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MICHAEL SIRAGUSA
ERIE COUNTY ATTORNEY

COUNTY OF ERIE

MARK C. POLONCARZ

COUNTY EXECUTIVE
DEPARTMENT OF LAW

MICHELLE PARKER
FIRST ASSISTANT COUNTY ATTORNEY

JEREMY TOTI
SECOND ASSISTANT COUNTY ATTORNEY

July 15, 2014

Mr. Scott W. Kroll, Clerk
Erie County Legislature
92 Franklin Street, 4th Floor
Buffalo, New York 14202

Dear Mr. Kroll:

In compliance with the Resolution passed by the Erie County Legislature on June 25, 1987, regarding notification of lawsuits and claims filed against the County of Erie, enclosed please find a copy of the following:

File Name: *Quintino Dino Liberta vs Erie County Sheriff's Office*
Document Received: Complaint
Name of Claimant: Quintino Dino Liberta
8638 Elmer Hill Road, Apt. B
Rome, NY 13440
Claimant's Attorney: NYS Division of Human Rights
65 Court Street
Buffalo, New York 14202

Should you have any questions, please call.

Very truly yours,

MICHAEL SIRAGUSA
Erie County Attorney

By:

Michelle M. Parker
First Assistant County Attorney

MMP/crb
Enc.

Comm. 15D-4
Page 1 of 6



ANDREW M. CUOMO
GOVERNOR

NEW YORK STATE
DIVISION OF HUMAN RIGHTS

NEW YORK STATE DIVISION OF
HUMAN RIGHTS on the Complaint of

QUINTINO DINO LIBERTA,

Complainant,

v.

ERIE COUNTY, SHERIFF'S OFFICE,

Respondent.

VERIFIED COMPLAINT
Pursuant to Executive Law,
Article 15

Case No.
10169708

I, Quintino Dino Liberta, residing at 8638 Elmer Hill Rd., Apt. B, Rome, NY, 13440, charge the above named respondent, whose address is 95 Franklin St., Rm. 1634, Buffalo, NY, 14202 with an unlawful discriminatory practice relating to employment in violation of Article 15 of the Executive Law of the State of New York (Human Rights Law) because of arrest record, conviction record.

Date most recent or continuing discrimination took place is 6/6/2014.

See attached complaint.



New York State Division of Human Rights Complaint Form

RECEIVED

JUN 27 2014

NYSIDHR BUFFALO
REGIONAL OFFICE

CONTACT INFORMATION

My contact information:

Name: Quintino Dino Liberta

Address: 8638 Elmer Hill Road

Apt or Floor #: B

City: Rome,

State: NY

Zip: 13440

REGULATED AREAS

I believe I was discriminated against in the area of:

☒ Employment

☐ Education

☐ Volunteer firefighting

☐ Apprenticeship Training

☐ Boycotting/Blacklisting

☐ Credit

☐ Public Accommodations
(Restaurants, stores, hotels, movie
theaters amusement parks, etc.)

☐ Housing

☐ Labor Union, Employment
Agencies

☐ Commercial Space

I am filing a complaint against:

Company or Other Name: Erie County Sheriff's Office

Address: Ten Delaware Avenue

City: Buffalo

State: NY

Zip: 14202

Telephone Number: 716 858 7618
(area code)

Individual people who discriminated against me:

Name: John W. Greenan

Name: _____

Title: Chief of Admin. Services

Title: _____

DATE OF DISCRIMINATION

The most recent act of discrimination happened on:

06

month

06

day

2014

year

BASIS OF DISCRIMINATION

Please tell us why you were discriminated against by checking one or more of the boxes below.



You do not need to provide information for every type of discrimination on this list. Before you check a box, make sure you are checking it only if you believe it was a reason for the discrimination. Please look at the list on Page 1 for an explanation of each type of discrimination.

Please note: Some types of discrimination on this list do not apply to all of the regulated areas listed on Page 3. (For example, Conviction Record applies only to Employment and Credit complaints, and Familial Status is a basis only in Housing and Credit complaints). These exceptions are listed next to the types of discrimination below.

