



Commission of Correction

ALLEN RILEY
Chairman

THOMAS J. LOUGHREN
Commissioner

February 18, 2020

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

Re: Complaint

Public Officers Law Section reveals
criminal investigative techniques
or procedures, except routine
techniques and procedures.

Dear Colonel Mele:

Enclosed please find a copy of a correspondence received at the Commission from Mr. [REDACTED]
[REDACTED] appears to be concerned about his wellbeing. Please review and take any
action you deem appropriate.

Your attention to matters of mutual concern is appreciated.

Sincerely,

Paul D. Annetts
Correctional Facility Specialist II

cc: enclosure

To: N.Y.S.C.C

From: [REDACTED]

Date: 2/11/20

RE: Grievance [REDACTED]

PA
118799

RECEIVED

FEB 14 2020

SCOC

Dear Sir:

I'm writing in regards to grievance [REDACTED]. My grv. was denied with no explanation or sincere investigation. The grievance process here at OCJ has been perverted by staff and supervisors alike.

The investigating officer never interviewed the inmates who would've had opportunity to hear C.O. Marse's statements or sought any background information from me.

What makes Marse's offense of calling me a "snitch" in the hearing of other inmates especially egregious is the fact the he had firsthand knowledge that I am cooperating with the Orange County District Attorney's office regarding a murder investigation, seeing he was one of the transporting officers and was present when I met with the D.A. and a team of others involved in the prosecution of said murder investigation.

It seems the Chief Administrative Officer is not concerned about the rightness of the grv. processes here at OCJ.

Thank you for your time and attention
to this matter.

Sincerely,





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

MEMORANDUM

TO: Sheriff Carl E. DuBois
FROM: Lieutenant Daniel A Figueroa 019
DATE: March 3, 2020
RE: Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085

On February 21st, 2020, I was assigned as the Shift Commander for the 0700-1500 tour. I was assigned to investigate complaint Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085 from New York State Commission of Correction regarding the well being of Inmate Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085. Inmate Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085 sent a complaint to NYSCOC regarding grievance Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085. Inmate Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085 claims in his complaint that his grievance was denied without a sincere investigation. I attempted to interview Inmate Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085 and check on his well being in regards to complaint Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085 that he wrote to NYSCOC. I found that on 02/12/2020, Inmate Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085 was released from custody and unavailable for an interview. I reviewed grievance Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085 filed by Inmate Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085. Inmate Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085 claimed that he was issued a 6 hour instant adjudication for no reason and that the housing unit Officer Kyle Marse #534 made inappropriate comments to him. Inmate Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085 also felt that Officer Marse was retaliating against him because Inmate Wilkins had an issue with another Officer.

Upon review of this incident, On 1-23-2020 Officer Marse was assigned to Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085 Housing Unit the on 7-3 shift. This incident allegedly occurred while Inmate Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085 was in his cell shaving. Officer Marse gave Inmate Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085 a razor to shave and upon collection of the razor, Inmate Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085 refused to give it back. On 1-23-2020 at 0822, I spoke with Sergeant Keith Kiszka 131 and he advised me that he was on rounds at Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085 to collect grievances, and spoke to Inmate Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085. Sergeant Kiszka was able to get the razor back from Inmate Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085. Sergeant Kiszka advised me that Inmate Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085 did not make any complaints to him about Officer Marse other than he needed more time to shave. Inmate Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085 was issued a 6 hours instant adjudication for his actions and did sign for the 6 hour instant adjudication.

On 1-23-2020 at 1645, Sergeant Jesse Weed 123 was on supervisory rounds in Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085 Housing unit and was approached by Inmate Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085 who requested a grievance stating that Officer Marse had made inappropriate comments towards him. Inmate Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures. 1085 also states that he was issued a 6 hours instant adjudication and felt it was retaliation because he requested a grievance against Officer Richard Calone 297.

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



On 02/07/2020 grievance [REDACTED] was investigated by Grievance Coordinator, Sergeant Kandi Jones 120, it was determined to be unfounded. On 1-23-2020, Sergeant Jones was assigned as the [REDACTED] Sergeant and at no time did Inmate [REDACTED] make any complaint to her about Officer Marse making inappropriate comments. Inmate [REDACTED] was issued a 6 hours instant adjudication which he accepted by signing for it.

