

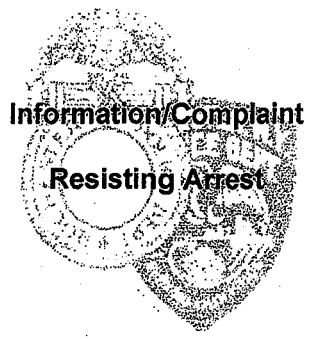
- Crime Report Attached 710.30 Notice Attached
 Warrant Application Scheduled Appearance Date _____
 Physical Identification Appearance Ticket # _____
 MoRIS Identification

CR# 13-214075

**CITY OF ROCHESTER
CITY COURT CRIMINAL
BRANCH**

Victim's Name & Date of Birth City of Rochester

STATE OF NEW YORK
COUNTY OF MONROE
ROCHESTER CITY COURT



THE PEOPLE OF THE STATE OF NEW YORK		
-vs.-		
Michele	A	Fineout
First Name	Middle Initial	Last Name
Date of Birth [REDACTED]	Defendant/Respondent	
First Name	Middle Initial	Last Name
Date of Birth _____	Defendant/Respondent	

Your complainant, PO Catherine Klinkman, being duly sworn, deposes and states that I work at the premises known as Rochester Police Dept- 185 Exchange Blvd in the City of Rochester, State of New York. That on the 28 day of July, 2013, at approximately 5:26 AM PM at the premises known as 185 Exchange Blvd (Rochester Police Headquarters) in the City of Rochester, State of New York, I accuse said defendant(s) Michele A. Fineout of intentionally, knowingly and unlawfully committing the class A Misdemeanor of RESISTING ARREST in violation of Section 205.30 of the Penal Law of the State of New York.

The factual basis for the above being UPON PERSONAL KNOWLEDGE and/or UPON INFORMATION AND BELIEF, the source of which is _____, as follows:

COMPLAINANT STATES THAT ON OR ABOUT THE ABOVE LISTED DATE, TIME AND PLACE THE DEFENDANT(S) DID:

after being told that she was under arrest and to put her hands behind her back, the defendant swung her arms away from me and attempted to walk away in order to avoid being arrested for disorderly conduct. The defendant continued to forcefully pull her arms away from me as I tried to place handcuffs on her.

That by the above actions, the defendant(s) intentionally prevented or attempted to prevent a police officer or peace officer from effecting an authorized arrest of himself or another.

To wit, the defendant was under arrest for Disorderly Conduct NYS PL 240.20(3) the factual basis for the authorized arrest are as follows:

the defendant did loudly say "are you fucking kidding me" in the front main lobby of the Public Safety Building, in the presence of several civilians and officers who were trying to conduct business there. The factual basis for which was personal knowledge.

NOTICE: FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE NEW YORK STATE PENAL LAW.

Subscribed and sworn to before me
this 28 day of July, 2013

C. Klinkman 1879
COMPLAINANT'S SIGNATURE

WITNESS SIGNATURE

Please take notice that the People intend to offer at the trial of the defendant(s):

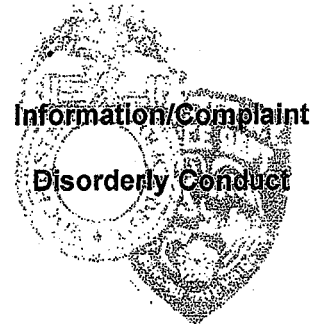
- Evidence of a statement by the defendant(s) made to a public servant.
 Testimony identifying the defendant(s) as the person(s) who committed the offense in a:
 show-up photo array line-up voice identification

- Crime Report Attached
- Warrant Application
- Physical Identification
- MoRIS Identification
- 710.30 Notice Attached
- Scheduled Appearance Date _____
- Appearance Ticket # _____

CITY OF ROCHESTER
CITY COURT CRIMINAL
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Victim's Name & Date of Birth City of Rochester

