

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: William Moss	Team: Squad #13	CCRB Case #: 202001081	☐ Force	☐ Discourt.	☐ U.S.
			☒ Abuse	☐ O.L.	☐ Injury
Incident Date(s) Thursday, 02/06/2020 1:00 PM	Location of Incident: Classon Avenue and Lefferts Place	18 Mo. SOL 3/23/2022	Precinct: 79		
Date/Time CV Reported Fri, 02/07/2020 5:41 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Fri, 02/07/2020 5:41 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Tahir Popovic	13041	966281	079 PCT
2. POM Christopher Sadasy	26388	965492	079 PCT

Officer(s)	Allegation	Investigator Recommendation
A . POM Tahir Popovic	Abuse: Police Officer Tahir Popovic stopped the vehicle in which § 87(2)(b) was an occupant.	A . Unsubstantiated
B . POM Christopher Sadasy	Abuse: Police Officer Christopher Sadasy stopped the vehicle in which § 87(2)(b) was an occupant.	B . Unsubstantiated
C . POM Tahir Popovic	Abuse: Police Officer Tahir Popovic searched the vehicle in which § 87(2)(b) was an occupant.	C . Unsubstantiated
D . POM Tahir Popovic	Abuse: Police Officer Tahir Popovic questioned § 87(2)(b)	D . Unsubstantiated
E . POM Tahir Popovic	Abuse: Police Officer Tahir Popovic failed to provide § 87(2)(b) with a business card.	E . Unsubstantiated

Case Summary

On February 7, 2020, § 87(2)(b) filed this complaint via the CCRB's website.

On February 6, 2020, at approximately 1:00 p.m., on Lefferts Place between Franklin Avenue and Classon Avenue in Brooklyn, Police Officers Tahir Popovic and Christopher Sadasy, both of the 79th Precinct, pulled over § 87(2)(b) vehicle and issued her a summons for making an illegal left turn. The officers allowed § 87(2)(b) to leave before allegedly pulling her over a second time on Lefferts Place right before Classon Avenue (**Allegations A and B – Abuse of Authority: Vehicle Stop; Unsubstantiated**). PO Popovic allegedly searched § 87(2)(b) vehicle (**Allegation C – Abuse of Authority: Vehicle Search; Unsubstantiated**) and asked her if there was anything inside the vehicle that he needed to know about (**Allegation D – Abuse of Authority: Question; Unsubstantiated**). PO Popovic allegedly refused to provide § 87(2)(b) with a Right to Know Act business card (**Allegation E – Abuse of Authority: Failure to Provide RTKA Card; Unsubstantiated**). No arrest or further summonses resulted from this incident.

The investigation obtained body-worn-camera (“BWC”) footage from PO Popovic and PO Sadasy. The footage, which captures the first encounter with § 87(2)(b) but not the second, can be found in IAs #146 and #147 (**BRs 1 and 2**), and the summaries can be found in IAs #149 and #150 (**BRs 3 and 4**). Surveillance footage obtained from a nearby building did not capture the incident (**BR 5**).

Findings and Recommendations

Allegation A – Abuse of Authority: Police Officer Tahir Popovic stopped the vehicle in which § 87(2)(b) was an occupant.

Allegation B – Abuse of Authority: Police Officer Christopher Sadasy stopped the vehicle in which § 87(2)(b) was an occupant.

Allegation C – Abuse of Authority: Police Officer Tahir Popovic searched the vehicle in which § 87(2)(b) was an occupant.

Allegation D – Abuse of Authority: Police Officer Tahir Popovic questioned § 87(2)(b)

Allegation E – Police Officer Tahir Popovic failed to provide § 87(2)(b) with a business card.

The following facts are undisputed: On February 6, 2020, at approximately 1:00 p.m., § 87(2)(b) made an illegal left turn from Fulton Street onto Franklin Avenue in Brooklyn. PO Popovic and PO Sadasy observed § 87(2)(b) commit the VTL infraction and pulled her over on Lefferts Place between Franklin Avenue and Classon Avenue. § 87(2)(b) who was alone in her vehicle, asked PO Popovic why he pulled her over. PO Popovic said he would explain after § 87(2)(b) provided her license. After a brief verbal back-and-forth, § 87(2)(b) complied, and PO Popovic informed her that she made an unlawful turn. The officers summonsed § 87(2)(b) for the infraction and allowed her to leave. Body-worn-camera footage from both officers (**BRs 1 and 2**) depicts this portion of the incident § 87(2)(g).

§ 87(2)(b) said that after receiving the summons, she began to pull away from the scene, and PO Popovic said over his vehicle's loudspeaker, “Stay right there” (**BR 6**). § 87(2)(b) stopped less than a block later right before the intersection of Lefferts Place and Classon Avenue, and PO Popovic approached her window for a second time. PO Sadasy remained seated in the officers' vehicle. PO Popovic ordered § 87(2)(b) to exit her vehicle, and he searched it. Specifically, PO Popovic opened the glove compartment, looked beneath the front dashboard, looked underneath the front and back seats, used his hands to dig beneath the seats, opened the battery compartment of a light-up mask in the backseat, and slid his hands through seat cracks in the front and back of the vehicle. During the search, PO Popovic asked § 87(2)(b) if there was anything in her vehicle that he should know about. § 87(2)(b) said there was not and that she did not consent to the search. She requested his Right to Know Act business card, which he refused to provide because he said his shield number was already on the summons. PO Popovic did not find anything and told § 87(2)(b) that she could leave. Although § 87(2)(b)

§ 87(2)(b) believed bystanders observed this interaction, she did not know and could not identify them.

Both PO Popovic and PO Sadasy testified that after the initial vehicle stop, they did not pull § 87(2)(b) over a second time and had no further interactions with her (**BRs 7 and 8**). Both denied that they entered or searched § 87(2)(b) vehicle. Other than the initial VTL violation, neither officer suspected § 87(2)(b) of committing any crimes or violations. PO Popovic did not ask § 87(2)(b) if there was anything in her vehicle that he needed to know about, and § 87(2)(b) did not request PO Popovic's business card.

The investigation was unable to obtain video evidence depicting the alleged second stop. The officers' BWC footage ends after PO Popovic hands § 87(2)(b) a summons for the first stop. Surveillance footage from 130 Lefferts Place partially captures the intersection of Classon Avenue and Lefferts Place (**BR 5**). Though the footage depicts a vehicle matching § 87(2)(b) driving through the intersection followed by a marked NYPD SUV, it does not depict a vehicle stop or search.

§ 87(2)(g)

It is therefore recommended that **Allegations A-E** be closed as **unsubstantiated**.

Civilian and Officer CCRB Histories

- § 87(2)(b) has been party to one other CCRB complaint and has been named as a victim in two other allegations (**BR 9**).
 - § 87(2)(b)
- PO Sadasy has been a member of service for two years and this is the first CCRB complaint to which he has been a party (**BR 10**).
- PO Popovic has been a member of service for two years and this is the first CCRB complaint to which he has been a party (**BR 11**).

Mediation, Civil and Criminal Histories

- § 87(2)(b) declined to mediate this complaint.
- As of November 24, 2020, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards this to complaint (**BR 12**).
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: 13

Investigator: William L. Moss
Signature

Inv. William Moss
Print Title & Name

02/22/2021
Date

Squad Leader: Laura Kastner
Signature

IM Laura Kastner
Print Title & Name

02/23/2021
Date