Comeskey exited their vehicle and assisted Officer Lentricchia. Officer Comeskey was able to grab a hold of one of the individuals and take him down to the ground utilizing a takedown. The individual was handcuffed without further incident. He was identified as [REDACTED] (juvenile DOB [REDACTED])

Officer Lentricchia completed ET work. Officer Comeskey did not sustain any injuries. [REDACTED] did not sustain any injuries and did not need any medical attention. Officer Evans secured a supporting deposition from Farda.

I reviewed video footage from Officers Lentricchia, Miller and Comeskey. At this time all appears in order. All BWC footage was tagged.

Nov 15, 2019	UOF2019-0161	Use of force	5	Police
Officer Andrew B Miller		[REDACTED]		

At approximately 2046 hours PO Talerico advised dispatch that he was in route to the station from his location at [REDACTED] Mohawk Street. PO Talerico advised that he had a male in custody who was being uncooperative. The male in custody was identified as [REDACTED]

Due to PO Talerico's radio transaction, PO Miller went into the sally port to assist PO Talerico and PO Sanders with the male. Upon PO Talerico's arrival to the station, PO Miller heard the male kicking the back of the car and screaming. The male was yelling "let's get it", and "let's go". At this time PO Miller opened that rear passenger side door. As soon as PO Miller opened the rear door. [REDACTED]

immediately charged out of the vehicle at PO Miller in an aggressive manner. PO Miller then grabbed on to the front of [REDACTED] to gain control of him, [REDACTED] continued to be belligerent and act erratically. Due to [REDACTED]'s actions, [REDACTED] was taken down to the ground for his safety and other officers. While [REDACTED] was on the ground he stated, "You're going to have to kill me tonight". [REDACTED] was restrained on the ground to maintain control. Once control was met by officers on scene, [REDACTED] was then escorted into the booking area and placed into the restraint chair.

Photographs of the scene and [REDACTED] were secured. [REDACTED] did not make any complaint. [REDACTED] and the officers did not complain of any injuries. A response to resistance form was completed by PO Miller. All BWC footage was tagged.

[REDACTED] was ultimately charged and booked on charges of Obstructing governmental administration 2nd No plate lamps, AVO 2nd, AVO 3rd, unlicensed operator. A response to resistance investigation was initiated under RMS 43907.

Respectfully submitted,
Sgt. Joseph W. Cimpi #1415

Jan 20, 2020 MVA2020-0001 Vehicle accident 5 Police
Officer Andrew B Miller

On today's date, around 1400 hours, Car 45 was involved in a motor vehicle accident. Officer Andrew Miller parked Car 45 (legally) in front of Oneida Square Market. When Miller was exiting his patrol car, a passing vehicle struck his driver side door. The driver's door sustained extensive damage, and the vehicle was towed to the Utica Police Maintenance Garage. [REDACTED] was the operator of the passing vehicle. [REDACTED] stated he was not injured and his license was valid. Miller also stated he was not injured from the accident. Photographs were secured of the accident scene and the vehicles. Captain Cinque was notified of the accident. An MV104A was completed and a supervisor investigation is pending.

Jan 26, 2020 UOF2020-0012 Use of force 5 Police
Officer Scott M Berger [REDACTED]
Officer Stanley J Rejrat [REDACTED] Police
Officer Andrew B Miller [REDACTED] Police

At approximately 0813 hours, Car 53 (PO S. Rejrat) and Car 51 (PO S. Berger) responded to the Family Dollar, [REDACTED] Court Street regarding a trespass in progress and that the subject in question was a black female wearing an orange backpack, who had left the scene on foot towards Varick Street, which would be East of the Family Dollar. I now know the black female wearing the orange backpack to be, [REDACTED]. While conducting an area check for [REDACTED] PO Rejrat located her at the intersection of Stark Street and Warren Street. PO Rejrat exited his vehicle, engaged [REDACTED] in conversation, and seeing that she was armed with a pocket knife that was a clipped to her pocket, he attempted to disarm her by trying to grab the knife from her pocket. [REDACTED] reached down stopping PO Rejrat from securing the knife, at this time PO Berger arrived and [REDACTED] pulled the knife from her pocket, displayed it and told the officers to back up, at which time both PO Rejrat and PO Berger pointed their issued duty weapons at [REDACTED] who started to retreat Southbound on Stark Street. [REDACTED] PO Berger and PO Rejrat all moved on foot South and then East on McVean Street.

Sometime during this, PO Berger transitioned to Taser, PO Rejrat had lethal cover. As the three approached the vacant lot that would be 812 McVean Street it was evident that [REDACTED] had put the knife away at some point, so both PO Rejrat and PO Berger holstered their respective weapons and performed a take down. [REDACTED] was taken into custody and the knife was secured from her person. Upon Car 54, PO A. Miller's arrival he assisted by securing [REDACTED] legs while she was searched for any further weapons. It should be noted that PO Berger and PO Rejrat gave clear and concise commands to [REDACTED] to drop the knife, from the first engagement of her to the conclusion of the incident.

Incident was captured on BWC's 0620, 7035, 5679 (Downloaded and tagged)

Feb 03, 2020 UOF2020-0016 Use of force 5 Police
Officer Andrew B Miller Vincent M Groszek

On today's date at around 1030 hours while at the Fastrac located at [REDACTED] Genesee St. PO Andrew Miller (Car 54) observed [REDACTED] going from car to car in the parking lot panhandling and acting disorderly. [REDACTED] (who is currently out on ROR for fighting PO Heilig and PO Jess Dodge) approached PO Miller in his vehicle and began swearing at him and telling him to "get the fuck away from me" etc. This caused customers at the pumps to stop what they were doing and turn their attention toward [REDACTED]. PO Miller eventually was able to exit his patrol vehicle and advised [REDACTED] he was under arrest for Disorderly Conduct. [REDACTED] fled from PO Miller and resisted arrest upon PO Miller catching up to him in the Walgreens parking lot. [REDACTED] squared off with PO Miller and faced him in a fighting stance. At that time PO Miller utilized a takedown maneuver and after a brief struggle PO Miller was able to get [REDACTED] arms from underneath him and secure him in handcuffs. Once [REDACTED] was in custody PO Miller called for a supervisor regarding his Response to Resistance.

PO Andrew Miller ---- February 3, 2020 ----Time: 1029 hrs ---- RMS 20-3724----

(Response to Resistance)

Defendant/Suspect: [REDACTED]

Force Utilized: Takedown

Photographs Taken of Defendant/Suspect: YES

Photographs Taken of Scene: YES

Officer Injured: NO

Defendant Injured: NO

Civilian Complaint: NO

Video/Audio: YES: BWC - PO Miller

Charges: Disorderly Conduct, Resisting Arrest, Harassment 2nd (on Sgt. Berger), pending possible Making a Terroristic Threat re: statements made to PO Miller and Sgt. Berger

Ancillary Issues: None

Investigating Supervisor: Sgt. Ashley Berger

Use of Force Investigation reviewed by: Sgt. Ashley Berger

Investigative Findings: Within NYS Law and Policy

Mar 14, 2020 UOF2020-0037 Use of force 5 Police
Officer Jordan D Dodge [REDACTED]
Officer Andrew B Miller [REDACTED] Police

This afternoon, at approximately 1520 hours PO Jordan Dodge, PO Andrew Miller, and I were standing in front of Lukin's Bar, for the St. Patrick's Day events, when our attention was drawn to the front of O'Donnell's Bar due to an unknown disturbance. We quickly responded to [REDACTED] Bar and upon arrival we observed the bar staff attempting to remove a disorderly male party from inside the establishment. As we engaged the individuals the staff advised us that the male party wearing a Yankee's jersey was fighting/attempting to fight inside the bar and that he was being kicked out. At that time the male party in question, who I now know to be [REDACTED], was screaming and yelling, and acting in an aggressive manner as if he was attempting to fight individuals. At that point [REDACTED] was being restrained by a couple of other male parties. Myself, PO Dodge, and PO Miller advised [REDACTED] several times to disperse from the area, but he failed to comply with our lawful orders and continued to scream obscenities and act in an aggressive manner. The two male parties, who were restraining [REDACTED] and appeared to be his friends, were advising him to leave and also advised us that they would get him to leave. Despite his friends' physical effort to get him to leave the area [REDACTED] would not leave the area. We continued to advise [REDACTED] to disperse several more times, but he continued to disobey our orders and cause a public disturbance. At that point [REDACTED] was advised that he was under arrest for Disorderly Conduct which prompted PO Miller to grab his hands in attempt to take him into custody. Immediately [REDACTED] began actively resisting by stiffening his arms and pulling them

into his body preventing PO Miller from compliantly handcuffing [REDACTED]. Due to the active resistance of [REDACTED] PO Miller and PO Dodge utilized an empty hand take down in order to gain a position of advantage. Once [REDACTED] was on the ground PO Miller, PO Dodge, and I advised him to place his hands behind his back but he refused to comply with the direct orders and stiffened his body. After a brief struggle PO Dodge and PO Miller were able to handcuff [REDACTED] to the rear and he was escorted to his feet. Once on his feet [REDACTED] lunged towards PO Jessica Dodge and PO Dino Jukic who had a female in custody. As a result of [REDACTED] attempting to lunge towards the other officers PO Dodge and PO Miller utilized an empty hand come along and escorted [REDACTED] to the rear of their patrol vehicle.

As a result of the take down [REDACTED] sustained an abrasion to his left eyebrow, but refused medical attention. No further injuries reported.

The following response to resistance investigation was initiated.

Jul 18, 2020 UOF2020-0107
Officer Andrew B Miller

Use of force
Marcus Mariotti

5 Police

UOF investigation

Report summary: totals by incident type:

Incident type	Received
Anonymous	0
Background Investigation	0
Department Discipline	0
Discretionary arrest	0
Drug test	0
E-File	1
External/Citizen	0
Firearm discharge	0
Foil Request	0
Forced entry	0
Generic incident	0
Integrity test	0
Internal/Department	0
K9 Utilization	0
Notice of Claim	0
Personnel Complaints	0
Show of force	0
Stop	0
UPD Damaged Prop Car/Equip	0
Use of force	22
Vehicle accident	1
Vehicle pursuit	0
Total	24

Printed: Sep 17, 2020 07:42 By: Sgt Hiram Rios

Utica Police Department

Professional Standards

Officer Disciplinary History

Police Officer Andrew B Miller [5679/2016000000009]

Part I - Personal Information

Name: Police Officer Andrew B Miller
: 2016000000009 Badge No: 5679 Hire Dt: 05/16/2016

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

Part II - Discipline History

EF2017-0046 Case #: None provided E-File

UPD Policy and Procedure Violation: Sep 12, 2017: Counseling Memorandum - [Action/discipline completed]

Counseling memo from DMV photo response

UOF2019-0048 Case #: RMS 19-8735 Use of force

Ancillary 09/03/2019 [] - training issue

Ancillary 03/13/2019 [General Rule Violation] - Performance Mar 13, 2019

MVA2020-0001 Case #: RMS 20-2079 Vehicle accident

UPD Policy and Procedure Violation: Apr 13, 2020: Command DisciplineDays/hrs
suspended: 1 - [Action/discipline completed]

Printed: Sep 17, 2020 07:42 By: Sgt Hiram Rios

E-File IA No: EF2017-0046 Received: Sep 12, 2017 10:00

Case No: None provided

Classification/Sub-classification: General Order Violation / DMV Photo Inquiry

Officers involved:

Police Officer Andrew B Miller [5679/2016000000009]

Officer current info:

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

Snapshot - Officer information at time of incident:

: 2016000000009
Body worn camera: N/A
Department: Patrol Division
Bureau: Uniformed Patrol
Division: Uniformed Patrol
Squad: [REDACTED]
Unit: Uniformed Partol Squad [REDACTED]
Shift: [REDACTED] Platoon
Rank/title: Police Officer
Age: 31 Years of employment: 1 Years with unit:
Off duty: No Off duty employed: No

Policy outcome: Not yet entered

Actions taken:

UPD Policy and Procedure Violation: Sep 12, 2017 - Counseling Memorandum Days/hrs suspended/assessed: -
[Action/discipline completed]
Counseling memo from DMV photo response

Summary:

On 9/12/17 Captain Cinque delivered several counseling memos related to Ejustice violations.
Counseling memo was placed in the Officers file.

When/where:

Date/time occurred: Aug 30 2017

Linked files:

Andrew Miller (pdf)
Written Counseling Memo issued to PO Miller (htm)

Auto-linked incidents (Linked through common Case No)

None provided: E-File
None provided: E-File
None provided: E-File
None provided: E-File
None provided : E-File

Status/assignment information:

Status: Completed Priority: Low

Opened: Assigned: Due: Completed: 09/12/2017

Disposition: Sustained

Unit assigned: Patrol Division

Handled at field/unit level: Yes

Outside/file investigator: Brodt, Howard Lieutenant [2003000000004 / 0875]

Investigator assign: Un-assigned

Supervisor assign: Un-assigned

Source of information: In-Person

Organizational component(s):

Department: Patrol Division

Bureau: Uniformed Patrol

Division: Uniformed Patrol

Squad: [REDACTED]

Unit: Uniformed Partol Squad [REDACTED]

Shift: [REDACTED] Platoon

Critical incident related

Nature of crisis:

Behavior(s):

Technique(s) used:

Disposition(s)

Force/violence:

Entered by: Investigator Adam Howe on Sep 12, 2017 at 11:29

COUNSELING MEMORANDUM



TO: Po Andrew Miller
FROM: Sgt. Howard Brodt
DATE: 8/30/17
RE: DMV Photo Request Audit Deficiency

I. Identify and define the behavior to be modified:

When completing a DMV photo request Officer Andrew Miller failed to provide a comment regarding the circumstances of the request. Any officer requesting a photo from the DMV must document in the comments sections as much information as possible regarding the nature of the request, e.g. John A Doe stopped at court and Varick St open container violation could not provide any form of identification, request made to confirm identification. Additional e.g. Jane Doe stopped for passing red light at Genesee St at Parkside Ct, did not produce a driver's license or any form of ID, request made to confirm identification.