On 2-21-2020 at 0940, I again spoke with Sergeant Keith Kiszka 131 and he advised me that he arrived at [REDACTED] Housing Unit at on 1-23-2020 at 0822 to collect grievances, and spoke to Inmate [REDACTED] and was able to get the razor back. Sergeant Kiszka advised me that a no time did Inmate [REDACTED] make any complaints to him about Officer Marse making inappropriate statements. Inmate [REDACTED] was issued a 6 hours instant adjudication for his actions and did sign for the 6 hour instant adjudication

Upon completion of a thorough Investigation including a review of all the attached documentation, I find the complaint made by Inmate [REDACTED] to be unfounded as there is no evidence to support his claims. I also find that Officer Marse did act professional and was doing his job as per policy and procedure. End.



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CORRECTIONS ADMINISTRATOR

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MEMORANDUM

TO: Sheriff Carl E. DuBois

FROM: Officer Kyle Marse

DATE: February 6, 2020

RE: Public Officers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures;

On 1/23/2020 I was working my assigned post as [REDACTED] Housing Unit Officer. At 0745 I issued Inmate [REDACTED] a razor in cell [REDACTED] and returned to my desk. At 0817 hours I returned to cell [REDACTED] to collect the razor from Inmate [REDACTED]. Inmate [REDACTED] refused to return the razor and was being disrespectful towards me. I responded with the following statement "I am giving you a direct order to return the razor immediately and if you do not comply with my order disciplinary action will be taken against you." Inmate [REDACTED] still refused to return the razor. At 0822 Sergeant Keith Kiszka # 134 was notified of the situation and immediately reported to [REDACTED] to speak with Inmate [REDACTED]. At hours 0828 Sergeant Keith Kiszka #134 was able to collect the razor from Inmate [REDACTED]. A 6-hour I.A. was issued to Inmate [REDACTED] due to his disrespectful behavior toward staff and failure to return his razor when ordered to do so. Throughout this entire incident and my shift, I maintained the level of professionalism expected of me as the [REDACTED] Housing Unit Officer. At no point did I make threatening or derogatory statements toward Inmate [REDACTED] nor did I call Inmate [REDACTED] a snitch or refer too Inmate [REDACTED] as a snitch at any point.

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



Officer's Report

Copy

Date of Report: 01/23/2020

Time Report Written: 2100

Date of Incident: 01/23/2020

Time Incident Occurred: 1645

Location of Incident:

Public Officers Law Section reveals criminal investigative techniques or procedures, except routine techniques and procedures.

Incident: Inmate [REDACTED] requesting and being issued grievance

Public Officers Law Section reveals criminal investigative techniques or procedures, except routine techniques and procedures.

Officer Reporting: Sergeant Jesse Weed

Shield # 123

Narrative: Explain fully any action taken by you, any event observed, information received. Set forth names, other officers, inmates, and a detail of the information of what, who, when, where, and how. Be explicit in all information given.

On the above date and time of incident, I was assigned to the post of the 1500-2300 Administrative Sergeant. At 1645 hours, while conducting supervisory rounds in [REDACTED] I was approached by Inmate [REDACTED] who requested a grievance form. I first asked Inmate [REDACTED] to explain his issue to me in order to see if I could resolve it. Inmate [REDACTED] stated to me that he wanted to grieve Officer Kyle Marse 534 for making inappropriate comments towards him after he issued him a six hour IA on the morning of 01/23/2020. He further stated that he felt that it was retaliatory action taken against him because of a grievance that he had submitted against Officer Richard Calone 297. Due to not being able to speak with Officer Marse about the matter, I issued Inmate [REDACTED] grievance [REDACTED] at 1956 hours without incident. Lieutenant Luis Moreno 020 was notified of the incident. End of report.

Page 1 of 1 Pages

Reporting Officer Signature: _____ Date: _____

Sergeant Signature: Sgt. Jesse Weed 123 Date: 01/23/2020

Shift Commander Signature: [Signature] Date: 1/23/2020

Administrator or Designee Signature: _____ Date: _____

New York State Commission of Correction
Grievance Investigation Form

Copy

Date(s) of Investigation: 02/07/2020

Inmate's Name: [REDACTED]

Facility: O.C.S.O.

Facility Grievance Number: [REDACTED]

Description of the issues

Supplement Attached 2

Inmate [REDACTED] claims Officer Marse made inappropriate comments and gave him a 6 hour instant adjudication for no reason. Inmate [REDACTED] is requesting that Officer Marse be fired, never allowed to work in a civil service capacity, be held responsible if he has any harm done against him and not be allowed to work near him again.