STATE OF NEW YORK
COUNTY OF MONROE
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THE PEOPLE OF THE STATE OF NEW YORK		
-vs.-		
Michele	A	Fineout
First Name	Middle Initial	Last Name
Date of Birth	[REDACTED]	
Defendant/Respondent		

First Name	Middle Initial	Last Name
Date of Birth	_____	
Defendant/Respondent		

Your complainant, PO Catherine Klinkman, being duly sworn, deposes and states that I work at the premises known as Rochester Police Dept- 185 Exchange Blvd in the City of Rochester, State of New York. That on the 28 day of July, 2013, at approximately 5:00 AM PM at the premises known as Rochester Police Headquarters- 185 Exchange Blvd in the City of Rochester, State of New York, I accuse said defendant(s) Michele A. Fineout of intentionally, knowingly and unlawfully committing the Violation of **DISORDERLY CONDUCT** in violation of Section 240.20, subdivision(s) 3 of the Penal Law of the State of New York. The factual basis for the above being UPON PERSONAL KNOWLEDGE and/or UPON INFORMATION AND BELIEF, the source of which is _____, as follows:
COMPLAINANT STATES THAT ON OR ABOUT THE ABOVE LISTED DATE, TIME AND PLACE THE DEFENDANT(S) DID:

- 1. Engage in fighting or in violent, tumultuous or threatening behavior; or
- 2. Make unreasonable noise; or
- 3. In a public place, use abusive or obscene language, or make an obscene gesture; or
- 4. Without lawful authority, disturbs any lawful assembly or meeting of persons; or
- 5. Obstruct vehicular or pedestrian traffic; or
- 6. Congregate with other persons in a public place and refuse to comply with a lawful order of the police to disperse; or
- 7. Create a hazardous or physically offensive condition by any act which serves no legitimate purpose.

To wit the defendant(s) did:
get upset and loudly say "are you fucking kidding me" in the front main lobby of the Public Safety Building, in the presence of several civilians and officers who were conducting business there.

That by the above actions, the defendant(s) did intentionally cause public inconvenience, annoyance or alarm, or recklessly create a risk thereof.

NOTICE: FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE NEW YORK STATE PENAL LAW.

Subscribed and sworn to before me
 this 28 day of July, 2013

C. Klinkman 1879
 COMPLAINANT'S SIGNATURE

CPL 710.30 NOTICE: Please take notice that the People intend to offer at the trial of the defendant(s):

- Evidence of statement(s) by the defendant(s) made to a public servant.
- Testimony identifying the defendant(s) as the person(s) who committed the offense in a:
 - show-up
 - photo array
 - line-up
 - voice identification

WITNESS SIGNATURE



ROCHESTER POLICE DEPARTMENT INCIDENT REPORT

CR#
2013-00214075

(A) Fineout came to the Rochester Police Headquarters located at 185 Exchange Blvd on 07/28/13 at approximately 1700 hrs to bail someone out from the Monroe County Jail. When I, Officer Klinkman, told (A) that we needed the exact amount of cash for the bail amount she became upset and loudly said "are you fucking kidding me." I told (A) not to swear in the police department. (A) then left the building very angry and went to get change. Upon returning (A) continued to be loud and belligerent during the processing of the bail, stating that she had a bad day and didn't find anything wrong with saying "fuck" in the police station. I told (A) that most officers would have already arrested her for her behavior at this point and tried to calm her down. Still, during the entire bail process she was belligerent, argumentative, and loud. I came out from behind the HQ desk and told (A) that she was under arrest and to put her hands behind her back. (A) refused to do so and swung her arms away from me while attempting to walk/run away to avoid being arrested. I told (A) to put her hands behind her back and she continued to refuse. While trying to get away from me, (A) yelled to three gentlemen "help get her (the officer) away from me." She pulled her arms away from me and tried to walk/run towards the exterior doors of the building to get away. I had to use force to finally get (A) into handcuffs.

The three males in the lobby at the time that (A) resisted arrest, (W1), (W2), and (W3). (W1) and (W2) said that they did not want to get involved in the incident when I asked them if I could depose them about what they had seen. I didn't talk to (W3) about the incident before he left.