II. Review of applicable rules & regulations, orders and operating procedures or laws:

It has been stated time and time again in written e-mails and by oral directive that employees will make every effort to complete criminal history and DMV photo requests by filling in all applicable fields with as much information and detail as possible. All fields will be completed and all comments/remarks sections will have the required amount of information

III. Employee's response to the performance deficiency:

PO Miller understands his deficiencies in regards to the audits and will strive to be much more conscientious.

IV. Clearly explain the behavior expected of the member:

PO Miller will complete ALL fields listed and provide ample information in the comments section of both request forms. He should know that the more information he puts in the comments section, the less likely he will be flagged by the state in the future.

V. Potential consequences for continuing the unacceptable behavior:

In the event PO Miller is flagged on any future DMV or criminal history inquiries, further discipline will result which will likely include at a minimum a letter of reprimand.

VI. Provisions for follow-up consultations:

The audit reports will be carefully monitored in the future for any deficiencies on the part of PO Miller.

This counseling memorandum will be placed in your personnel file.

Signature of Employee: 

Date: 9/8/17

Signature of Supervisor: Det. 143 (Brot) #0875

Date: 9/8/2017

Signature of Witnessing Supervisor: James B. Holt Jr.

Date: 9/8/17



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

4/13/2020

PO Andrew Miller

[REDACTED]

Patrol Division

PO Miller:

On January 20th 2020 at approximately 1410hrs, you were parked, facing north bound, in front of the Oneida Square Market ([REDACTED]). You were assigned to a foot patrol detail in that area, at the time. When you attempted to exit your vehicle (car 49), to resume your foot patrol, your front driver's side door was struck by a 2005 Dodge van ([REDACTED]) being operated by ([REDACTED]). An accident report was completed and in that accident report you were faulted for opening your front driver's side door into traffic. The damage to car 49 was estimated at \$5,373.58 by the Carbone Collision Center.

As a result of the investigation it was determined that you have violated Department Procedural Manual Section(s):

Chapter Eight, Article One, Professional Standards of Conduct and Ethics

1.14 PERFORMANCE AND ATTENTION TO DUTY:

EE. Departmental Vehicles/Operation/Care/ Personal Use/MV Accident/Reporting;

2. Employees shall operate departmental vehicles in a careful and prudent manner, and shall obey all laws and departmental directives pertaining to such operation.

On 4/13/2020, a Command Discipline hearing was commenced. You were offered PBA representation and you accepted/denied. Also present during this hearing was PO Christopher Jennings. 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 this Letter of Reprimand. You also accept the deduction of (1) days vacation from your 2020 time bank.
- D) 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.

Last Revision Date 6/7/2016

Don Grew
(Command Officer) *CINDIE*
(Unit) *1420*
[Signature]
(Employee)

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

#2553
[Signature]
(Supervisor)
(Unit) *Jennings*
(PBA Representative) *4224*

From: jholt
Sent: Thursday, September 07, 2017 9:38 PM
To: Professional Standards Distribution List; dcinque
Subject: Written Counseling Memo issued to PO Miller

Sirs,

PO Miller was issued a Written Counseling Memorandum pursuant to the fact that he failed to properly complete a DMV Photo Request after it has been stated time and time again in written e-mails and by oral directive that employees will make every effort to complete criminal history and DMV photo requests by filling in all applicable fields with as much information and detail as possible. The following note was subsequently added to PO Miller's E-File regarding the matter:

09/07/17	Sgt. H Brodt	When completing a DMV photo request Officer Andrew Miller failed to provide a comment regarding the circumstances of the request. Any officer requesting a photo from the DMV must document in the comments sections as much information as possible regarding the nature of the request. PO Miller
----------	--------------------	---

		received a written counseling memo regarding this matter which he understood and signed.
--	--	--

Respectfully,
Lieutenant James R. Holt Jr.
Utica Police Department
Patrol Division - C Platoon Commander
Email: [REDACTED]
Cell: [REDACTED]

Use of force **IA No: UOF2019-0048** **Received: Mar 13, 2019 20:34**

Case No: RMS 19-8735

Type of service being performed at time of incident: Citizen stop

Reason for use-of-force: Aggressive Combatant

Officer assessment of citizen condition: Unknown

Citizen was injured: No

Citizen was taken to hospital: No

Citizen was charged/arrested in relation to the incident: Yes Officer was injured: No

Officer was taken to hospital: No

Distance officer was from Involvedcitizen: 7 feet to 10 feet

Involved citizen: Large

Involved citizen Height: 5'10" to 6'0"

Involved citizen:

[REDACTED]

Role: NHP Arrested w/Officer Supp Dep

Resistance(s):

Active Resistance
Aggressive-Fighting
Presence (none verb/body
Verbal Non-Compliance

Injuries/conditions:

UOF-Citizen Injury N/A

Charges against citizen in relation to the incident:

Charges from Outside Agency - NHPD
Charges from Outside Agency - OCSO

Linked address(s):

Home: [REDACTED]

Linked phone(s):

Cell: [REDACTED]

Officers involved:

Police Officer Andrew B Miller [5679/2016000000009]

Officer current info:

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

Snapshot - Officer information at time of incident:

: 2016000000009
Role: Primary Officer
Department: Patrol Division
Bureau: Uniformed Patrol
Division: Uniformed Patrol
Squad: [REDACTED]
Unit: Uniformed Partol Squad [REDACTED]
Shift: [REDACTED] Platoon
Rank/title: Police Officer
Age: 32 Years of employment: 2 Years with unit:
Off duty: No Off duty employed: No

Policy outcome: Not yet entered

Charges:

Ancillary 09/03/2019 [] - training issue

Ancillary 03/13/2019 [General Rule Violation] - Performance Mar 13, 2019

Use(s) Of Force:

Taser deployment : Effective

Less-lethal/CED force-related

Accidental discharge: No
Device was displayed only:
Arc display: No
Citizen painted with laser: No
Direct/drive stun contact:
of drive stuns: 0
Injury caused: No
Location of injury:
Projectile/probe contact: Yes
air cartridges used: 1
cycles through probes: 1
dart hits: 2
Total # darts fired: 2
Injury caused:
Darts penetrated subject's skin: Yes
Subject wearing heavy clothing: No
Location of projectile/probe contact: UOF-Less Lethal Body Area

Verbal Commands: NOT effective

Aggressive Response: NOT effective

Less-lethal/CED force-related

Accidental discharge:
Device was displayed only:
Arc display:
Citizen painted with laser:
Direct/drive stun contact:
of drive stuns: 0

Injury caused:
 Location of injury:
 Projectile/probe contact:
 # air cartridges used: 0
 # cycles through probes: 0
 # dart hits: 0
 Total # darts fired: 0
 Injury caused:
 Darts penetrated subject's skin:
 Subject wearing heavy clothing:
 Location of projectile/probe contact:

Presence of Authority: NOT effective

Injuries/conditions:

UOF-Officer Injury / N/A

Summary:

On March 8th, 2019, I Andrew Miller reported to the Utica Police Department for the 1545-0000 hours shift. I was assigned to the Uniform Patrol Division, zone 54 wearing BWC 5679, under Squad Commander Lt. Holt.

At approximately 1630 hours, Ptlm. was dispatched to Rt. 12 South bound, just past the Burrstone exit to check the welfare of a white male carrying a suitcase. Dispatch advised that the male was walking on the shoulder of the road and was yelling at cars.

The male was located on Rt. 12 South just before the French Rd. exit. The male told Ptlm. Miller that he was walking to Florida, and was not yelling at the cars. The male was identified as [REDACTED]. The male said that he did not want to talk to police anymore, and said he was going to continue walking. [REDACTED] was dispersed from the area. Ptlm. Miller then continued to watch [REDACTED] walk South bound on Rt. 12. [REDACTED] was not obstructing traffic, and was not yelling at any cars. Ptlm. then cleared from the area, and was dispatched to another call.

After his next call for service was cleared, dispatch again advised that they received multiple 911 calls regarding the same male on Rt. 12 continuing to yell at cars, and that he was on a bridge by Lomond Place. Dispatched advised that the callers stated they thought he might try and jump off the bridge. Ptlm. continued towards this location. Initially Ptlm. Miller did not see this male at the above location. Ptlm. Miller continued to drive South Bound on Rt. 12, and was about to turn right onto the Rt 840 on ramp to loop back around. As Ptlm. Miller was doing this he observed a male matching [REDACTED] description on Rt 12 South, past the city line. He then advised dispatch of my findings and to notify New Hartford PD. Ptlm. Miller then took a detour to get back on to Rt. 12 South bound in an attempt to speak with the male and await New Hartford PD's arrival as the male may be possibly suicidal as relayed by dispatch.

Ptlm. Miller then located the male and conducted a citizen stop on [REDACTED]. Ptlm. Miller advised [REDACTED] that we again had multiple calls of him yelling at vehicles passing. [REDACTED] stated that he was not yelling at cars, and that he was a prophet. [REDACTED] stated that also Osama's head just got cut off yesterday. [REDACTED] then yelled at Ptlm. Miller and said that he was leaving. Due to [REDACTED] not speaking logically, Ptlm. Miller wanted to continue to interview him. [REDACTED] then started to walk away from Ptlm. Miller and turned his back away from him. Ptlm. Miller then went to approach [REDACTED]. [REDACTED] then turned back at Ptlm. Miller and displayed a knife in his right hand, and told Ptlm. Miller to get back. [REDACTED] held the knife approximately shoulder height in a threatening manner. Ptlm. Miller was scared for his life and thought [REDACTED] was going to stab him. [REDACTED] was approximately ten feet from Ptlm. Miller. Ptlm. Miller then grabbed onto his service weapon, still holstered and advised [REDACTED] to drop the knife, and back peddled so that he could create space. As he was back backing up, [REDACTED] put the knife away. [REDACTED] then continued to walk up to him in a threatening manner, and stated "shoot me". Ptlm. Miller then un-holstered his Taser [REDACTED], and continued to give commands. [REDACTED] continued to walk at Miller and Ptlm. Miller discharged his Taser striking [REDACTED].

center mass. The Taser successfully deployed, and he fell down to the ground. [REDACTED] received (1) 5 second cycle. Once [REDACTED] was on the ground he complied and placed his hands behind his back. Ptlm. then secured hand cuffs on [REDACTED]. Sgt. Cimpi as well as other officers arrived on scene.

[REDACTED] was then stood up, and Ptlm. Miller removed the knife from his right pant pocket. The knife was approximately 3 inches long and was silver in color. The knife was turned over to PO M. Vomer.

Ptlm. Miller then removed the Taser probes from [REDACTED] and he was loaded in the back of car 54.

Ptlm. Miller then measured from where the incident to the city line. The measurement was 1640 feet past the city line into New Hartford.

Due to the incident occurring in New Hartford. New Hartford took custody of [REDACTED]

[REDACTED] refused medical treatment at this time.

[REDACTED] was charged with Menacing 2nd and criminal possession of a weapon 3rd by New Hartford PD. Photographs of the scene and Wickham were secured. [REDACTED] declined any medical attention. A response to resistance investigation was initiated under RMS 19-8735.

Respectfully submitted,

Sgt. Joseph W. Cimpi

When/where:

Date/time occurred: Mar 13 2019 16:30

Incident location: Rt-12 @ French Rd Highway S New Hartford NY 13502 Precinct: UPD Zone 54
County: Oneida

Linked files:

mail notification UOF (Taser Deployed) [REDACTED] 9-8735 (msg)
TASER [REDACTED] Miller (pdf)
Tasor [REDACTED] taser results Miller (msg)
closed notification Lt Holt (pdf)
cover sheet (pdf)
Follow up r- request for verbal training issue (msg)
Intra Memo PO Miller (pdf)
Intra memo Sgt Cimpi (pdf)
Re Follow up Capt Cinque (msg)
Follow up verbal notificaiton to Miller training issue (msg)
copy of NH PD report 19-1885 (pdf)

Status/assignment information:

Status: Initial Priority: Medium

Opened: 03/13/2019 Assigned: 03/13/2019 Due: 04/12/2019

Completed:

Disposition:

Unit assigned: Patrol Division
Handled at field/unit level: Yes
Outside/file investigator: Cimpi, Joseph W Sergeant [2007000000033 / 1415]
Investigator assign: Un-assigned
Supervisor assign: Un-assigned
Source of information: Email

Organizational component(s):

Department: Patrol Division
Bureau: Uniformed Patrol
Division: Uniformed Patrol
Squad: [REDACTED]
Unit: Uniformed Partol Squad [REDACTED]
Shift: [REDACTED] Platoon

Critical incident related

Nature of crisis:

Behavior(s):

Technique(s) used:

Disposition(s)

Force/violence:

Entered by: Sgt Hiram Rios on Mar 14, 2019 at 07:17

From: jcimpi
Sent: Wednesday, March 13, 2019 8:34 PM
To: dcinque; jholt; Professional Standards Distribution List
Subject: RMS 19-8735 Response to Resistance

PO Miller ----March 13, 2019----1640 Hours- Rt. 12/New Hartford.....--RMS 19-8735---- (Response to Resistance)

Defendant/Suspect: [REDACTED]

Force Utilized: Taser Deployment

Photographs Taken of Defendant/Suspect: Yes

Photographs Taken of Scene: Yes

Officer Injured: No

Defendant Injured: NO

Civilian Complaint: NO

Video/Audio: YES/ PO Miller (5679), Cimpi (1415) and M. Vomer (8710)

Charges: Resisting: Menacing 2nd and CPW 4th

Ancillary Issues: To be Investigated

Investigating Supervisor: Sgt. Cimpi

Use of Force Investigation reviewed by: N/A

Investigative Findings: Pending

Summary:

On March 8th, 2019, I Andrew Miller reported to the Utica Police Department for the 1545-0000 hours shift. I was assigned to the Uniform Patrol Division, zone 54 wearing BWC 5679, under Squad Commander Lt. Holt.

