CCRB INVESTIGATIVE RECOMMENDATION

Investigator:	Team:	CCRB Case #:	☑ Force ☐ Discourt. ☐ U.S.
Megan McCurdy	Squad #17	202310478	☑ Abuse ☐ O.L. ☑ Injury

Incident Date(s)	Location of Incident:	18 Mo. SOL	Precinct:
Wednesday, 11/01/2023 8:41 PM	East 154th Street and 3rd Avenue (Southeast Corner)	5/1/2025	40

Date/Time CV Reported	CV Reported At:	How CV Reported:	Date/Time Received at CCRB
Mon, 11/06/2023 4:13 PM	CCRB	Phone	Mon, 11/06/2023 4:13 PM

Complainant/Victim	Type	Home Address
[redacted]	[redacted]	[redacted]

Subject Officer(s)	Shield	TaxID	Command
1. PO Peter Delohery	29163	967037	040 PCT
2. PO Stephen Oswald	01696	961985	040 DET
3. PO Ernst Celestin	28671	966991	040 PCT
4. PO Jonathan Torres	20300	971706	040 PCT
5. PO Matthew Barlow	26881	964910	040 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. PO Jorge Ortiz	25392	967236	040 PCT
2. SGT Anthony Perlmutter	01775	962683	040 PCT
3. SGT Michael Farrell	03242	948952	WARRSEC
4. PO Krista Mitchell	11228	966227	081 PCT
5. DT3 Benjamin Lopez	02531	953007	060 DET

Officer(s)	Allegation	Investigator Recommendation
A . PO Stephen Oswald	Abuse: Police Officer Stephen Oswald frisked § 87(2)(b) [redacted]	A . Substantiated
B . PO Peter Delohery	Abuse: Police Officer Peter Delohery frisked § 87(2)(b) [redacted]	B . Substantiated
C . PO Ernst Celestin	Abuse: Police Officer Ernst Celestin frisked § 87(2)(b) [redacted]	C . Within NYPD Guidelines
D . PO Ernst Celestin	Abuse: Police Officer Ernst Celestin searched § 87(2)(b) [redacted]	D . Within NYPD Guidelines
E . PO Jonathan Torres	Abuse: Police Officer Jonathan Torres searched § 87(2)(b) [redacted]	E . Within NYPD Guidelines
F . PO Jonathan Torres	Abuse: Police Officer Jonathan Torres frisked § 87(2)(b) [redacted]	F . Substantiated
G . PO Ernst Celestin	Force: Police Officer Ernst Celestin used physical force against § 87(2)(b) [redacted]	G . Within NYPD Guidelines
H . PO Stephen Oswald	Abuse: Police Officer Stephen Oswald threatened § 87(2)(b) [redacted] with the use of force.	H . Within NYPD Guidelines
I . PO Matthew Barlow	Abuse: Police Officer Matthew Barlow threatened § 87(2)(b) [redacted] with the use of force.	I . Within NYPD Guidelines
J . PO Matthew Barlow	Abuse: Police Officer Matthew Barlow failed to activate his body-worn camera.	J . Substantiated

Case Summary

On November 6, 2023, § 87(2)(b) filed this complaint on behalf of her § 87(2)(b) son, § 87(2)(b) over the phone with the CCRB.

On November 1, 2023, at approximately 8:41 P.M., at the intersection of East 154th Street and Third Avenue in the Bronx, Police Officers Stephen Oswald and Peter Delohery of the 40th Precinct stopped § 87(2)(b) to issue him a summons while riding a bicycle and both officers frisked § 87(2)(b) **(Allegations A and B: Abuse of Authority, substantiated)**. Police Officer Ernest Celestin of the 40th Precinct also frisked § 87(2)(b) **(Allegation C: Abuse of Authority, within NYPD guidelines)**. PO Celestin and Police Officer Jonathan Torres of the 40th Precinct unzipped § 87(2)(b) s coat, and PO Celestin searched his left interior coat pocket **(Allegations D and E: Abuse of Authority, within NYPD guidelines)**. PO Torres then frisked § 87(2)(b) **(Allegation F: Abuse of Authority, substantiated)**. PO Celestin pulled § 87(2)(b) by the front of his hoodie **(Allegation G: Force, within NYPD guidelines)**. PO Oswald told § 87(2)(b) he was going to "get hit," and Police Officer Matthew Barlow of the 40th Precinct told him, "You're about to go on the floor" **(Allegations H and I: Abuse of Authority, within NYPD guidelines)**. PO Barlow failed to activate his body-worn camera (BWC) upon initiation of the interaction **(Allegation J: Abuse of Authority, substantiated)**.

