



# ORANGE COUNTY SHERIFF'S OFFICE

110 WELLS FARM ROAD GOSHEN, NEW YORK 10924- 6740

845-291-4033

FAX: 845-294-1590

SHERIFF CARL E. DUBOIS

KENNETH T. JONES  
UNDERSHERIFF

ANTHONY J. WEED  
ASSISTANT UNDERSHERIFF

DENNIS D. BARRY  
CHIEF DEPUTY

ANTHONY M. MELE  
CORRECTIONS ADMINISTRATOR

[WWW.ORANGECOUNTYGOV.COM](http://WWW.ORANGECOUNTYGOV.COM)



## MEMORANDUM

TO: Sheriff Carl E. Dubois  
FROM: Lieutenant Michael Torres #022 *Michael Torres*  
DATE: September 1, 2021  
RE: New York State Commission of Correction complaint # [REDACTED] made by [REDACTED]  
[REDACTED]

On August 31, 2021 I was instructed to conduct an investigation regarding complaint # [REDACTED] sent to the New York State Commission of Correction from Inmate [REDACTED]. The complaint was written by Inmate [REDACTED] on 8/26/2021 and sent out via US postal service on 8/27/2021. In sum and substance Inmate Harris states that Sgt. Gessner, Nicholas #138 was a threat to his safety. In his complaint, Inmate [REDACTED] claims that Sgt. Gessner asked him to do him a favor by beating up another inmate and if he did this he would be "alright". Inmate [REDACTED] went on to claim that when he refused to do this favor that Sgt. Gessner denied his request to get a unit trustee job. Inmate Harris then made claims that Sgt. Gessner brought K2 (synthetic marijuana) into the facility, specifically the [REDACTED] unit, at 10 am on 8/26/2021. Inmate [REDACTED] went on to claim that when he told Sgt. Gessner that he would report this alleged introduction of contraband to the authorities that Sgt. Gessner responded by saying that he would have him. "fucked up beyond salvage" and that Sgt. Gessner reports to work drunk from alcohol all the time. I spoke to Inmate [REDACTED] about this complaint on 8/31/2021 at 2130 hours and asked him to elaborate on his complaint. Inmate [REDACTED] stated that Sgt. Gessner asked him to do the "favor" of beating up Inmate [REDACTED] sometime in July when he was in the [REDACTED] unit. When questioned about why he thought Sgt. Gessner was bringing in K2 he replied, "I don't know - me and Sgt Gessner had problems ever since I refused to beat up [REDACTED] or him. I'm not even sure why he wanted [REDACTED] beat up". I asked Inmate [REDACTED] if he had any proof of his claims and he refused to make further comments on the issue. When questioned as to when and where Sgt. Gessner allegedly told him he would have him. "fucked up beyond salvage" Inmate [REDACTED] stated, "In [REDACTED] a couple of days ago - maybe a week". When Inmate [REDACTED] was questioned about when and where he observed Sgt. Gessner working drunk from alcohol Inmate [REDACTED] replied. "he's always drunk, I can tell by looking at him". Sgt. Gessner was directed to answer the claims made by Inmate [REDACTED]. Sgt. Gessner stated in his memo that he never requested any favor from Inmate [REDACTED] and has never had a conversation with Inmate [REDACTED] about hurting another person. Sgt. Gessner went on to deny he ever threatened Inmate [REDACTED] in any way and that the only conversation he had with [REDACTED] was to deny him a trustee position he asked for. Sgt. Gessner went on to refute that he ever used, distributed or had possession of K2 and that he has never reported for duty intoxicated. I conducted a video review of the time period Inmate [REDACTED] cited in his complaint that Sgt. Gessner allegedly brought in K2 to [REDACTED]. There was no video evidence to substantiate the claim made.

~ A C C R E D I T A T I O N S ~



In conclusion I find that complaint [REDACTED] lodged by Inmate [REDACTED] to be unsubstantiated as the claims were not supported by proof or evidence. End of narrative.

cc:

Files



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## MEMORANDUM

TO: Sheriff Carl E. DuBois  
FROM: Sergeant Nicholas Gessner #138   
DATE: September 1, 2021  
RE: Request for memorandum from Lieutenant Michael Torres.

Wednesday, September 01, 2021, I received notification from Shift Commander Lieutenant Michael Torres to answer the following questions in regards to an unknown investigation. Complaint made by Inmate [REDACTED] Please answer the following questions: Did you ever ask Inmate [REDACTED] to do you a favor by beating another inmate up? Did you tell Inmate [REDACTED] all he would get was a hard time after he refused to do the favor? Did you bring K2 into [REDACTED] or anywhere else at any time? Did you ever tell Inmate [REDACTED] that you would have him "fucked up beyond salvage" after he told you that he was going to report your alleged introduction of K2 to the facility? Have you ever reported for duty drunk from alcohol?

1. I have never requested any favor from Inmate [REDACTED] I have never had a conversation with Inmate [REDACTED] to hurt another inmate.
2. I have never had a conversation with Inmate [REDACTED] as to hurting another person.
3. The word salvage is not in my repertoire. I have not spoken with Inmate [REDACTED] in regards to anything except denying Inmate [REDACTED] a Delta Wing Trustee position.
4. I have never used, distributed, or had possession of K2 (synthetic marijuana).
5. I have never reported for duty intoxicated.

End of memorandum

CC:

Files

~ A C C R E D I T A T I O N S ~





## Commission of Correction

ALLEN RILEY  
Chairman

THOMAS J. LOUGHREN  
Commissioner

YOLANDA CANTY  
Commissioner

August 30, 2021

Colonel Anthony Mele  
Orange County Jail  
110 Wells Farm Road  
Goshen, NY 10924

Re: Complaint [REDACTED]

Dear Colonel Mele:

Attached please find a copy of correspondence received at the Commission from [REDACTED]. [REDACTED] appears to be concerned about his well-being and indicates staff misconduct. Please review the attached complaint and take any action you deem appropriate.

Your attention to matters of mutual concern is appreciated.

Sincerely,

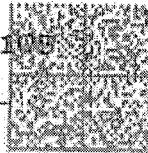
A handwritten signature in black ink, appearing to read "Lloyd Robistow".

Lloyd Robistow  
Correctional Facility Specialist I

cc: attachment

Orange County Jail  
110 Wells Farm Rd.  
Goshen, NY 10924

WESTCH



U.S. POSTAGE >> PITNEY BOWES

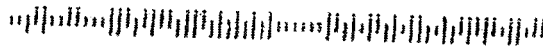
ZIP 10924 \$ 000.51<sup>0</sup>  
02 4W  
0000356795 AUG 27 2021

Name

Legal Mail

Commission of Correction  
80 South Swan St. 12<sup>th</sup> Floor  
Albany, New York 12210

12210-800100



8/26/21

RECEIVED

AUG 30 2021

SCOC

Sgt/Madara

The staff at this jail don't respect  
The law or anything else I've tried  
grievances and the procedure doesn't  
work denial of forms, disposal or anything

In particular, a threat exists to my  
safety A Sgt Gessner had requested  
that I do him a favor and he'd make  
sure I was alright. That favor was to beat  
up another inmate which I declined to do  
He then told me I wouldn't get anything  
while in at this jail but heard there  
recently, I was trying to get a job and  
Sgt Gessner told me no. I informed him  
that I was going to let the authorities  
know about him bringing in K2 at Appx  
10am 8-26-21 on B1 unit and he said  
he'll have me "fucked up" beyond saying  
in letting it be known what I should  
anything happen to me, that Sgt Gessner is  
responsible Also Sgt Gessner comes to work  
drunk from Alcohol all the time.