

CITY OF FOLSOM
POLICE DEPARTMENT
46 Natoma Street
Folsom, California 95630



*Office of the Chief
Richard D. Hillman*

CITIZEN COMPLAINT FORM

Purpose

A relationship of trust and confidence between the members of the Department and the community they serve is essential to effective law enforcement. Law enforcement officers must be free to exercise their best judgment and to initiate enforcement action in a reasonable, lawful and impartial manner without fear of reprisal. So, too, enforcers of the law have a special obligation to respect the rights of all persons. The Folsom Police Department acknowledges its responsibility to establish a complaint system and disciplinary procedure which not only will subject the officer to corrective action when he or she conducts themselves improperly, but also protects them from unwarranted criticism when they discharge their duties properly. It is the purpose of this procedure to provide prompt, just, open, and expeditious disposition of complaints regarding the conduct of the members of this Department.

Policy

It is the policy of the City of Folsom and the Folsom Police Department to encourage citizens to bring to the attention of the Department complaints concerning the conduct of its members whenever a citizen believes that a law enforcement act is improper. Complaints will be received courteously by a police supervisor. The Department will make every effort to ensure that no adverse consequences occur to any person or witness as a result of having brought a complaint or having provided information in any investigation of a complaint. Any Department employee who subjects a complainant or witness to recrimination shall incur additional disciplinary action.

California Penal Code § 148.6 requires that all complainants be advised of the following:

YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY IMPROPER CONDUCT. CALIFORNIA LAW REQUIRES THIS AGENCY TO HAVE A PROCEDURE TO INVESTIGATE CITIZEN'S COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. THIS AGENCY MAY FIND AFTER INVESTIGATION THAT THERE IS NOT ENOUGH EVIDENCE TO WARRANT ACTION ON YOUR COMPLAINT; EVEN IF THAT IS THE CASE, YOU HAVE THE RIGHT TO MAKE THE COMPLAINT AND HAVE IT INVESTIGATED IF YOU BELIEVE AN OFFICER BEHAVED IMPROPERLY. CITIZEN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THIS AGENCY FOR AT LEAST FIVE YEARS.

IT IS AGAINST THE LAW TO MAKE A COMPLAINT THAT YOU KNOW TO BE FALSE. IF YOU MAKE A COMPLAINT AGAINST AN OFFICER KNOWING THAT IT IS FALSE, YOU CAN BE PROSECUTED ON A MISDEMEANOR CHARGE.

I have read and understand the above statement.

Complainant Signature

A handwritten signature in black ink, appearing to read "Jack Clark", is written over a horizontal line.

Date

3-11-19

Office: (916) 355-7230

Fax: (916) 985-7643

COMPLAINANT INFORMATION						
Complainant:	Last	Chabot	First	Jude	Middle	Michael
Address:	Street	37 celestial ct.	City	Roseville	State	CA
					Zip	95678
Telephone:	Home		Work		Cellular	916-969-9309
DETAILS						
Location of Occurrence:	110 Serpa Way, Folsom, CA 95630					
Officer(s) Involved:	Name	Melanie Catanio			Badge Number	
					237	
	Name	Wesley Nezik			Badge Number	
					235	
	Name				Badge Number	
Witness(es):	Name	Kenny mills	Address	Phone		
				530-446-1183		
	Name	Josh smith	Address	Phone		
				707-529-6701		
STATEMENT						
(Attach additional pages if necessary)						
Complainant Signature	Date		Supervisor Receiving Complaint		Date	
	3-11-19		SP1ST		3/11/19	

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To whom it may concern:

On August 19, 2017, I ran into my ex-wife Andrea Higley (or Andrea Miller-Rodriguez) who is restrained, at the Life Time Fitness in Folsom, CA. I had walked past her running on the treadmill upstairs. Shocked to realize it was my ex-wife who recently got released from prison, I continued to walk around the perimeter of the workout floor so that I could leave and not have an incident occur with this restrained person. She recognized me and walked to the stairs to before I could so I decided to wait and make sure she left the gym before walking downstairs after her. She then stood in the waiting area at the entrance of the gym for about 20 minutes making it so I couldn't leave the gym without having to walk past her again. I then saw her leave with John Ronald Higley (J.R. Higley). I called Folsom Police Department to report the encounter because I needed to have documentation of the incident because of my restraining order against Andrea. She had set me up when Detective Mike Davis and Deputy Danny Oliver were murdered back in 2014. Charges were never filed against me and she wrote a recant letter that the incident didn't happen. I ended up waiting 5 hours for Officer Catanio to call me back to take my report and she refused to take my report seriously. I tried to explain to her the severity of the situation with my ex-wife and why this encounter had me so concerned. She tried to discredit my claims without knowing the backstory. She unprofessionally refused to look into the facts of my case and then said the most that I would get out of this is an incident report number. Later, I discovered that she in fact did open an investigation after she had spoken with Andrea and it was a case now made against me. She had contacted Andrea Miller-Rodriguez and her mother Jeanne Rodriguez as witnesses to the incident. She didn't even run a records check on my ex-wife to see that she was currently on probation or read the restraining order. Jeanne Rodriguez was not a witness at this incident nor did Officer Catanio have any reason to contact my ex-mother in law who has now proven to be working with my ex-wife to set me up and I have court testimony to prove this. I will also be suing Jeanne Rodriguez in small claims court for violating my privacy. Officer Catanio called me about a week later asking me questions in regards to my whereabouts the evening of 08/19/17 as if I was a suspect in a stalking case. My ex-wife had told Officer Catanio that I followed her from her home to the gym and then later in the evening that I checked into the gym and called the gym four times demanding information about my ex-wife's Life Time account. I explained to Officer Catanio that I did not do these things that my ex-wife accused me of doing. I sent screenshots of my phone call log of that night to Officer Catanio showing that I had not called Life Time gym. I know that screenshots aren't great evidence because phone calls can be deleted from a phone, so I also offered to retrieve my phone records from Verizon to be submitted as evidence in the report. I also gave Officer Catanio the contact information of my friend Josh Smith, whom I was with at a concert in Wheatland, CA from approximately 5:00pm until about 11:30pm. I even had pictures that had my geographic location and time it was taken on my phone that I sent Officer Catanio. All of this evidence that I offered and sent to the officer was purposefully left out of the report and it was written as a one sided, biased report. Officer Catanio turned what was me calling to report an incident of my ex-wife violating her restraining order and not leaving them gym into a stalking case against me and chose to leave out pertinent information and evidence that proves I was being setup again by my ex-wife. On November 16, 2017 I was contacted by an ex boyfriend, Ken Mills, of Andrea Miller-Rodriguez who informed me that Andrea had used him to gather information about myself and my daughter, both of whom she is restrained from. She