At approximately 1630 hours, Ptlm. was dispatched to Rt. 12 South bound, just past the Burrstone exit to check the welfare of a white male carrying a suitcase. Dispatch advised that the male was walking on the shoulder of the road and was yelling at cars.

The male was located on Rt. 12 South just before the French Rd. exit. The male told Ptlm. Miller that he was walking to Florida, and was not yelling at the cars. The male was identified as [REDACTED]. The male said that he did not want to talk to police anymore, and said he was going to continue walking. [REDACTED] was dispersed from the area. Ptlm. Miller then continued to watch [REDACTED] walk South bound on Rt. 12. [REDACTED] was not obstructing traffic, and was not yelling at cars. Ptlm. then cleared from the area, and was dispatched to another call.

After his next call for service was cleared, dispatch again advised that they received multiple 911 calls regarding the same male on Rt. 12 continuing to yell at cars, and that he was on a bridge by Lomond Place. Dispatched advised that the callers stated they thought he might try and jump off the bridge. Ptlm. continued towards this location. Initially Ptlm. Miller did not see this male at the above location. Ptlm. Miller continued to drive South Bound on Rt. 12, and was about to turn right onto the Rt 840 on ramp to loop back around. As Ptlm. Miller was doing this he observed a male matching [REDACTED]'s description on Rt 12 South, past the city line. He then advised dispatch of my findings and to notify New Hartford PD. Ptlm. Miller then took a detour to get back on to Rt. 12 South bound in an attempt to speak with the male and await New Hartford PD's arrival as the male may be possibly suicidal as relayed by dispatch.

Ptln. Miller then located the male and conducted a citizen stop on [REDACTED]. Ptln. Miller advised [REDACTED] that we again had multiple calls of him yelling at vehicles passing. [REDACTED] stated that he was not yelling at cars, and that he was a prophet. [REDACTED] stated that also Osama's head just got cut off yesterday. [REDACTED] then yelled at Ptln. Miller and said that he was leaving. Due to Wickham not speaking logically, Ptln. Miller wanted to continue to interview him. [REDACTED] then started to walk away from Ptln. Miller and turned his back away from him. Ptln. Miller then went to approach [REDACTED], [REDACTED] then turned back at Ptln. Miller and displayed a knife in his right hand, and told Ptln. Miller to get back. [REDACTED] held the knife approximately shoulder height in a threatening manner. Ptln. Miller was scared for his life and thought [REDACTED] was going to stab him. [REDACTED] was approximately ten feet from Ptln. Miller. Ptln. Miller then grabbed onto his service weapon, still holstered and advised Wickham to drop the knife, and back peddled so that he could create space. As he was back backing up, [REDACTED] put the knife away. [REDACTED] then continued to walk up to him in a threatening manner, and stated "shoot me". Ptln. Miller then un-holstered his Taser [REDACTED], and continued to give commands. [REDACTED] continued to walk at Miller and Ptln. Miller discharged his Taser striking [REDACTED] center mass. The Taser successfully deployed, and he fell down to the ground. [REDACTED] received (1) 5 second cycle. Once [REDACTED] was on the ground he complied and placed his hands behind his back. Ptln. Miller then secured hand cuffs on [REDACTED]. Sgt. Cimpi as well as other officers arrived on scene.

[REDACTED] was then stood up, and Ptln. Miller removed the knife from his right pant pocket. The knife was approximately 3 inches long and was silver in color. The knife was turned over to PO M. Vomer.

Ptln. Miller then removed the Taser probes from [REDACTED] and he was loaded in the back of car 54.

Ptln. Miller then measured from where the incident to the city line. The measurement was 1640 feet past the city line into New Hartford.

Due to the incident occurring in New Hartford. New Hartford took custody of [REDACTED]

[REDACTED] refused medical treatment at this time.

[REDACTED] was charged with Menacing 2nd and criminal possession of a weapon 3rd by New Hartford PD. Photographs of the scene and [REDACTED] were secured. [REDACTED] declined any medical attention. A response to resistance investigation was initiated under RMS 19-8735.

Respectfully submitted,

Sgt. Joseph W. Cimpi



TASER
PROTECT LIFE

EVIDENCE SYNC

TASER Information

Serial

[REDACTED]

Model

TASER X26

Firmware Version

Rev. 24

Application Version

3.15.98

Offline Report

Local Timezone

Eastern Daylight Time (UTC -04:00)

Generated On

14 Mar 2019 06:37:33

Dates from : Wed Mar 13 00:00:00 2019 to : Wed Mar 13 23:00:00 2019

Device (X26)

Seq #	Local Time [DD:MM:YYYY hh:mm:ss]	Event [Event Type]	Duration [Seconds]	Temp [Degrees Celsius]	Batt Remaining [%]
799	13 Mar 2019 17:12:14	Trigger	5	24	50

hrios

From: amiller
Sent: Wednesday, March 13, 2019 8:56 PM
To: Professional Standards Distribution List
Cc: swooden; jcimpi
Subject: Tasor [REDACTED]

Greetings,

On 3/13/19 at approximately 1700 hours I was dispatched to an EDP call in which, I deployed my Tasor. The serial number for the Tasor was [REDACTED]. Serial number was placed in a plastic bag, and taken out of service.

Respectfully,
PO Miller

o Resistance Internal Investigative Review

ice - Firearm Display & Taser Deployment

t. J. Cimpi

Holt Jr.

employed by the City of Utica Police Department, assigned to the 15pm - midnight shift) as the Platoon Commander. While Platoon Commander, I completed and reviewed an internal report # 19-8735 which included a Response to Resistance involving C [redacted] (BWC 5679).

700 hours, C Platoon Car/Zone 54 - PO Miller (BWC 5679) was near Lomond Pl. in regards to a complaint of an emotionally badway yelling at passing vehicles. Upon conducting an area search, [redacted] was later identified as [redacted] on State Route 12S in the area determined to be 1640 feet south of the City of Utica) acting as a passing vehicle while walking on the side of the roadway (divided by a grassy area). [redacted]'s erratic behavior, PO Miller became concerned for his safety to stop [redacted] until a New Hartford Police Unit could arrive. PO Miller advised dispatch to have a New Hartford Police Unit stop [redacted] on State Route 12S in the area. [redacted] PO Miller was immediately presented with a knife and began approaching PO Miller telling him to step back while drawing his department issued handgun directing him to drop the knife. [redacted] placed the knife in his pocket and PO Miller telling him "shoot me." PO Miller transitioned and directed [redacted] to get on the ground however [redacted] undoubtedly posed a threat to PO Miller as he was acting in his pocket, while approaching PO Miller and refusing to comply with said circumstances, PO Miller deployed / activated his Taser on [redacted] center mass invoking Neuromuscular lock [redacted] to fall to the ground. After the single Taser deployment / [redacted] became compliant allowing PO Miller to handcuff [redacted] PO Miller removed the Taser probes and [redacted] study of [redacted] was turned over to New Hartford PD. PO [redacted] with a supporting deposition of the incident and NHPD [redacted] 1st 2nd and Criminal Possession of a Weapon 3rd. Sgt. Cimpi was

internal investigatory [redacted] relating to the [redacted] incident. Cimpi interviewed PO Miller and [redacted] regarding the incident. [redacted] plete a comprehensive officer narrative regarding the incident as ce Report. PO M. Vomer was summoned to complete all e Response to Resistance – PO M. Vomer secured digital pictures scene and filed same at headquarters, she also collected the cartridge, as well as AFIDS and placed same into evidence at : reported. No civilian complaints were offered. No witnesses to e identified. Body Worn Camera footage of the incident was stent with all accounts of the incident. Sgt. Cimpi's Response to cluded that PO Miller used the minimum force necessary to [redacted] into police custody as he was being detained pursuant to sion of a Weapon. Furthermore, Sgt. Cimpi found that the actions rameters of departmental policy / procedure as well as all local, ig Use of Force.

r reviewing all applicable case work, it was evident that PO Miller ary to place the defendant [redacted] into police custody. xions of PO Miller were within all parameters of departmental local, state, and federal laws governing Use of Force.

internal Investigation into the above Response to Resistance be

hrios

From: hrios
Sent: Tuesday, September 3, 2019 9:12 AM
To: dcinque
Cc: jholt
Subject: Follow up

On 9/3/19 I, Sgt. H. Rios reviewed a packet submitted by Lt. Holt in response to Use of Force investigation.

RMS 19-8735

Inv. Supervisor Sgt. Cimpi

Incident date 3/13/19

-----Original Call-----

RMS log of PO Femia

Arterial and French Rd
Check the welfare

Car 55/BWC 2845

Assisted car 54 with the original call regarding this male.

RMS log of PO Miller

At approximately 1630 hours, I was dispatched to Rt. 12 South bound, just past the Burrstone exit to check the welfare of a white male carrying a suitcase. I was advised that the male was walking on the shoulder of the road and was yelling at cars.

PO Femia who was in car 55 and I, then located the male on Rt. 12 South just before the French Rd. exit. The male told me that he was walking to Florida, and was not yelling at the cars. The male was identified as [REDACTED]. The male said that he did not want to talk to us anymore, and said he was going to continue walking. [REDACTED] dispersed from the area, **and we had no reason to detain him.** I then continued to watch [REDACTED] walk South bound on Rt. 12. [REDACTED] was not obstructing traffic, and was not yelling at any cars. I then cleared from the area, and was dispatched to another call.

This incident has been rejected for closure At this time, as it has been determined that if PO Miller and Femia had handled the call at the time of their interaction with Mr. [REDACTED] prior to French Rd, there would have been no UOF / tasing in the Town of New Hartford.

The only issue here which is deemed to be a training issue, is that PO Femia and PO Miller both state that there was nothing they could when they first encountered Mr. [REDACTED] on Rt 12 prior to French Rd. However, NYS vehicle and traffic law prohibits any person from walking on a State Highway 1229-a(a) both officers being new might have not known of this V&T law.

Please issue a verbal counseling to each officer, making them aware of this V&T section for possible future reference if they were encounter a similar incident.

Again, this is to be handled as a training issue.

Please advise when this has been completed so that we can close incident with an acillary issue.

**Sergeant Hiram Rios
Office of Professional Standards
Utica Police Department
413 Oriskany Street West (UPD)
UPD (315-223-3405)
Proctor Security (315-368-6436)**

hrios

From: dcinque
Sent: Tuesday, September 3, 2019 10:59 AM
To: hrios
Cc: jholt
Subject: Re: Follow up

This has already been addressed and remedied. You can close it. Txs

Respectfully,

Don Cinque

On Sep 3, 2019, at 09:11, hrios [REDACTED] wrote:

On 9/3/19 I, Sgt. H. Rios reviewed a packet submitted by Lt. Holt in response to Use of Force investigation.

RMS 19-8735

Inv. Supervisor Sgt. Cimpi

Incident date 3/13/19

-----Original Call-----

RMS log of PO Femia

Arterial and French Rd

Check the welfare

Car 55/BWC 2845

Assisted car 54 with the original call regarding this male.

RMS log of PO Miller

At approximately 1630 hours, I was dispatched to Rt. 12 South bound, just past the Burrstone exit to check the welfare of a white male carrying a suitcase. I was advised that the male was walking on the shoulder of the road and was yelling at cars.

PO Femia who was in car 55 and I, then located the male on Rt. 12 South just before the French Rd. exit. The male told me that he was walking to Florida, and was not yelling at the cars. The male was identified as [REDACTED]. The male said that he did not want to talk to us anymore, and said he was going to continue walking. [REDACTED] dispersed from the area, **and we had no reason to detain him.** I then continued to watch [REDACTED] walk South bound on Rt. 12. [REDACTED] was not obstructing traffic, and was not yelling at any cars. I then cleared from the area, and was dispatched to another call.

This incident has been rejected for closure At this time, as it has been determined that if PO Miller and Femia had handled the call at the time of their interaction with Mr. [REDACTED] prior to French Rd, there would have been no UOF / tasing in the Town of New Hartford.

The only issue here which is deemed to be a training issue, is that PO Femia and PO Miller both state that there was nothing they could when they first encountered Mr. V [REDACTED] on Rt 12 prior to French Rd. However, NYS vehicle and traffic law prohibits any person from walking on a State Highway 1229-a(a) both officers being new might have not known of this V&T law.

Please issue a verbal counseling to each officer, making them aware of this V&T section for possible future reference if they were encounter a similar incident.