Ofc Stewart took over custody of (A) at this point, took photos of her, and transported her to the eyewash station at the PSB so that (A) could wash her eyes out. Ofc Stewart then transported (A) to the Monroe County Jail. (A) did not complain of any injuries at the scene following this incident. Sgt Manfredi was onscene following the incident and located video of it on the RPD Cameras. He made a CD of the video and turned it into the property clerk's office as evidence. (A) was given back the bail money that she was trying to use to bail someone out because she was unable to finish the bail process due to her being arrested. I brought the money to Sgt Manfredi, who counted it and put the money in her purse as she watched.

NARRATIVE

Reporting Officer	IBM #	Date	Reviewed By
KLINKMAN	1879	07/28/2013	



ROCHESTER POLICE DEPARTMENT INCIDENT REPORT

CR#
2013-00214075

DETAIL	Incident Type 21. Disorderly Conduct	Report Date 07/28/2013	Report Time 17:00	Date From 07/28/2013	Time From 17:00	Date To 07/28/2013	Time To 17:26
	Incident Address 185 Exchange BLVD			PSA 50	Campus Code		
	Violent Crime Context						

OFFENSES	Statute - PL 205.30 AM0		Attempt/Commit - Completed		Counts - 1	
	Description - Resisting Arrest					
	Location Government Office-20			Weapon		
	Larceny Type		Aggravated Assault Circumstances		Gang Related No	Computer No
	Bias Type No Bias-Not Applicable-77	Entry Point	Method of Entry		# of Premises Entered	
	Statute - PL 240.20 03 V0		Attempt/Commit - Completed		Counts - 1	
Description - Disorderly Conduct: Obscene Language/Gestures						
Location Government Office-20			Weapon			
Larceny Type		Aggravated Assault Circumstances		Gang Related No	Computer No	
Bias Type No Bias-Not Applicable-77	Entry Point	Method of Entry		# of Premises Entered		

VICTIM	Victim Type Society Public-S	Victim Name (Last, First, Middle) City of Rochester							
	Address 185 Exchange BLVD			Date of Birth	Age	Sex	Race	Ethnicity	Residence Status Not Applicable
	City, State, Zip Rochester, NY 14614			Victim/Offender Relationship (Offender Name, DOB, Relationship)					
	Telephone (585)428-1110		Level of Injury Business - NA		Type of Injury Business - NA		Medical Treatment Business - NA		

PERSONS	R = Reporting Person W = Witness PK = Person w/Knowledge NI = Not Interviewed								
	Type	Name (Last, First, Middle)	DOB	Sex	Race	Eth	Address	Telephone No	
	W	Page, Frank							
	W	Belcher, Rory							
	W	Sunday, Johnathan							

SUSPECT / MISSING PER	Type - S	Suspect Name (Last, First, Middle) Fineout, Michele, A						Nickname		
	Address			Date of Birth	Age	Sex	Race	Ethnicity	MoRIS / JCR # 360526	
	Height	Weight	Hair Color Brown	Hair Length Braids	Eye Color	Glasses	Complexion Light	Build Medium	Facial Hair Clean Shaven	Gang Affiliation No
	Clothing, Jewelry, Distinguishing Features					Offender Condition Apparently Normal		Scars, Marks, Tattoos		
	Mothers Maiden Name			Place of Birth			School Name / ID #			

INVESTIGATION	Modus Operandi											
	01. Witness to the offense?	02. Surveillance footage of event?	03. Can a suspect be named?	04. Can a suspect be located?	05. Can a suspect be described?	06. Can a suspect be identified?	07. Can a suspect vehicle be identified?	08. Is stolen property traceable?	09. Is there significant Modus Operandi present?	10. Is there significant physical evidence present?	11. Has evidence tech work been performed?	12. Preliminary investigation NOT completed?
	Case Status Cleared by Arrest - Adult			Exceptional Clearance			Assigned Bureau TSS			Review Box TSS		

Reporting Officer KLINKMAN	IBM # CATHERINE 1879	Date 07/28/2013	Reviewed By
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