

Genesee County Sheriff's Office
Accusatory Instrument

STATE OF NEW YORK COUNTY OF GENESEE

Town Court Town of Batavia

People of the State of New York
vs.
Michael J. Rapone
DOB:04/27/1953
DEFENDANT



INFORMATION

BE IT KNOWN THAT by this information, Investigator **Jordan Alejandro** as the complainant herein, stationed at Genesee County Sheriff's Office, 165 Park Rd. Batavia NY 14020, accuses the above mentioned defendant with having committed the offense of **Forcible Touching**, a misdemeanor in violation of section **130.52** of the Penal Law of the State of New York.

A person is guilty of Forcible Touching when such person intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire. Forcible Touching is a class A Misdemeanor.

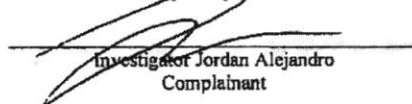
That on the 02 day of March 2026 at about 05:02pm while at The Batavia Downs Casino, 8315 Park Road, located in the Town of Batavia, County of Genesee, State of New York, **Michael J. Rapone** did intentionally, and for no legitimate purpose, forcibly touch the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the Defendant's sexual desire; TO WIT: The Defendant, **Michael J. Rapone**, did intentionally touch the buttocks of another person for no legitimate purpose by placing his left hand on their upper left buttocks, and forcibly striking them with his left hip two times in an attempt to gratify his sexual desire.

The foregoing allegations of fact are made by the Complainant herein and are based upon information and belief with information and belief being A signed supporting deposition from [REDACTED] and [REDACTED], a note written by Rapone to the victim, surveillance video from the Batavia Downs Casino, and CPL 710.30 notice of the defendant.

Verification By Subscription And Notice
Under Penal Law Section 210.45

It is a crime, punishable as a Class A. Misdemeanor under the laws of the State of New York, for a person, in and by a written instrument, to knowingly make a false statement, or to make a statement which such person does not believe to be true.

AFFIRMED UNDER PENALTY OF PERJURY THIS
20 day of April 2026


Investigator Jordan Alejandro
Complainant

CK# 26-7513

Genesee County Sheriff's Office
Accusatory Instrument

STATE OF NEW YORK COUNTY OF GENESEE

Town Court Town of Batavia

People of the State of New York
vs.
Michael J. Rapone
DOB:4/27/1953
DEFENDANT



INFORMATION

BE IT KNOWN THAT by this information, [REDACTED] as the complainant herein, employed at Batavia Downs Gaming, 8315 Park Road, Batavia, NY, accuses the above mentioned defendant with having committed the offense of **Harassment in the Second Degree**, a violation in violation of section 240.26, subdivision 1 of the Penal Law of the State of New York.

A person is guilty of Harassment in the Second Degree when, with intent to harass, annoy or alarm another person he/she strikes, shoves, kicks or otherwise subjects such other person to physical contact, or attempts or threatens to do the same. Harassment in the Second Degree is a Violation.

That on the 2nd day of March 2026 at about 5:03 PM while at Batavia Downs Gaming, 8315 Park Road, located in the Town of Batavia, County of Genesee, State of New York, **Michael J. Rapone** did with intent to harass, annoy or alarm another person he/she struck, shoved, kicked or otherwise subjected such other person to physical contact, or attempted or threatened to do the same; TO WIT: The Defendant, **Michael J. Rapone**, did intentionally subject me to unwanted physical contact by bumping into my hip with his hip causing me to step forward and by moving his hand across my back causing me annoyance and alarm.

The foregoing allegations of fact are made by the Complainant herein and are based upon direct knowledge .

Verification By Subscription And Notice
Under Penal Law Section 210.45

It is a crime, punishable as a Class A. Misdemeanor under the laws of the State of New York, for a person, in and by a written instrument, to knowingly make a false statement, or to make a statement which such person does not believe to be true.

AFFIRMED UNDER PENALTY OF PERJURY THIS
24th day of March, 2026

[REDACTED SIGNATURE]
Complainant