Again, this is to be handled as a training issue.

Please advise when this has been completed so that we can the close incident with an acillary issue.

Sergeant Hiram Rios

hrios

Subject: FW: Follow up

From: jholt
Sent: Friday, September 06, 2019 1:21 AM
To: hrios
Cc: dcinque
Subject: RE: Follow up

Hiram,

Miller was counselled regarding said training issue the day the incident occurred on 3/13/19.

Lt. Holt

From: dcinque [REDACTED]
Sent: Wednesday, September 04, 2019 11:26 AM
To: jholt [REDACTED]
Subject: FW: Follow up

From: hrios [REDACTED]
Sent: Tuesday, September 03, 2019 11:02 AM
To: dcinque <[REDACTED]>
Subject: RE: Follow up

Received,

Can I get a copy or date remedied, this came from the Chief and I need to add it to IAPRO

From: hrios
Sent: Tuesday, September 03, 2019 9:12 AM
To: dcinque [REDACTED]
Cc: jholt <[REDACTED]>
Subject: Follow up

On 9/3/19 I, Sgt. H. Rios reviewed a packet submitted by Lt. Holt in response to Use of Force investigation.

RMS 19-8735

Inv. Supervisor Sgt. Cimpi

Incident date 3/13/19

DEPARTMENT OF PUBLIC SAFETY

BUREAU OF POLICE

413 Oriskany Street West

Utica, New York 13502

4/22/19

INTRA-AGENCY MEMORANDUM

SUBJECT: RMS 19-8735// [REDACTED]

TO: Chief of Police: Mark W. Williams

On March 13th, 2019, I Andrew Miller reported to the Utica Police Department for the 1545-0000 hours shift. I was assigned to the Uniform Patrol Division, zone 54 wearing BWC 5679, under Squad Commander Lt. Holt.

At approximately 1630 hours, I was dispatched to Rt. 12 South bound, just past the Burrstone exit to check the welfare of a white male carrying a suitcase. I was advised that the male was walking on the shoulder of the road and was yelling at cars.

PO Femia who was in car 55 and I, then located the male on Rt. 12 South just before the French Rd. exit. The male told me that he was walking to Florida, and was not yelling at the cars. The male was identified as [REDACTED]. The male said that he did not want to talk to us anymore, and said he was going to continue walking. [REDACTED] dispersed from the area, and we had no reason to detain him. I then continued to watch [REDACTED] walk South bound on Rt. 12. [REDACTED] was not obstructing traffic, and was not yelling at any cars. I then cleared from the area, and was dispatched to another call.

After next call for service was cleared, dispatch again advised at approximately 1700 hours, that they received multiple 911 calls regarding the same male on Rt. 12 continuing to yell at cars, and that he was on a bridge by Lomond Place. I then continued towards this location. Initially I did not see this male at the above location. I continued to drive South Bound on Rt. 12, and was about to turn right onto the Rt 840 on ramp to loop back around. As I was doing this I observed a male matching [REDACTED] description on Rt 12 South, past the city line. I then advised dispatch of my finding's and to notify New Hartford PD. I then took a detour to get back on to Rt. 12 South bound, and I was advised by supervisors, to continue past the city line so that I could check this male's welfare, until New Hartford PD arrived.

I then located the male and conducted a citizen stop on [REDACTED]. I advised [REDACTED] that we again had multiple calls of him yelling at vehicles passing. [REDACTED] stated that he was not yelling at cars, and that he was a prophet. [REDACTED] stated that also Osama's head just got cut off yesterday. [REDACTED] then yelled at me and said that he was leaving. Due to [REDACTED] not speaking logically, I wanted to continue to interview him regarding his mental health, and wait for NHPD's arrival. [REDACTED] then started to walk away from me and turned his back away from me. I then went to approach [REDACTED]. [REDACTED] then turned back at me and displayed a knife in his right hand, and told me to get back. [REDACTED] held the knife approximately shoulder height in a threatening manner. I was scared for my life and I thought he was going to stab me. [REDACTED] was approximately ten feet from me. I then grabbed onto my service weapon, although it remained in my holster, I advised [REDACTED] to drop the knife, and back peddled so that I could create space. As I was back backing up, [REDACTED] put the knife away. [REDACTED] then continued to walk up to me in a threatening manner, and stated "shoot me". I then un-holstered my Taser (SN# [REDACTED]), and

NAME: Andrew Miller / And. Mill 5679

RANK: PO

continued to give commands . The commands to [REDACTED] were to get back, and get on the ground. [REDACTED] continued to walk towards me and I discharged my Taser striking [REDACTED] center mass. The Taser successfully deployed, and he fell down to the ground. [REDACTED] received (1) 5 second cycle. Once [REDACTED] was on the ground he complied and placed his hands behind his back. I then secured handcuffs on [REDACTED]. Sgt. Cimpi as well as other officers arrived on scene.

[REDACTED] was then stood up, and I removed the knife from his right pant pocket. The knife was approximately 3 inches long and was silver in color. The knife was turned over to PO M. Vomer

I then removed the Taser probes from [REDACTED], and he was loaded in the back of car 54.

Taser probes, wire, cartridge, and AFIDS were recovered.

[REDACTED] was then advised by Sgt. Cimpi to measure from where the incident to the city line. The measurement was 1640 feet past the city line into New Hartford.

Due to the incident occurring in New Hartford. New Hartford took custody of [REDACTED]

[REDACTED] refused medical treatment at this time.

My BWC was activated initially although, when I called Sgt. Poccia regarding the incident I turned it off. I forgot to reactivate the camera when I approached the male. Once I realized the camera was off I immediately activated it.

New Hartford requested a Supporting deposition, which was turned over to PO Allen.

[REDACTED] was charged with Menacing 2nd, and criminal possession of a weapon in the 3rd degree.

Response to resistance was completed.

Officer narrative completed.

NAME: Andrew Miller / J. Adell 5679

RANK: PO

DEPARTMENT OF PUBLIC SAFETY

BUREAU OF POLICE

413 Oriskany Street West

Utica, New York 13502

4/22/19

INTRA-AGENCY MEMORANDUM

SUBJECT: Investigation Re: Response to Resistance Review for Ptlm. Miller, [REDACTED]
(RMS 19-8735)

TO: Chief of Police: Mark W. Williams

Summary:

On 03/13 at approximately 1700 hours car 54, Ptlm. Miller was dispatched to Rt. 12 on the bridge by Lomond Pl. for a male that he had dealt with earlier in the shift yelling at cars.

Ptlm. Miller was able to locate this male on Rt. 12 in the southbound lanes outside of the city in New Hartford. Ptlm. Miller advised dispatch that he would be stopping the male and to have New Hartford PD respond as it was in their jurisdiction.

While speaking with the male, [REDACTED] Ptlm. Miller advised him why he was stopping him. The male began talking illogically stating he was a "prophet" and that Osama's head was cut off yesterday. [REDACTED] then stated he was leaving and began to walk away. Ptlm. Miller thought that [REDACTED] was a possible MHL 9.41 arrest therefore he did not want him to leave until New Hartford PD arrived. As Ptlm. Miller began to approach [REDACTED], [REDACTED] turned around abruptly with a knife in his right hand and told Miller to "get back". Ptlm. Miller, in fear for his life grabbed onto his duty weapon while it was still holstered and advised [REDACTED] to drop the knife all while back pedaling to give himself some space away from [REDACTED]. As Miller was backing up, [REDACTED] put the knife back in his pocket. [REDACTED] however, continued to approach Ptlm. Miller in an aggressive manner yelling for Miller to shoot him. Ptlm. Miller then un-holstered his Taser and continued to give verbal commands for [REDACTED] to get on the ground. [REDACTED] disregarded these commands and continued to approach Miller causing Ptlm. Miller to deploy his Taser. The Taser deployment was successful, striking [REDACTED] center mass and causing him to fall to the ground. Once on the ground [REDACTED] complied with Ptlm. Miller's command to place his hands behind his back. [REDACTED] was then handcuffed by Ptlm. Miller.

[REDACTED] was then stood up by Ptlm. Miller and the knife was removed from his person. He was then placed in the rear of car 54.

Photographs of [REDACTED] and the scene were secured. All Taser probes, cords, cartridge and AFIDs were collected as evidence by car 59, PO M. Vomer. [REDACTED] was not injured and declined all medical attention. His custody was then turned over to NHPD for criminal charges as the incident took place 1640 feet outside the city of Utica and in New Hartford.

Ptlm. Miller responded to New Hartford PD and completed a supporting deposition so that they could charge [REDACTED] with Menacing 2nd and Criminal Possession of a Weapon 3rd.

Ptlm. Miller completed a response to resistance form. A response to resistance investigation was initiated under

NAME: [REDACTED] 1415 Cimmer

RANK: Sgt.

Investigation:

As part of my investigation I spoke with the Ptlm. Miller on scene and learned of [REDACTED] menacing and non-compliance. Photographs were secured of [REDACTED]. Ptlm. Miller completed a response to resistance form and narrative regarding his involvement. Ptlm. Miller's body worn camera was not activated during the tasing and this appears to be human error. Ptlm. Miller's BWC was activated as soon as he realized it was not activated. [REDACTED] did not make any complaints and denied all medical attention.

Findings:

After reviewing all the pertinent paperwork (officer narrative and Response to Resistance Reports) and conferring with Ptlm. Miller I find that Ptlm. Miller utilized the appropriate level of force in apprehending [REDACTED] Ptlm. Miller utilized discretion and only acted when he was forced to do so by [REDACTED] lack of compliance. I find the actions of Ptlm. Miller to be authorized, necessary, reasonable and justified. The use of force utilized by Ptlm. Miller was within the parameters of the Utica Police Department's policy and procedure and also in accordance with NY State Penal Law Article 35.

Ancillary Issues:

None.

Respectfully Submitted,

Name: Joseph W. Cimpi

Rank: Sergeant [REDACTED]

NAME:  1418 Cimpi

RANK: Sgt.

**Office of Professional Standards
Utica Police Department
413 Oriskany Street West (UPD)
UPD (315-223-3405)
Proctor Security (315-368-6436)**

RMS log of PO Femia

Arterial and French Rd
Check the welfare

Car 55/BWC 2845

Assisted car 54 with the original call regarding this male.

RMS log of PO Miller

At approximately 1630 hours, I was dispatched to Rt. 12 South bound, just past the Burrstone exit to check the welfare of white male carrying a suitcase. I was advised that the male was walking on the shoulder of the road and was yelling at cars.

PO Femia who was in car 55 and I, then located the male on Rt. 12 South just before the French Rd. exit. The male told me that he was walking to Florida, and was not yelling at the cars. The male was identified as [REDACTED]. The male said that he did not want to talk to us anymore, and said he was going to continue walking. [REDACTED] dispersed from the area, **and we had no reason to detain him**. I then continued to watch [REDACTED] walk South bound on Rt. 12. [REDACTED] was not obstructing traffic, and was not yelling at any cars. I then cleared from the area, and was dispatched to another call.

This incident has been rejected for closure At this time, as it has been determined that if PO Miller and Femia had handled the call at the time of their interaction with Mr. [REDACTED] prior to French Rd, there would have been no UOF / tasing in the Town of New Hartford.

The only issue here which is deemed to be a training issue, is that PO Femia and PO Miller both state that there was nothing they could when they first encountered Mr. [REDACTED] on Rt 12 prior to French Rd. However, NYS vehicle and traffic law prohibits any person from walking on a State Highway 1229-a(a) both officers being new might have not known of this V&T law.

Please issue a verbal counseling to each officer, making them aware of this V&T section for possible future reference if they were encounter a similar incident.

Again, this is to be handled as a training issue.

Please advise when this has been completed so that we can the close incident with an acillary issue.

