



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES  
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE  
LAW ENFORCEMENT MISCONDUCT INVESTIGATIVE OFFICE

August 22, 2024

***Via Email***

Chief James T. Slayton  
Auburn Police Department  
46 North Street  
Auburn, New York 13021  
JSlayton@auburnny.gov

Re: Letter regarding Executive Law § 75(5)(b) Referral of Officer Michael Bufano  
OAG Matter No. 1-816496608

Dear Chief Slayton,

We have reviewed your agency's referral of Police Officer Michael Bufano pursuant to N.Y. Executive Law Section § 75(5)(b). Based on our review of the referred complaints, we have not made a finding of a pattern or practice of misconduct, use of excessive force, or acts of dishonesty by Officer Bufano.

However, we note three issues that warrant your attention. First, with respect to Case A23-12598, we found that Officer Bufano did not comply with Auburn Police Department Policy 311.4 and acted discourteously when he asked the alleged victim of domestic abuse whether she wanted the alleged perpetrator to be arrested, told her that she would be arrested should she return to his home, and directed her to leave Auburn. We recommend that Officer Bufano be re-trained as to APD policy and laws governing the handling of domestic violence incidents. Second, in light of the failure to timely preserve relevant video surveillance footage with respect to Case A22-01795, it is recommended that APD adopt a policy and training that will ensure timely requests to preserve such footage and that any applicable retention policy complies with New York State's local government schedules. Finally, we recommend revising APD Policy Procedure No. 1008.6 regarding officer interviews conducted during internal investigations to require that those interviews be audio- and/or video-recorded, in accordance with best practices.<sup>1</sup>

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<sup>1</sup> See, e.g., Int'l Assoc. of Chiefs of Police & U.S. Dep't of Justice, *Building Trust Between the Police and the Citizens They Serve: An Internal Affairs Promising Practices Guide for Local Law Enforcement* 91 (2009), [https://www.theiacp.org/sites/default/files/2018-08/BuildingTrust\\_0.pdf](https://www.theiacp.org/sites/default/files/2018-08/BuildingTrust_0.pdf) ("All [employee] interviews should be recorded in their entirety."); Deputy Chief Beau Thurnauer, *Internal Affairs: A Strategy for Smaller Dept's* 5 IACP (2015), <https://www.theiacp.org/sites/default/files/2018-08/BP-InternalAffairs.pdf> ("If you are interviewing an

In accordance with N.Y. Executive Law Section § 75(5)(c), please advise us within ninety days of any remedial actions your agency has taken in response to these findings and recommendations.

We appreciate the cooperation of you and your agency.

Thank you,

Lillian Marquez  
Deputy Bureau Chief  
Law Enforcement Misconduct Investigative Office  
Office of the New York State Attorney General

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officer, record the conversation then have it typed to be sworn to later. Have statements notarized if possible. It may help avoid prosecution for false statements later.”).