I believe I was discriminated against because of my:

<input type="checkbox"/> Age (Does not apply to Public Accommodations) Date of Birth:	<input type="checkbox"/> Genetic Predisposition (Employment only) Please specify:
<input checked="" type="checkbox"/> Arrest Record (Only for Employment, Licensing, and Credit) Please specify: 05/20/09 Arrest which was disposed	<input type="checkbox"/> Marital Status Please specify:
<input checked="" type="checkbox"/> Conviction Record (Employment and Credit only) Please specify: 05/20/09 Arrest which was disposed	<input type="checkbox"/> Military Status: Please specify:
<input type="checkbox"/> Creed / Religion Please specify:	<input type="checkbox"/> National Origin Please specify:
<input type="checkbox"/> Disability Please specify:	<input type="checkbox"/> Race/Color or Ethnicity Please specify:
<input type="checkbox"/> Domestic Violence Victim Status: (Employment only) Please specify:	<input type="checkbox"/> Sex Please specify: <input type="checkbox"/> Female <input type="checkbox"/> Male <input type="checkbox"/> Pregnancy <input type="checkbox"/> Sexual Harassment
<input type="checkbox"/> Familial Status (Housing and Credit only) Please specify:	<input type="checkbox"/> Sexual Orientation Please specify:
<input type="checkbox"/> Retaliation (if you filed a discrimination case before, or helped someone else with a discrimination case, or reported discrimination due to race, sex, or any other category listed above) Please specify:	



Before you turn to the next page, please check this list to make sure that you provided information **only** for the type of discrimination that relates to your complaint.

EMPLOYMENT DISCRIMINATION

Please answer the questions on this page only if you were discriminated against in the area of employment. If not, turn to the next page.

How many employees does this company have?

- ☐ a) 1-3 ☐ b) 4-14 ☐ c) 15 or more ☐ d) 20 or more ☒ e) Don't know

Are you currently working for the company?

☐ Yes

Date of hire: ()
 Month day year

What is your job title? _____

☐ No

Last day of work: ()
 Month day year

What was your job title? _____

☒ I was not hired by the company

Date of application: ()
 Month day year 2009

ACTS OF DISCRIMINATION

What did the person/company you are complaining against do? Please check all that apply.

- ☒ Refused to hire me
- ☐ Fired me / laid me off
- ☐ Did not call me back after a lay-off
- ☐ Demoted me
- ☐ Suspended me
- ☐ Sexually harassed me
- ☐ Harassed or intimidated me (other than sexual harassment)
- ☐ Denied me training
- ☐ Denied me a promotion or pay raise
- ☐ Denied me leave time or other benefits
- ☐ Paid me a lower salary than other workers in my same title
- ☐ Gave me different or worse job duties than other workers in my same title
- ☐ Denied me an accommodation for my disability
- ☐ Denied me an accommodation for my religious practices
- ☐ Gave me a disciplinary notice or negative performance evaluation
- ☐ Other: _____

DESCRIPTION OF DISCRIMINATION - for all complaints (Public Accommodation, Employment, Education, Housing, and all other regulated areas listed on Page 3)

Please tell us more about each act of discrimination that you experienced. Please include dates, names of people involved, and explain why you think it was discriminatory. PLEASE TYPE OR PRINT CLEARLY.

On May 20, 2009 I was subsequently arrested in connection with a traffic accident in the City of Rome, NY. On June 23, 2009, I was arraigned and charged with two felonies PL-176.15, PL-175.10 and one violation PL-240.20. On October 9, 2009, the felonies were reduced to misdemeanors. And on December 9, 2009 the case was disposed, based upon a plea to the violation, PL-240.20-07, disorderly conduct, and additional misdemeanor charges were also dismissed in satisfaction of the plea. The case was then sealed pursuant to CPL 160.55.

As a result of the above on or about February 23, 2010, I received a suspension from the Oneida County Sheriff's Office. Since such time, I have worked diligently to clear my name of these charges and my work record of same. Please find enclosed documentation which reflects the removal of finger prints and mug shot in the RIC System which were destroyed and the event sealed under Criminal Procedure Law 160.55. Furthermore there is notification of the FBI Purging the arrest event from their files. There have been numerous requests for the Oneida County Sheriff's Office to do the same based on this information, of which copies have been forwarded to the Office.

As of this date my work history with the Oneida County Sheriff's Office is remarkable. Since my career started on April 15, 2004, I have maintained a perfect attendance. I am a Field Training Officer. I take pride in the accomplishments I have made. I have always been supported by senior Officers and Supervisors in the past that I am a valuable asset to the Office. I am utilized as a translator for the Spanish and Italian speaking individuals. In 2013 I was awarded the ability to work as a Hearing Board Officer and received additional training to accomplish that. Most recently I was verbally advised that Administration is considering sending me to Instructor School and qualifying me as a Negotiator for the Office.

With all above said, it deeply troubles me to have worked so diligently at clearing my name to be afforded the ability to move forward with my career with the Erie County Sheriff's Office. I am unclear as to what information was forwarded to Erie County concerning my work history, but feel the charges that I was cleared of and which were dismissed should have no bearing on my quest for employment with Erie County. As my work history stands on its own with NO flaws. I ask for your help in resolving this matter.

If you need more space to write, please continue writing on a separate sheet of paper and attach it to the complaint form. **PLEASE DO NOT WRITE ON THE BACK OF THIS FORM.**