Sergeant Hiram Rios
Office of Professional Standards
Utica Police Department
413 Oriskany Street West (UPD)
UPD [REDACTED]
Proctor Security [REDACTED]

1. NYSD No. 8275619K		2. OBTS No.		New York State ARREST REPORT		3. Case No. 2019000001885		4. Ref No. 19-03-0298	
5. FBI No.		6. Arrest No. 2019000000165		7. Agency New Hartford PD		8. Division / Precinct		9. Date	
9. Name (Last, First, Middle) [REDACTED]						10. Alias / Maiden Name (Last, First, Middle) /		11. Phone Number [REDACTED]	
12. Street Number and Name, Building No., Apt. No. [REDACTED]						13. City, State, Zip [REDACTED] C T V		14. Residence Status <input type="checkbox"/> Resident <input type="checkbox"/> Foreign Non-Resident <input type="checkbox"/> Non-Resident <input type="checkbox"/> Unknown	
15. Date of Birth [REDACTED]		16. Age [REDACTED]		17. Sex <input checked="" type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> U		18. Race <input type="checkbox"/> Indian <input type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Asian <input type="checkbox"/> Other		19. Ethnicity <input type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic <input type="checkbox"/> Unknown	
20. Height 6' 0"		21. Weight 160		22. Hair BRO		23. Eyes HAZ		24. Glasses <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
25. Build [REDACTED]		26. Marital Status <input type="checkbox"/> Married <input type="checkbox"/> Single <input type="checkbox"/> Separated <input type="checkbox"/> Divorced <input type="checkbox"/> Widowed <input type="checkbox"/> Unknown		27. U.S. Citizen <input type="checkbox"/> Yes <input type="checkbox"/> No		28. Citizen of USA		29. Other	
30. Social Security No. [REDACTED]		31. Education Twelfth Grade		32. Religion Catholic		33. Occupation [REDACTED]		34. Scars / Marks / Tattoos (Describe)	
35. Arresting Officer Allen, Peter		36. ID No. PJA145		37. Arresting Officer N/A		38. ID No. N/A		39. Arrest Date 03/13/2019	
40. Time 17:06		41. Location of Arrest Route 5 @ Wilbur Rd, New Hartford N		42. Condition of Defendant at Arrest <input checked="" type="checkbox"/> App Norm <input type="checkbox"/> Impaired Dis <input type="checkbox"/> Impaired Dis <input type="checkbox"/> Injured		43. Weapons at Arrest Knife/Cutting Instrument, Knife/Cutting Instrument		44. Co-defendants Arrest No.	
45. Miranda <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		46. Miranda By [REDACTED]		47. Miranda Date [REDACTED]		48. Miranda Time [REDACTED]		49. Statements Written <input type="checkbox"/> Verbal <input type="checkbox"/> None	
50. Status <input type="checkbox"/> Bail/ROR <input type="checkbox"/> Probation <input type="checkbox"/> Parole		51. Search Warrant <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		52. ID Procedure <input type="checkbox"/> None <input type="checkbox"/> Show Up <input type="checkbox"/> Line Up <input type="checkbox"/> Photo		53. Arraignment Court New Hartford Town Court		54. Arraignment Judge	
55. Date [REDACTED]		56. Time [REDACTED]		57. Property <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		58. Evidence <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		59. Processed By Allen, Peter J	
60. Disposition [REDACTED]		61. Incident No. 2019000001885		62. Arrest Status <input type="checkbox"/> ROR <input type="checkbox"/> Police Bail <input type="checkbox"/> Held <input type="checkbox"/> Cash Bail <input type="checkbox"/> Bail Bond <input type="checkbox"/> App'Tkt <input type="checkbox"/> Rel to 3rd Party		63. Bail Amount		64. Bondman	
65. Arrest Type <input type="checkbox"/> MV <input type="checkbox"/> IW <input type="checkbox"/> SUM <input type="checkbox"/> CIP <input type="checkbox"/> CON <input type="checkbox"/> OP <input type="checkbox"/> FC <input type="checkbox"/> VOP <input type="checkbox"/> BW <input type="checkbox"/> AW <input type="checkbox"/> OT		66. Warrant No.		67. Arrest FOA <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		68. Other Agency		69. P/P Taken <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
70. Location of Offense C T V		71. Offense Date 03/13/2019		72. No. Offenders		73. No. Victims		74. Return Court	
75. Return Judge		76. Return Date		77. Return Time		78. Officer's Name		79. ID No.	
80. Time		81. Date		82. Statute		83. Sub		84. CL	
85. CAT		86. DEG		87. ATT		88. NAME OF OFFENSE		89. CTS	
90. INCL		91. INCL		92. INCL		93. INCL		94. INCL	
95. INCL		96. INCL		97. INCL		98. INCL		99. INCL	
100. INCL		101. INCL		102. INCL		103. INCL		104. INCL	
105. INCL		106. INCL		107. INCL		108. INCL		109. INCL	
110. INCL		111. INCL		112. INCL		113. INCL		114. INCL	
115. INCL		116. INCL		117. INCL		118. INCL		119. INCL	
120. INCL		121. INCL		122. INCL		123. INCL		124. INCL	
125. INCL		126. INCL		127. INCL		128. INCL		129. INCL	
130. INCL		131. INCL		132. INCL		133. INCL		134. INCL	
135. INCL		136. INCL		137. INCL		138. INCL		139. INCL	
140. INCL		141. INCL		142. INCL		143. INCL		144. INCL	
145. INCL		146. INCL		147. INCL		148. INCL		149. INCL	
150. INCL		151. INCL		152. INCL		153. INCL		154. INCL	
155. INCL		156. INCL		157. INCL		158. INCL		159. INCL	
160. INCL		161. INCL		162. INCL		163. INCL		164. INCL	
165. INCL		166. INCL		167. INCL		168. INCL		169. INCL	
170. INCL		171. INCL		172. INCL		173. INCL		174. INCL	
175. INCL		176. INCL		177. INCL		178. INCL		179. INCL	
180. INCL		181. INCL		182. INCL		183. INCL		184. INCL	
185. INCL		186. INCL		187. INCL		188. INCL		189. INCL	
190. INCL		191. INCL		192. INCL		193. INCL		194. INCL	
195. INCL		196. INCL		197. INCL		198. INCL		199. INCL	
200. INCL		201. INCL		202. INCL		203. INCL		204. INCL	
205. INCL		206. INCL		207. INCL		208. INCL		209. INCL	
210. INCL		211. INCL		212. INCL		213. INCL		214. INCL	
215. INCL		216. INCL		217. INCL		218. INCL		219. INCL	
220. INCL		221. INCL		222. INCL		223. INCL		224. INCL	
225. INCL		226. INCL		227. INCL		228. INCL		229. INCL	
230. INCL		231. INCL		232. INCL		233. INCL		234. INCL	
235. INCL		236. INCL		237. INCL		238. INCL		239. INCL	
240. INCL		241. INCL		242. INCL		243. INCL		244. INCL	
245. INCL		246. INCL		247. INCL		248. INCL		249. INCL	
250. INCL		251. INCL		252. INCL		253. INCL		254. INCL	
255. INCL		256. INCL		257. INCL		258. INCL		259. INCL	
260. INCL		261. INCL		262. INCL		263. INCL		264. INCL	
265. INCL		266. INCL		267. INCL		268. INCL		269. INCL	
270. INCL		271. INCL		272. INCL		273. INCL		274. INCL	
275. INCL		276. INCL		277. INCL		278. INCL		279. INCL	
280. INCL		281. INCL		282. INCL		283. INCL		284. INCL	
285. INCL		286. INCL		287. INCL		288. INCL		289. INCL	
290. INCL		291. INCL		292. INCL		293. INCL		294. INCL	
295. INCL		296. INCL		297. INCL		298. INCL		299. INCL	
300. INCL		301. INCL		302. INCL		303. INCL		304. INCL	
305. INCL		306. INCL		307. INCL		308. INCL		309. INCL	
310. INCL		311. INCL		312. INCL		313. INCL		314. INCL	
315. INCL		316. INCL		317. INCL		318. INCL		319. INCL	
320. INCL		321. INCL		322. INCL		323. INCL		324. INCL	
325. INCL		326. INCL		327. INCL		328. INCL		329. INCL	
330. INCL		331. INCL		332. INCL		333. INCL		334. INCL	
335. INCL		336. INCL		337. INCL		338. INCL		339. INCL	
340. INCL		341. INCL		342. INCL		343. INCL		344. INCL	
345. INCL		346. INCL		347. INCL		348. INCL		349. INCL	
350. INCL		351. INCL		352. INCL		353. INCL		354. INCL	
355. INCL		356. INCL		357. INCL		358. INCL		359. INCL	
360. INCL		361. INCL		362. INCL		363. INCL		364. INCL	
365. INCL		366. INCL		367. INCL		368. INCL		369. INCL	
370. INCL		371. INCL		372. INCL		373. INCL		374. INCL	
375. INCL		376. INCL		377. INCL		378. INCL		379. INCL	
380. INCL		381. INCL		382. INCL		383. INCL		384. INCL	
385. INCL		386. INCL		387. INCL		388. INCL		389. INCL	
390. INCL		391. INCL		392. INCL		393. INCL		394. INCL	
395. INCL		396. INCL		397. INCL		398. INCL		399. INCL	
400. INCL		401. INCL		402. INCL		403. INCL		404. INCL	
405. INCL		406. INCL		407. INCL		408. INCL		409. INCL	
410. INCL		411. INCL		412. INCL		413. INCL		414. INCL	
415. INCL		416. INCL		417. INCL		418. INCL		419. INCL	
420. INCL		421. INCL		422. INCL		423. INCL		424. INCL	
425. INCL		426. INCL		427. INCL		428. INCL		429. INCL	
430. INCL		431. INCL		432. INCL		433. INCL		434. INCL	
435. INCL		436. INCL		437. INCL		438. INCL		439. INCL	
440. INCL		441. INCL		442. INCL		443. INCL		444. INCL	
445. INCL		446. INCL		447. INCL		448. INCL		449. INCL	
450. INCL		451. INCL		452. INCL		453. INCL		454. INCL	
455. INCL		456. INCL		457. INCL		458. INCL		459. INCL	
460. INCL		461. INCL		462. INCL		463. INCL		464. INCL	
465. INCL		466. INCL		467. INCL		468. INCL		469. INCL	
470. INCL		471. INCL		472. INCL		473. INCL		474. INCL	
475. INCL		476. INCL		477. INCL		478. INCL		479. INCL	
480. INCL		481. INCL		482. INCL		483. INCL		484. INCL	
485. INCL		486. INCL		487. INCL		488. INCL		489. INCL	
490. INCL		491. INCL		492. INCL		493. INCL		494. INCL	
495. INCL		496. INCL		497. INCL		498. INCL		499. INCL	
500. INCL		501. INCL		502. INCL		503. INCL		504. INCL	
505. INCL		506. INCL		507. INCL		508. INCL		509. INCL	
510. INCL		511. INCL		512. INCL		513. INCL		514. INCL	
515. INCL		516. INCL		517. INCL		518. INCL		519. INCL	
520. INCL		521. INCL		522. INCL		523. INCL		524. INCL	
525. INCL		526. INCL		527. INCL		528. INCL		529. INCL	
530. INCL		531. INCL		532. INCL		533. INCL		534. INCL	
535. INCL		536. INCL		537. INCL		538. INCL		539. INCL	
540. INCL		541. INCL		542. INCL		543. INCL		544. INCL	
545. INCL		546. INCL		547. INCL		548. INCL		549. INCL	
550. INCL		551. INCL		552. INCL		553. INCL		554. INCL	
555. INCL		556. INCL		557. INCL		558. INCL		559. INCL	
560. INCL		561. INCL		562. INCL		563. INCL		564. INCL	
565. INCL		566. INCL		567. INCL		568. INCL		569. INCL	
570. INCL		571. INCL		572. INCL		573. INCL		574. INCL	
575. INCL		576. INCL		577. INCL		578. INCL		579. INCL	
580. INCL		581. INCL		582. INCL		583. INCL		584. INCL	
585. INCL		586. INCL		587. INCL		588. INCL		589. INCL	
590. INCL		591. INCL		592. INCL		593. INCL		594. INCL	
595. INCL		596. INCL		597. INCL		598. INCL		599. INCL	
600. INCL		601. INCL		602. INCL		603. INCL		604. INCL	
605. INCL		606. INCL		607. INCL		608. INCL		609. INCL	
610. INCL		611. INCL		612. INCL		613. INCL		614. INCL	
615. INCL		616. INCL		617. INCL		618. INCL		619. INCL	
620. INCL		621. INCL		622. INCL		623. INCL		624. INCL	
625. INCL		626. INCL		627. INCL		628. INCL		629. INCL	
630. INCL		631. INCL		632. INCL		633. INCL		634. INCL	
635. INCL		636. INCL		637. INCL		638. INCL		639. INCL	
640. INCL		641. INCL		642. INCL		643. INCL		644. INCL	
645. INCL		646. INCL		647. INCL		648. INCL		649. INCL	
650. INCL		651. INCL		652. INCL		653. INCL		654. INCL	
655. INCL		656. INCL		657. INCL		658. INCL		659. INCL	
660. INCL		661. INCL		662. INCL		663. INCL		664. INCL	
665. INCL		666. INCL		667. INCL		668. INCL		669. INCL	
670. INCL		671. INCL		672. INCL		673. INCL		674. INCL	
675. INCL		676. INCL		677. INCL		678. INCL		679. INCL	
680. INCL		681. INCL		682. INCL		683. INCL		684. INCL	
685. INCL		686. INCL		687. INCL		688. INCL		689. INCL	
690. INCL		691. INCL		692. INCL		693. INCL		694. INCL	
695. INCL		696. INCL		697.					

Form with sections: INCIDENT, ASSOCIATED PERSONS, SUSPECT/ARRESTED PERSON, PROPERTY, VEHICLE, ADMINISTRATIVE. Includes fields for date, time, location, names, addresses, and various checkboxes for status and details.

New York State Incident Report
New Hartford Police Department
32 Kellogg Road

New Hartford, NY 13413

3364

Incident Number: 2019000001885

Case Number: 19-03-0298

Dispatch Incident Number: N/A

Addendum Page 1 of 1

Print Date: March 21, 2019

Printed By: pja145

Addendum

Narratives for Incident Number 2019000001885 ? Yes

Other Narratives not authorized for print? None

Narratives this user authorized to print:

Narrative by: PATROLMAN Peter Allen Division: General Department Personnel

Date & Time	Narrative Description	Entered by	Status	Reviewed by	Last Edit Date
03/13/2019 21:06		PATROLMAN Peter Allen	Open		03/13/2019

i) 03/13/2019 5:12pm - Writer responded to State Route 5 in the area of Wilbur Road to assist Utica Police. Oneida County dispatch stated that the Utica Police were in that area looking for a white male who was walking near the roadway yelling at cars and waving his arms. While en route it was reported that the Utica Police Officer had the suspect in custody. Upon arrival there were several Utica Police Officer's on scene including PO Andrew Miller. PO Miller had a suspect in custody who was later identified as [REDACTED]

After speaking with the Officers on scene Writer learned that PO Miller had previously made contact with [REDACTED] earlier in the day as he was walking on the Arterial near French Road. PO Miller stated that he cleared and was called back shortly thereafter regarding the same male. PO Miller eventually located the male again walking on State Route 5 near Wilbur Road. PO Miller exited his vehicle to speak with him and stated that the male was speaking illogically and eventually stated that he was going to leave. PO Miller stated [REDACTED] turned his back to him and began to walk away. When PO Miller approached [REDACTED] he stated that [REDACTED] turned back around, displayed a knife toward him in a threatening manner and told him to get back. PO Miller stated that [REDACTED] eventually put the knife away but continued to walk toward him in a threatening manner stating "shoot me". At this point PO Miller continued to give verbal commands as he drew his taser. [REDACTED] refused to comply and was tased and taken into custody.