Interview summary of ALL persons involved with the grievance: List names
AND brief summary of each interview

Statements Attached 2

Officers Report- Sergeant Jesse Weed #123

Memorandum- Officer Kyle Marse #534

Summary of Findings

Supplement Attached ()

On 01/23/2020 [REDACTED] received a razor at 0745 hours. Officer Marse attempted to retrieve the razor and claims Inmate [REDACTED] was disrespectful to him and refused to return the razor. Sergeant Keith Kiszka was notified and arrived on post and retrieved the razor at 0828 hours. Inmate [REDACTED] was issued a 6 hour IA for being disrespectful and refusing to return the razor in a timely fashion. On that date I was assigned as the Administrative Supervisor and spoke to Inmate [REDACTED]. At no time did he advise me that housing unit Officer Marse called him a "snitch." Inmate [REDACTED] did in fact sign and accept his Instant Adjudication. Officer Marse denies making any inappropriate comments. This grievance is unfounded and action requested is denied.

List of other relevant information/documentation

Supplement Attached ()

photocopy of Inmate Wilkins Instant Adjudication sheet.

Report prepared on: 02/07/2020

Printed Name: Kandi Jones

Signature: 

Title: Sergeant

Copy

DUE PROCESS WAIVER

Inmate's Name: [REDACTED] Booking No.: [REDACTED]

The above named inmate is waiving his/her right to a Due Process Hearing and agreeing to the below-mentioned sanctions for violating any one of the General Rules located in the Inmate Handbook, pp.8-12.

WARNING #1

Date: _____ Inmate's Signature: _____
Incident Location: _____ Housing Unit/Cell: _____
Officer _____ Officer's Signature: _____ Supervisor's Signature: _____
Incident Description: _____

WARNING #2

Date: _____ Inmate's Signature: _____
Incident Location: _____ Housing Unit/Cell: _____
Officer _____ Officer's Signature: _____ Supervisor's Signature: _____
Incident Description: _____

TWO (2) HOURS CELL TIME

Date: _____ Start time: _____ End Time: _____ Inmate's Signature: _____
Incident Location: _____ Housing Unit/Cell: _____
Officer _____ Officer's Signature: _____ Supervisor's Signature: _____
Incident Description: _____

FOUR (4) HOURS CELL TIME

Date: _____ Start time: _____ End Time: _____ Inmate's Signature: _____
Incident Location: _____ Housing Unit/Cell: _____
Officer _____ Officer's Signature: _____ Supervisor's Signature: _____
Incident Description: _____

SIX (6) HOURS CELL TIME

Date: 1/23/2020 Start time: 0830 End Time: 1930 Inmate's Signature: _____
Incident Location: _____ Housing Unit/Cell: _____
Officer K. Hake 337 Officer's Signature: [Signature] Supervisor's Signature: [Signature]
Incident Description: Disrespect of an officer, refusing to follow a timely instruction

Public Officers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures;

ONCE ALL SECTIONS OF THE FORM HAVE BEEN FILLED IN, A COPY WILL BE MADE AND SENT TO THE DISCIPLINARY OFFICE. THE ORIGINAL WILL BE KEPT IN THE IA BINDER. WHENEVER AN INMATE MOVES TO ANOTHER UNIT, THE ORIGINAL WILL BE SENT WITH THE INMATE AND BE PLACED IN THE IA BINDER IN THE NEW UNIT. IT WILL BE FORWARDED TO THE DISCIPLINARY OFFICE AT THE TIME OF THE INMATE'S RELEASE.



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Sincerely,

Paul D. Annetts
Correctional Facility Specialist II

cc: enclosure

Assigned to
Lt. Figueroa 02-19-2020

To: N.Y.S.C.C

From: [REDACTED]

Date: 2/1/20

RE: Publicofficers Law Section reveal criminal investigative techniques or procedures, except routine techniques and procedures;

PA
118299

RECEIVED

FEB 14 2020

SCOC

Dear Sir:

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The investigating officer never interviewed
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background information from me.

What makes Marse's offense of calling me
a "switch" in the hearing of other inmates
especially egregious is the fact the he
had firsthand knowledge that I am
cooperating with the Orange County District
Attorney's office regarding a murder
investigation, seeing he was one of the
transporting officers and was present
when I met with the D.A. and a team
of others involved in the prosecution of
said murder investigation.

It seems the Chief Administrative Officer is
not concerned about the rightness of the
grv. processes here at OCJ.

Thank you for your time and attention
to this matter.

Sincerely,