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gathered this information to try and file a restraining order against me in Sacramento County, even though she is the restrained party in Placer County. I emailed Officer Catanio with this information and Ken Mills' contact information so she could react out and get a statement from him that could be added to the report. Officer Catanio spoke with Ken Mills and again, didn't report the conversation that she spoke to a witness. This information should have been put into the report but was left out on purpose. Officer Catanio replied back to my email stating that she passed my report onto Detective Nezik who also did not look into any of my evidence and forwarded the report to the DA's office. Detective Nezik irresponsibly sending this case onto the DA's office had almost cost me my medical retirement from Roseville Police Department because this "stalking case" put me in question to my department. This poorly handled case almost cost me everything. Neither of these officers did their job. Catanio took a one sided report and turned me into a suspect, not even bothering to look into the restraining order or why this lady was not allowed to see her own children. Officer Catanio showed up in trail last week as a witness for Andrea and testified that she did not put the evidence I provided her into the report. She also testified to not even looking up Andrea or reading the restraining order, knowing that she was a convicted felon on probation at the time of this incident. Officer Catanio and Detective Nezik let me down. Neither one of them did their duty as an officer to gather all pertinent information and write a sound report. In the midst of this terrible work, somehow Officer Catanio was promoted to a Detective position. This is not the work of an officer that deserves to be promoted. Officer Catanio also testified that she did not contact Andrea after the report was written and passed on, but there are text messages from Catanio's personal cell phone between her and Andrea that proves otherwise. Officer Catanio has now lied under oath and should be investigated. I have had to sit in trial for two days trying to prove my innocence in this incident. None of this would have even been an issue if Officer Catanio or Detective Nezik had done their jobs properly in the first place. They have cost me a lot of time, money, and emotional stress because of this poorly written report and how they disregarded me as the primary victim in this case. Andrea violated her restraining order on that day and then I had evidence and a witness statement that she had violated it again by using a third party to gather information on me. Officer Catanio knew this information and neglected it when Andrea should have been arrested for doing so. I believe that Officer Catanio does not deserve the position that she has been promoted to and should be investigated because of this case. She violated my rights as a citizen to file a report with all of my evidence in it and she neglected her duty as an officer.

My entire family and I met with Sgt. Zelaya to file a complaint on the matter. I asked him for answers as to why my pertinent evidence wasn't put into the report. His response was that he didn't know why that evidence wasn't put into the report. He would have included it if it were him writing the report because he has no emotional ties to either party, unlike Officer Catanio who's conduct shows that she was biased against me.

I have lost all faith in the Folsom Police Department to be able to protect me as a citizen and to uphold the protection that I have from the court of a restraining order against Andrea Miller-Rodriguez. As a former Police Officer, I am extremely disappointed in the quality of work, or the lack thereof, from officers employed at the Folsom Police Department. I want a full internal affairs investigation done on both Officer Catanio and Officer Nezik as to how many policies they violated within your department, regarding report writing, evidence tampering,

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evidence withholding, conduct unbecoming, and possible perjury. I want Folsom Police Department to investigate the violations of the restraining order that Andrea Miller-Rodriguez violated by using Ken Mills as a third party to surveille myself and my daughter which I have evidence of Ken Mills' court testimony of doing so. I have actual evidence of Ken Mills testifying that he helped her violate the restraining order. New charges need to be brought against Andrea Miller-Rodriguez for violating the restraining order. I will not accept being pushed under the rug or brushed off like an angry citizen. This is an extremely sensitive matter and these officers should be held to a higher standard. If I feel as though nothing is done in regards to this issue, I have no problem reaching out to the City Attorney to handle it for me instead and going to the media to expose the terrible work that the Folsom Police Department puts out. This is completely unacceptable and I will not sit back and ignore the injustices that has been done against me.

Sincerely,

A handwritten signature in cursive script, reading "Jude Chabot". The signature is written in dark ink and is positioned above the printed name.

Jude M. Chabot