After being taken into custody PO Miller secured the knife from [REDACTED] and same was eventually turned over to PO M. Vomer. The taser probes were also removed from [REDACTED] by PO Miller; [REDACTED] declined medical attention and was placed into the back of UPD 54. Writer secured the knife from PO M. Vomer who also took several photographs of the scene. PO Miller requested criminal prosecution and [REDACTED] was transferred to Writer's patrol vehicle and was transported back to NHPD where he was processed for PL 120.18 and PL 265.02. PO Miller provided a detailed statement of the incident. Sgt. Kowalski made contact with ADA Lisi who made a bail recommendation of \$10,000. [REDACTED] was transported to CAP Court by Writer and PO Sacco where he was arraigned in front of Judge Larkin. [REDACTED] was remanded to the Oneida County Jail in lieu of \$10,000 cash/bond. Case closed.

 #145
Signature - Reporting Officer

 144
Signature - Reviewing Officer

NEW YORK

County Of ONEIDA

Town of NEW HARTFORD

On DATE 3/13/19	at TIME STARTED 1800 1711	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	FULL NAME Ptlm. Andrew Miller	DATE OF BIRTH N/A
NO. & STREET Utica Police Department			C / T / V Utica Police Department	STATE NY

state the following:

On March 8th, 2019, I Andrew Miller reported to the Utica Police Department for the 1800 hours shift. I was assigned to the Uniform Patrol Division, zone 54 wearing BWC 5679, under Squad Commander Lt. Holt.

At approximately 1630 hours, I was dispatched to Rt. 12 South bound, just past the Burrstone exit to check the welfare of a white male carrying a suitcase. I was advised that the male was walking on the shoulder of the road and was yelling at cars.

We then located the male on Rt. 12 South just before the French Rd. exit. The male told me that he was walking to Florida, and was not yelling at the cars. The male was identified as [REDACTED]. The male said that he did not want to talk to us anymore, and said he was going to continue walking. [REDACTED] dispersed from the area, and we had no reason to detain him. I then continued to watch [REDACTED] walk South bound on Rt. 12. [REDACTED] was not obstructing traffic, and was not yelling at any cars. I then cleared from the area, and was dispatched to another call.

After next call for service was cleared, dispatch again advised that they received multiple 911 calls regarding the same male on Rt. 12 continuing to yell at cars, and that he was on a bridge by Lomond Place. I then continued towards this location. Initially I did not see this male at the above location. I continued to drive South Bound on Rt. 12, and was about to turn right onto the Rt 840 on ramp to loop back around. As I was doing this I observed a male matching [REDACTED] description on Rt 12 South, past the city line. I then advised dispatch of my finding's and to notify New Hartford PD. I then took a detour to get back on to Rt. 12 South bound, and I was advised by supervisors, to continue past the city line so that I could check this males welfare.

I then located the male and conducted a citizen stop on [REDACTED]. I advised [REDACTED] that we again had multiple calls of him yelling at vehicles passing [REDACTED] and that he was not yelling at cars, and that he was a prophet. [REDACTED] stated that also Osama's head just got cut off yesterday. [REDACTED] then yelled at me and said that he was leaving. Due to [REDACTED] not speaking logically, I wanted to continue to interview him. [REDACTED] then started to walk away from me and turned his back away from me. I then went to approach Wickham, Wickham then turned back at me and displayed a knife in his right hand, and told me to get back. Wickham held the knife approximately shoulder height in a threatening manner. I was scared for my life and I thought he was going to stab me. [REDACTED] was approximately ten feet from me. I then grabbed onto my service weapon, I advised [REDACTED] to drop the knife, and back peddled. As I was back backing up, [REDACTED] put the knife away. [REDACTED] then continued to walk up to me in a threatening manner, and stated "shoot me". I then un-holstered my taser, and continued to give commands. [REDACTED] continued to walk at me and I discharged my taser striking [REDACTED] center mass. The taser successfully deployed, and he fell down to the ground. Once [REDACTED] was on the ground he complied and placed his hands behind his back. I then secured hand cuffs on [REDACTED]. Sgt. Cimpi as well as other officers arrived on scene.

[REDACTED] was then stood up, and I removed the knife from his right pant pocket. The knife was approximately 3 inches long and was silver in color.

I then removed the taser probes from [REDACTED] and he was loaded in the back of car 54.

Due to the incident occurring in New Hartford. New Hartford took custody of [REDACTED].

[REDACTED] refused medical treatment at this time.

I do request criminal charges be filed against [REDACTED].

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

Sworn to before me this _____

day of _____ 2 _____

(SIGNATURE)

(TITLE)

(SIGNATURE OF DEPONENT)

(WITNESS)

(NAME OF PERSON TAKING DEPOSITION)

TIME ENDED

☐ AM

☐ PM

(DEPOSITION)

NOTE: THIS FORM NEED BE SWORN ONLY IF COURT SPECIFICALLY REQUIRES OATH.

Local Criminal Court
County of Oneida

Town of New Hartford
State of New York

The People of the State of New York
vs

[REDACTED]
[REDACTED]

Defendant(s)

Information / Complaint

I, PO P. Allen

The complainant herein, ACCUSE the Defendant(s)

of the Offense of Menacing a Police Officer or Peace Officer

violation of Section 120.18 Subdivision -- of the
State of New York; a Class D Felony.

Penal Law of the

The following are the **FACTS** upon which such accusation is based;

That on or about March 13, 2019 at about 5:00pm o'clock in the afternoon, in the
Town of New Hartford, County of Oneida, State of New York, the said defendant(s) did

Unlawfully, *intentionally, *knowingly, *recklessly, with criminal negligence commit the crime of menacing a police officer or peace officer. A person is guilty of menacing a police officer or peace officer when he or she intentionally places or attempts to place a police officer or peace officer in reasonable fear of physical injury, serious physical injury or death by displaying a deadly weapon, knife, pistol, revolver, rifle, shotgun, machine gun or other firearm, whether operable or not, where such officer was in the course of performing his or her official duties and the defendant knew or reasonably should have known that such victim was a police or peace officer.

TO WIT: On the above stated date
I, the time the aforementioned defendant did unlawfully, intentionally, and knowingly place PO A. Miller, a uniformed Police Officer with the Utica Police Department, in reasonable fear of physical injury, serious physical injury or death when he displayed a folding silver knife in a threatening manner while on State Route 5 in the Town of New Hartford. All contrary to the provisions of this statute made and provided.

This accusatory is based upon * the personal knowledge of this complainant and/or information and belief, sources of my information and grounds of my belief being the sworn supporting deposition of
A. Miller.

WHEREFORE, Complainant respectfully requests that a Warrant of Arrest or Criminal Summons (if not a Felony) be issued against the defendant(s).

I have read the foregoing and understand that **FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.**

 #145
COMPLAINANT

Verified and Subscribed before me on _____

Signature

Title

19-03-0298

Case #

Local Criminal Court

County of Oneida

Town of New Hartford

State of New York

The People of the State of New York

vs

[REDACTED]

[REDACTED]

Defendant(s)

Information / Complaint

I, PO P. Allen.

The complainant herein, ACCUSE the Defendant(s)

[REDACTED]

of the Offense of Criminal Possession of a Weapon in the Third Degree
in violation of Section 265.02 Subdivision 1 of the
State of New York, a Class D Felony

Penal Law of the

The following are the **FACTS** upon which such accusation is based;

that on or about March 13, 2019 at about 5:00pm o'clock in the afternoon, in the
Town of New Hartford, County of Oneida, State of New York, the said defendant(s) did

Unlawfully, *intentionally, *knowingly, *recklessly, with criminal negligence commit the crime of criminal
possession of a weapon in the third degree. A person is guilty of criminal possession of a weapon in the third
degree when such person commits the crime of criminal possession of a weapon in the fourth degree as defined in
subdivision one, two three or five of section 265.01, and has been previously convicted of any crime.

TO WIT: On the aforementioned
date and time the above stated defendant did unlawfully, intentionally and knowingly commit the crime of criminal
possession of a weapon in the third degree when he possessed and displayed a silver folding knife with the intent to
harm PO A. Miller, a uniformed Police Officer of the Utica Police Department while on State Route 5 in the Town of
New Hartford and said defendant has been previously convicted of a crime. All contrary to the provisions of this
statute made and provided.

This accusatory is based upon * the personal knowledge of this complainant and/or information and belief,
the sources of my information and grounds of my belief being the sworn supporting deposition of
PO A. Miller.

HEREFORE, Complainant respectfully requests that a Warrant of Arrest or Criminal Summons (if not a
copy) be issued against the defendant(s).

I have read the foregoing and understand that **FALSE STATEMENTS MADE HEREIN ARE
PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL
LAW.**


COMPLAINANT

Filed and Subscribed before me on _____

Signature

Title

Case #

19-03-0298

FELONY REPORTDate of Report 03/13/2019Investigating Agency New Hartford Police DepartmentInvestigating Officer PO P AllenBail Information
(Include: Amount, Dates Set and Posted,
Surety or Cash)

Defendants (DOB)	Counsel	Bail Information
(1) <u>[REDACTED]</u>	<u>Public Defender</u>	<u>\$10,000 cash/bond</u>
(2) _____	_____	_____
(3) _____	_____	_____
(4) _____	_____	_____
(5) _____	_____	_____

Charge(s) PL 120.18, PL 265.02Date Felony Complaint Filed 03/13/2019Arrest Date(s) 03/13/2019Court CAP CourtJudge Larkin

Adjourned Dates _____

Comments and/or Dispositions (Include ADA, Judge, Dates, Sentence, Y.O. status)

VICTIM INFORMATIONName PO A Miller - Utica Police Department

Age _____

Parent or Guardian, if a minor _____

Home Address _____

Phone _____

Home Address _____

Phone _____

Alternate Contact: Name _____

Relationship _____

Address _____

Phone _____

REMARKS:

Vehicle accident **IA No: MVA2020-0001** **Received: Jan 20, 2020 16:42**

Case No: RMS 20-2079

Officers involved:

Police Officer Andrew B Miller [5679/2016000000009]

Officer current info:

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

Snapshot - Officer information at time of incident:

: 2016000000009
Body worn camera: N/A
Department: Patrol Division
Bureau: Uniformed Patrol
Division: Uniformed Patrol
Squad: [REDACTED]
Unit: Uniformed Partol Squad [REDACTED]
Shift: [REDACTED] Platoon
Rank/title: Police Officer
Age: 33 Years of employment: 3 Years with unit:
Off duty: No Off duty employed: No

Policy outcome: Not yet entered

Allegations:

Dept Vehicle/Oprations/Care/Personal Use/MV Accident Reporting - Chapter 4 Article 3 Police Vehicle and Equipment

Jul 22, 2020 Sustained

Actions taken:

UPD Policy and Procedure Violation: Apr 13, 2020 - Command Discipline Days/hrs suspended/assessed: 1 - [Action/discipline completed]

Summary:

On today's date, around 1400 hours, Car 45 was involved in a motor vehicle accident. Officer Andrew Miller parked Car 45 (legally) in front of Oneida Square Market. When Miller was exiting his patrol car, a passing vehicle struck his driver side door. The driver's door sustained extensive damage, and the vehicle was towed to the Utica Police Maintenance Garage. [REDACTED] was the operator of the passing vehicle. [REDACTED] stated he was not injured and his license was valid. Miller also stated he was not injured from the accident. Photographs were secured of the accident scene and the vehicles. Captain Cinque was notified of the accident. An MV104A was completed and a supervisor investigation is pending.

When/where:

Date/time occurred: Jan 20 2020 14:00

Incident location: [REDACTED] Oneida Street Utica NY 13501 Precinct: UPD Zone 55

County: Oneida

Linked files:

email notification Officer Involved Accident Notification 20-2079 (msg)
Andrew Miller's Driving Record (msg)
Command Discipline (pdf)
Cover page (pdf)
Estimate (pdf)
Narrative of Lt Dougherty (pdf)
Narrative of Sgt Perra (pdf)

Status/assignment information:

Status: Completed Priority: Medium

Opened: 01/20/2020 Assigned: 01/20/2020 Due: 02/19/2020

Completed: 04/13/2020

Disposition: Sustained

Unit assigned: Patrol Division

Handled at field/unit level: Yes

Outside/file investigator: Perra, Benjamin L Sergeant [2008000000023 / 6587]

Investigator assign: Sgt Hiram Rios

Supervisor assign: Un-assigned

Source of information: Email

Organizational component(s):

Department: Patrol Division

Bureau: Uniformed Patrol

Division: Uniformed Patrol

Squad: [REDACTED]

Unit: Uniformed Partol Squad [REDACTED]

Shift: [REDACTED] Platoon

Vehicle accident specific:

Employee was at fault (yes/no): Yes

Time of accident: 1201 - 1800

Cause of accident: Driver inattention

Vehicle info:

Vehicle ID: [REDACTED]

Damage to departmental vehicle involved: 0

Damage to other vehicle(s) involved: 0

Employee was injured (yes/no): No

Others were injured (yes/no): No

Critical incident related

Nature of crisis:

Behavior(s):

Technique(s) used:

Disposition(s)

Force/violence:

Entered by: Sgt Hiram Rios on Jan 21, 2020 at 04:41

hrios

From: bperra
Sent: Monday, January 20, 2020 4:42 PM
To: dcinque; ckelly; LogisticsandResourcesDistributionList; Professional Standards Distribution List
Cc: sdougherty
Subject: Officer Involved Accident Notification/ 20-2079

Sirs,

On today's date, around 1400 hours, Car 45 was involved in a motor vehicle accident. Officer Andrew Miller parked Car 45 (legally) in front of Oneida Square Market. When Miller was exiting his patrol car, a passing vehicle struck his driver side door. The driver's door sustained extensive damage, and the vehicle was towed to the Utica Police Maintenance Garage. [REDACTED] was the operator of the passing vehicle. [REDACTED] stated he was not injured and his license was valid. Miller also stated he was not injured from the accident. Photographs were secured of the accident scene and the vehicles. Captain Cinque was notified of the accident. An MV104A was completed and a supervisor investigation is pending.

Respectfully,

Sgt. Benny Perra

hrios

From: bperra
Sent: Monday, January 20, 2020 4:44 PM
To: Professional Standards Distribution List
CC: sdougherty
Subject: Andrew Miller's Driving Record

Sirs,

Can you check Officer Miller's driving record please. Thank you.

Respectfully,

Sgt. Benny Perra



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

4/13/2020

PO Andrew Miller

B-1

Division

PO Miller:

On January 20th 2020 at approximately 1410hrs, you were parked, facing north bound, in front of the Oneida Square Market (1331 Oneida St.). You were assigned to a foot patrol detail in that area, at the time. When you attempted to exit your vehicle (car 49), to resume your foot patrol, your front driver's side door was struck by a [REDACTED] being operated by [REDACTED]. An accident report was completed and in that accident report you were faulted for opening your front driver's side door into traffic. The damage to car 49 was estimated at \$5,373.58 by the Carbone Collision Center.

As a result of the investigation it was determined that you have violated Department Procedural Manual Section(s):

Chapter Eight, Article One, Professional Standards of Conduct and Ethics

1.1.1 PERFORMANCE AND ATTENTION TO DUTY:

E. Departmental Vehicles/Operation/Care/ Personal Use/MV Accident/Reporting;

Employees shall operate departmental vehicles in a careful and prudent manner, shall obey all laws and departmental directives pertaining to such operation.

On 4/13/2020, a Command Discipline hearing was commenced. You were offered PBA representation and you accepted/denied. Also present during this hearing was PO Christopher Jennings. 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 this Letter of Reprimand. You also accept the deduction of (1) days vacation from your 2020 time bank.
- D) 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.

Last Revision Date 6/7/2016

Don Grew
(Command Officer) *CINACIE*
(Unit) *1420*

[Signature]
(Employee)

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

#2553

[Signature]
(Supervisor)
(Unit)

[Signature] *Jennings*
(PBA Representative) *4224*



Sergeant's Office Memorandum



To: Lieutenant Sean Dougherty

From: Sergeant Benny Perra

RE: Officer Involved Accident/ Andrew Miller

- MV104A Accident Report
- Estimate of Damage (Car 49)
- Officer Narrative (Andrew Miller)
- Supervisor Narrative (Benny Perra)

Carbone Collision Center
5718 HORATIO STREET, UTICA, NY 13502
Phone: (315) 736-1275
FAX: (800) 515-4254

Workfile ID: e2468286
PartsShare: 5JFmrd
Federal ID: 82-2804010
License Number: IA 1019184

Preliminary Estimate

Customer: utica police

Job Number:

Written By: Mike Hughes

Insured: utica police
Type of Loss:
Point of Impact:

Policy #:
Date of Loss:

Claim #:
Days to Repair: 0

Owner:
utica police
(000) 000-0000 Business

Inspection Location:
Carbone Collision Center
5718 HORATIO STREET
UTICA, NY 13502
Repair Facility
[REDACTED]

Insurance Company:

VEHICLE

2015 FORD Police Interceptor FWD (Fleet) 4D SED 6-3.5L Flex Fuel Sequential MPI

VIN: [REDACTED]
License:
State:

Interior Color:
Exterior Color:
Production Date:

Mileage In: 1
Mileage Out:
Condition:

Vehicle Out:
Job #:

TRANSMISSION

Automatic Transmission

POWER

Power Steering
Power Brakes
Power Windows
Power Locks
Power Mirrors
Power Driver Seat
Power Adjustable Pedals

DECOR

Dual Mirrors

Tinted Glass

Overhead Console

CONVENIENCE

Air Conditioning
Intermittent Wipers
Tilt Wheel
Cruise Control
Rear Defogger
Message Center
Steering Wheel Touch Controls
Telescopic Wheel
Backup Camera

RADIO

AM Radio
FM Radio
Stereo
Search/Seek
CD Player
SAFETY
Drivers Side Air Bag
Passenger Air Bag
Anti-Lock Brakes (4)
4 Wheel Disc Brakes
Front Side Impact Air Bags

Head/Curtain Air Bags

SEATS

Cloth Seats
Bucket Seats
Reclining/Lounge Seats

WHEELS

Styled Steel Wheels

PAINT

Clear Coat Paint

OTHER

Traction Control
Stability Control

Get live updates at www.carwise.com/e/3Kdcyu

Preliminary Estimate

Customer: utica police

Job Number:

15 FORD Police Interceptor FWD (Fleet) 4D SED 6-3.5L Flex Fuel Sequential MPI

Line	Oper	Description	Part Number	Qty	Extended Price \$	Labor	Paint
1 FRONT DOOR							
2	Repl	LT Door shell	AG1Z5420125B	1	703.86	5.3	3.3
3		Add for Clear Coat		0	0.00	0.0	1.3
4	Repl	LT Door w/strip	AG1Z5420531B	1	155.18	Incl.	0.0
5	Repl	LT Lower w/strip	AG1Z5420758A	1	38.63	Incl.	0.0
6	Repl	LT Front w/strip	AG1Z1520521A	1	52.27	Incl.	0.0
7	Repl	LT Side molding	AG1Z5420879AA	1	76.84	0.3	0.0
8	Repl	LT Upper molding	AG1Z5420551B	1	164.38	0.6	0.0
9	Repl	LT Applique w/Police	DG1Z5420555AA	1	79.43	Incl.	0.0
10	Repl	LT Mirror assy w/o blind spot, w/o memory w/o heat	DG1Z17683A	1	322.97	Incl.	0.0
11	R&I	LT Door glass FORD POLICE INTERCEPTOR		0	0.00	Incl.	0.0
12	Repl	LT Handle, outside w/passive entry	DG1Z5422404AAPT	1	152.67	Incl.	0.7
13		Overlap Minor Panel		0	0.00	0.0	-0.2
14		Add for Clear Coat		0	0.00	0.0	0.1
15	Repl	LT Upper hinge	8A5Z5422801A	1	44.07	0.3	0.3
16		Add for Clear Coat		0	0.00	0.0	0.1
17	Repl	LT Lower hinge	8A5Z5422811A	1	42.32	0.3	0.3
18		Add for Clear Coat		0	0.00	0.0	0.1
19	Repl	LT Door trim panel POLICE INTERCEPTOR charcoal	DG1Z5423943EB	1	935.61	0.7	0.0
20	Repl	LT Upper molding	AG1Z5451753AA	1	112.27	0.0	0.0
21	Repl	LT Trim molding w/Police charcoal	DG1Z54239A01DA	1	37.00	0.2	0.0
22 FENDER							
23	Repl	LT Fender	DG1Z16006B	1	323.45	1.8	2.0
24		Overlap Major Non-Adj. Panel		0	0.00	0.0	-0.2
25		Add for Clear Coat		0	0.00	0.0	0.4
26		Add for Edging		0	0.00	0.0	0.5
27 FRONT BUMPER							
28	R&I	R&I bumper cover		0	0.00	1.8	0.0
29 FRONT LAMPS							
30	R&I	LT R&I headlamp assy		0	0.00	0.3	0.0
31 STRIPE TAPE & DECALS							
32	Repl	LT Decal front door white	DG1Z5420001B	1	420.68	2.0	0.0
33 VEHICLE DIAGNOSTICS							
34	#	Post Repair Scan per OEM (asTech)		1	119.95	0.5 D	0.0
35	#	Rpr Color sand and buff		0	0.00	1.0	0.0
36	**	Repl A/M CAR COVER		1	5.00	0.2	0.0
37	**	Repl A/M COROSION PROTECTION		1	5.00	0.2	0.0
38	#	Rpr Set up on Frame Machine		0	0.00	2.0	0.0

Preliminary Estimate

Customer: utica police

Job Number:

2015 FORD Police Interceptor FWD (Fleet) 4D SED 6-3.5L Flex Fuel Sequential MPI

SUBTOTALS	3,791.58	17.5	8.7
------------------	-----------------	-------------	------------

ESTIMATE TOTALS

Category	Basis	Rate	Cost \$
Parts			3,791.58
Body Labor	17.0 hrs @	\$ 50.00 /hr	850.00
Paint Labor	8.7 hrs @	\$ 50.00 /hr	435.00
Diagnostic Labor	0.5 hrs @	\$ 72.00 /hr	36.00
Paint Supplies	8.7 hrs @	\$ 30.00 /hr	261.00
Subtotal			5,373.58
Grand Total			5,373.58
Deductible			0.00
CUSTOMER PAY			0.00
INSURANCE PAY			5,373.58

MyPriceLink Estimate ID / Quote ID:

649219914762035200 / 62092550

2610 DISCLAIMER: PURSUANT TO SECTION 2610 OF THE INSURANCE LAW, AN INSURANCE COMPANY CANNOT REQUIRE THAT REPAIRS BE MADE TO THE MOTOR VEHICLE IN A PARTICULAR PLACE OR REPAIR SHOP. YOU HAVE THE RIGHT TO HAVE YOUR VEHICLE REPAIRED IN THE SHOP OF YOUR CHOICE.

ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR COMMERCIAL INSURANCE OR A STATEMENT OF CLAIM FOR ANY COMMERCIAL OR PERSONAL INSURANCE BENEFITS CONTAINING ANY MATERIALLY FALSE INFORMATION, OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO, AND ANY PERSON WHO, IN CONNECTION WITH SUCH APPLICATION OR CLAIM, KNOWINGLY MAKES OR KNOWINGLY ASSISTS, ABETS, SOLICITS OR CONSPIRES WITH ANOTHER TO MAKE A FALSE REPORT OF THE THEFT, DESTRUCTION, DAMAGE OR CONVERSION OF ANY MOTOR VEHICLE TO A LAW ENFORCEMENT AGENCY, THE DEPARTMENT OF MOTOR VEHICLES OR AN INSURANCE COMPANY, COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME, AND SHALL ALSO BE SUBJECT TO A CIVIL PENALTY NOT TO EXCEED FIVE THOUSAND DOLLARS AND THE VALUE OF THE SUBJECT MOTOR VEHICLE OR STATED CLAIM FOR EACH VIOLATION.

You are entitled to the return of all replaced parts, except warranty and exchange parts, but you must ask for them in writing before any work is done. If you authorize work by phone, the shop must keep any replaced parts, and make them available when you pick up the vehicle.

THE PREPARATION OF THIS ESTIMATE MAY HAVE BEEN BASED ON THE USE OF CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. THERE ARE WARRANTIES APPLICABLE TO THESE REPLACEMENT PARTS. THESE WARRANTIES ARE PROVIDED BY THE MANUFACTURER AND/OR DISTRIBUTOR OF THE PARTS RATHER THAN BY THE ORIGINAL MANUFACTURER OF YOUR VEHICLE.

Preliminary Estimate

Customer: utica police

Job Number:

2015 FORD Police Interceptor FWD (Fleet) 4D SED 6-3.5L Flex Fuel Sequential MPI

Estimate based on MOTOR CRASH ESTIMATING GUIDE and potentially other third party sources of data. Unless otherwise noted, (a) all items are derived from the Guide DR2JN10, CCC Data Date 01/17/2020, and potentially other third party sources of data; and (b) the parts presented are OEM-parts. OEM parts are manufactured by or for the vehicle's Original Equipment Manufacturer (OEM) according to OEM's specifications for U.S. distribution. OEM parts are available at OE/Vehicle dealerships or the specified supplier. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships with discounted pricing. Asterisk (*) or Double Asterisk (**) Indicates that the parts and/or labor data provided by third party sources of data may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. The symbol (<>) indicates the refinish operation WILL NOT be performed as a separate procedure from the other panels in the estimate. Non-Original Equipment Manufacturer aftermarket parts are described as Non OEM, A/M or NAGS. Used parts are described as LKQ, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries.

Some 2020 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The CCC ONE estimator has a list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

The following is a list of additional abbreviations or symbols that may be used to describe work to be done or parts to be repaired or replaced:

SYMBOLS FOLLOWING PART PRICE:

M=MOTOR Mechanical component. S=MOTOR Structural component. T=Miscellaneous Taxed charge category.
X=Miscellaneous Non-Taxed charge category.

SYMBOLS FOLLOWING LABOR:

D=Diagnostic labor category. E=Electrical labor category. F=Frame labor category. G=Glass labor category.
M=Mechanical labor category. S=Structural labor category. (numbers) 1 through 4=User Defined Labor Categories.

OTHER SYMBOLS AND ABBREVIATIONS:

Adj.=Adjacent. Algn.=Align. ALU=Aluminum. A/M=Aftermarket part. Blend=Blend. BOR=Boron steel.
CAPA=Certified Automotive Parts Association. D&R=Disconnect and Reconnect. HSS=High Strength Steel.
HYD=Hydroformed Steel. Incl.=Included. LKQ=Like Kind and Quality. LT=Left. MAG=Magnesium. Non-Adj.=Non
Adjacent. NSF=NSF International Certified Part. O/H=Overhaul. Qty=Quantity. Refn=Refinish. Repl=Replace.
R&I=Remove and Install. R&R=Remove and Replace. Rpr=Repair. RT=Right. SAS=Sandwiched Steel.
Sect=Section. Subl=Sublet. UHS=Ultra High Strength Steel. N=Note(s) associated with the estimate line.

CCC ONE Estimating - A product of CCC Information Services Inc.

The following is a list of abbreviations that may be used in CCC ONE Estimating that are not part of the MOTOR CRASH ESTIMATING GUIDE:

BAR=Bureau of Automotive Repair. EPA=Environmental Protection Agency. NHTSA= National Highway
Transportation and Safety Administration. PDR=Paintless Dent Repair. VIN=Vehicle Identification Number.

Department of Public Safety

BUREAU OF POLICE

413 Oriskany Street West, Utica New York 13502

Date: April 13th 2020

Subject: Motor Vehicle Accident involving car 49 (PO Andrew Miller)

To: Chief of Police
Mark W. Williams

Summary:

On February 28th 2020, I reviewed an investigation completed by Sgt. Benjamin Perra in relation to a motor vehicle accident involving car 49 (PO Andrew Miller).

Investigation:

On January 20th 2020 at approximately 1410hrs, PO Andrew Miller was parked, facing north bound, in front of the Oneida Square Market (Oneida St.). Miller was assigned to a foot patrol detail in that area, at the time. When Miller attempted to exit his vehicle, to resume his foot patrol, his front driver's side door was struck by a [REDACTED] being operated by [REDACTED]. An accident report was completed by PO Christopher Manion (car 55) regarding the collision. In the accident report, Miller was faulted for opening his front driver's side door into traffic. Photographs of the vehicles and the scene were secured. Surveillance footage that captured the collision was also downloaded into the crime scene folder. The damage to car 49 was estimated at \$5,373.58 by the Carbone Collision Center.

Findings:

Based upon my review of Sgt. Perra's report, the surveillance footage and the photographic evidence, I concur with his findings that Miller was in violation of the following section(s) of our procedural manual, as a result of being involved in the collision:

Chapter Eight, Article One, Professional Standards of Conduct and Ethics

1.14 PERFORMANCE AND ATTENTION TO DUTY:

EE. Departmental Vehicles/Operation/Care/ Personal Use/MV Accident/Reporting;

2. Employees shall operate departmental vehicles in a careful and prudent manner, and shall obey all laws and departmental directives pertaining to such operation.

*Based upon my review of Miller's disciplinary history and the damage sustained to both vehicles, I recommend that he forfeits (3) vacation days from his 2020 time bank.



Lt. Sean Dougherty #2553
B Platoon Commander

RMS #20-2079

UTICA POLICE DEPARTMENT

Officer Involved Accident

Officer Andrew Miller

RMS 20-2079

Sergeant Benny Perra

Officer Involved Accident

DEPARTMENT OF PUBLIC SAFETY

BUREAU OF POLICE

413 Oriskany Street West

Utica, New York 13502

2/24/20

INTRA-AGENCY MEMORANDUM

SUBJECT: Officer involved Accident/ 20-2079**TO:** Chief of Police: Mark W. Williams

On the 20th day of January 2020, I reported to work for the 0800 to 1600 hour shift, assigned to Car 50 as a street supervisor, under the command of Sgt. Geddes.

Summary:

On January 20th 2020, around 1410 hours, Officer Andrew Miller was involved in a car accident. Miller parked his patrol car (Car 49) in front of [REDACTED] Oneida Street (Oneida Square Market). When Miller was opening his driver side door it was struck by a vehicle passing north bound on Oneida Street. Miller was not injured and the passing vehicle sustained front right damage.

Investigative Facts:

On January 20th 2020, Officer Andrew Miller was assigned to the Oneida Square detail. Officer Miller parked Car 49 in front of the Oneida Square Market, which was parked legally. When Miller was exiting his patrol vehicle he opened his driver side door and it was struck by a passing vehicle. Car 49 sustained extensive damage to the driver side door. The vehicle that struck Car 49, was operated by a [REDACTED] vehicle sustained front right damage from the accident. [REDACTED] stated that he was not injured as a result of the accident and Officer Miller did not sustain injury either.

When the accident was reported I responded to the scene and Officer Manion completed an accident report. Photographs were secured of both vehicles and the scene. The accident was captured on the [REDACTED] surveillance cameras. I secured a copy of the video and placed it into the crime scene folder. Car 49 was towed from the scene back to the Utica Police Fleet Maintenance Garage. When I spoke with Officer Miller, he stated he did not observe [REDACTED] vehicle prior to opening his driver side door.

After being sent to the Carbone Collision Center, it was estimated that Car 49 sustained \$5,373.58 worth of damage.

Investigative Findings:

After further investigation into this incident, I determined Officer Andrew Miller was at fault for the accident. Miller did not use due care when opening the driver side door of his patrol car. Miller stated that he did not observe the vehicle traveling north bound through the square, but he is still at fault nonetheless. Miller is in violation of Chapter 8, Article 1, Section EE (2) of the Utica Police Department Policy and Procedure. The aforementioned policy states: Employees shall operate departmental vehicles in a careful and prudent manner, and shall obey all laws and departmental directives pertaining to such operation.

NAME: [Signature] / B. PerraRANK: Sgt. / #6587

DEPARTMENT OF PUBLIC SAFETY

BUREAU OF POLICE

413 Oriskany Street West

Utica, New York 13502

2/24/20

INTRA-AGENCY MEMORANDUM

SUBJECT: Officer involved Accident/ 20-2079

TO: Chief of Police: Mark W. Williams

On January 20, 2020, I Andrew Miller reported to the Utica Police Department for the 0745-1600 hour's shift. I was assigned to Uniform Patrol Division, Car 45, Oneida Street Foot Patrol wearing BWC 5679, under Squad Commander, Sgt. Geddes.

At approximately 1410 hours I was sitting in my patrol car in front of the Oneida Square Market located at 1331 Oneida Street. Utica Police car 49 was parked facing in the Northward direction. At this time I attempted to exit my patrol vehicle to continue my foot patrol. When I opened the driver's side door of the vehicle. A vehicle bearing ~~XXXXXXXXXX~~ was traveling in the Northward direction. The vehicle then hit the driver's side door of car 49, causing substantial damage to the door.

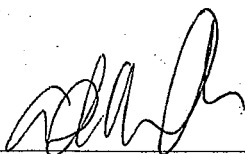
I then exited the patrol vehicle, and evaluated the damage. The other operator of the vehicle then exited his vehicle. The operator of the other vehicle was identified as ~~XXXXXXXXXX~~. ~~XXXXXXXXXX~~ stated that he had no injuries.

I then advised dispatch of the MVPD, and requested a supervisor to respond to the scene.

Sgt. Perra, and PO Manion responded to the scene. I then advised them of the incident.

Vehicle was towed by to Fleet Maintenance by Midland Collision.

NAME:



RANK:

Plm.

Internal INV *Out as well*

hrios

From: dcinque
Sent: Tuesday, September 3, 2019 10:59 AM
To: hrios
Cc: jholt
Subject: Re: Follow up

This has already been addressed and remedied. You can close it. Txs

Respectfully,

Don Cinque

On Sep 3, 2019, at 09:11, hrios [REDACTED] wrote:

On 9/3/19 I, Sgt. H. Rios reviewed a packet submitted by Lt. Holt in response to Use of Force investigation.

RMS 19-8735

Inv. Supervisor Sgt. Cimpi

Incident date 3/13/19

-----Original Call-----

RMS log of PO Femia

Arterial and French Rd

Check the welfare

Car 55/BWC 2845

Assisted car 54 with the original call regarding this male.

RMS log of PO Miller

At approximately 1630 hours, I was dispatched to Rt. 12 South bound, just past the Burrstone exit to check the welfare of a white male carrying a suitcase. I was advised that the male was walking on the shoulder of the road and was yelling at cars.

PO Femia who was in car 55 and I, then located the male on Rt. 12 South just before the French Rd. exit. The male told me that he was walking to Florida, and was not yelling at the cars. The male was identified as [REDACTED]. The male said that he did not want to talk to us anymore, and said he was going to continue walking. [REDACTED] dispersed from the area, **and we had no reason to detain him.** I then continued to watch [REDACTED] walk South bound on Rt. 12. [REDACTED] was not obstructing traffic, and was not yelling at any cars. I then cleared from the area, and was dispatched to another call.

This incident has been rejected for closure At this time, as it has been determined that if PO Miller and Femia had handled the call at the time of their interaction with Mr. [REDACTED] prior to French Rd, there would have been no UOF / tasing in the Town of New Hartford.

The only issue here which is deemed to be a training issue, is that PO Femia and PO Miller both state that there was nothing they could when they first encountered Mr. [REDACTED] on Rt 12 prior to French Rd. However, NYS vehicle and traffic law prohibits any person from walking on a State Highway 1229-a(a) both officers being new might have not known of this V&T law.

Please issue a verbal counseling to each officer, making them aware of this V&T section for possible future reference if they were encounter a similar incident.

Again, this is to be handled as a training issue.

Please advise when this has been completed so that we can the close incident with an acillary issue.

Sergeant Hiram Rios

hrios

Subject: FW: Follow up

From: jholt
Sent: Friday, September 06, 2019 1:21 AM
To: hrios
Cc: dcinque
Subject: RE: Follow up

Hiram,

Miller was counselled regarding said training issue the day the incident occurred on 3/13/19.

Lt. Holt

From: dcinque [REDACTED]
Sent: Wednesday, September 04, 2019 11:26 AM
To: jholt [REDACTED]
Subject: FW: Follow up

From: hrios [REDACTED]
Sent: Tuesday, September 03, 2019 11:02 AM
To: dcinque <[REDACTED]>
Subject: RE: Follow up

Received,

Can I get a copy or date remedied, this came from the Chief and I need to add it to IAPRO

From: hrios
Sent: Tuesday, September 03, 2019 9:12 AM
To: dcinque [REDACTED]
Cc: jholt <[REDACTED]>
Subject: Follow up

On 9/3/19 I, Sgt. H. Rios reviewed a packet submitted by Lt. Holt in response to Use of Force investigation.

RMS 19-8735

Inv. Supervisor Sgt. Cimpi

Incident date 3/13/19

hrios

From: hrios
Sent: Tuesday, September 3, 2019 9:12 AM
To: dcinque
Cc: jholt
Subject: Follow up

On 9/3/19 I, Sgt. H. Rios reviewed a packet submitted by Lt. Holt in response to Use of Force investigation.

RMS 19-8735

Inv. Supervisor Sgt. Cimpi

Incident date 3/13/19

-----Original Call-----

RMS log of PO Femia

Arterial and French Rd
Check the welfare

Car 55/BWC 2845

Assisted car 54 with the original call regarding this male.

RMS log of PO Miller

At approximately 1630 hours, I was dispatched to Rt. 12 South bound, just past the Burrstone exit to check the welfare of a white male carrying a suitcase. I was advised that the male was walking on the shoulder of the road and was yelling at cars.

PO Femia who was in car 55 and I, then located the male on Rt. 12 South just before the French Rd. exit. The male told me that he was walking to Florida, and was not yelling at the cars. The male was identified as [REDACTED]. The male said that he did not want to talk to us anymore, and said he was going to continue walking. [REDACTED] dispersed from the area, **and we had no reason to detain him.** I then continued to watch [REDACTED] walk South bound on Rt. 12. [REDACTED] was not obstructing traffic, and was not yelling at any cars. I then cleared from the area, and was dispatched to another call.

This incident has been rejected for closure At this time, as it has been determined that if PO Miller and Femia had handled the call at the time of their interaction with Mr. [REDACTED] prior to French Rd, there would have been no UOF / tasing in the Town of New Hartford.

The only issue here which is deemed to be a training issue, is that PO Femia and PO Miller both state that there was nothing they could when they first encountered Mr. [REDACTED] on Rt 12 prior to French Rd. However, NYS vehicle and traffic law prohibits any person from walking on a State Highway 1229-a(a) both officers being new might have not known of this V&T law.

Please issue a verbal counseling to each officer, making them aware of this V&T section for possible future reference if they were encounter a similar incident.

Again, this is to be handled as a training issue.

Please advise when this has been completed so that we can close incident with an acillary issue.

Sergeant Hiram Rios
Office of Professional Standards
Utica Police Department
413 Oriskany Street West (UPD)
UPD (315-223-3405)
Proctor Security (315-368-6436)