Police Officer Jorge Ortiz of the 40th Precinct issued § 87(2)(b) criminal summonses § 87(2)(b)

The investigation received seven BWC videos in relation to this incident **(BR 03)**.

Findings and Recommendations

Allegation (A) Abuse of Authority: Police Officer Stephen Oswald frisked § 87(2)(b)
Allegation (B) Abuse of Authority: Police Officer Peter Delohery frisked § 87(2)(b)
Allegation (C) Abuse of Authority: Police Officer Ernst Celestin frisked § 87(2)(b)
Allegation (D) Abuse of Authority: Police Officer Ernst Celestin searched § 87(2)(b)
Allegation (E) Abuse of Authority: Police Officer Jonathan Torres searched § 87(2)(b)
Allegation (F) Abuse of Authority: Police Officer Jonathan Torres frisked § 87(2)(b)
Allegation (G) Force: Police Officer Ernst Celestin used physical force against § 87(2)(b)
Allegation (H) Abuse of Authority: Police Officer Stephen Oswald threatened § 87(2)(b) with the use of force.
Allegation (I) Abuse of Authority: Police Officer Matthew Barlow threatened § 87(2)(b) with the use of force.
Allegation (J) Abuse of Authority: Police Officer Matthew Barlow failed to activate his body-worn camera.

It is undisputed that § 87(2)(b) rode a Citi Bike on the sidewalk while officers drove behind him.

§ 87(2)(b) **(BR 04, 05)** stated that as he cycled at the intersection of East 154th Street and 3rd Avenue in the Bronx, PO Celestin exited one of two unmarked police vehicles and told § 87(2)(b) to get off the bike. Approximately five other officers exited the two vehicles, and

§ 87(2)(b) got off the bike. An officer asked for his ID. § 87(2)(b) was wearing a black puffer jacket zipped up to his chin that had one interior pocket on the left chest and two exterior side pockets, one on each side. Inside his interior pocket was his ID and a pocket knife that he described as an approximately three-inch-long blade folded into a red handle. No bulge, including the knife, was visible. § 87(2)(b) partially unzipped his coat and reached into the interior pocket to get his ID. An officer said, "What are you reaching for?" § 87(2)(b) said he was trying to get his ID. § 87(2)(b) removed his ID from his coat pocket and handed it to an officer. PO Celestin patted down § 87(2)(b) s two side coat pockets and his left chest on top of the pocket, and he squeezed the knife through the coat. PO Celestin then reached into § 87(2)(b) s coat and removed the pocket knife from the interior pocket. PO Celestin then patted down the two front pockets of § 87(2)(b) jeans. § 87(2)(b) only had keys in one of the pants pockets. No other officer frisked § 87(2)(b) was handcuffed and transported to the 40th Precinct stationhouse, and PO Ortiz wrote him two summonses.

Per PO Barlow's BWC footage **(BR 06)** (which has no audio until runtime 1:00), PO Barlow exits his vehicle at 00:32 as § 87(2)(b) stops the bike. PO Barlow is the first officer to approach § 87(2)(b) appears to speak with PO Barlow before dismounting the bike. At 00:42, PO Oswald approaches § 87(2)(b) A lightened screenshot of PO Barlow's BWC footage at 00:43 **(BR 18)** shows a clear view of § 87(2)(b) s front right coat pocket immediately after he gets off the bicycle. A rectangular bulge is visible in that pocket. At 00:45, PO Oswald and other officers begin to hold § 87(2)(b) PO Barlow does not activate his BWC until 01:00.

Per PO Delohery's BWC footage **(BR 07)**, at runtime 01:04 as PO Oswald approaches § 87(2)(b) officers tell § 87(2)(b) to get off the bike, and he does so. At 01:06, PO Delohery asks, "Where's your ID, boss?" PO Oswald reaches towards § 87(2)(b) s front right coat pocket and touches the bottom of the pocket, and he asks, "You got anything on you?" § 87(2)(b) takes a couple steps backward with his hands at his sides with his palms up. PO Oswald tells him to stop. At 01:08, PO Oswald grabs § 87(2)(b) s front right coat pocket. Multiple officers tell § 87(2)(b) to stop. Sergeant Anthony Perlmutter of the 40th Precinct grabs § 87(2)(b) s right arm. At runtime 01:09, PO Celestin's left hand wraps around § 87(2)(b) s waist from behind and he grabs § 87(2)(b) s front left coat pocket. At runtime 01:14, PO Celestin uses his right hand to grab the front left side of § 87(2)(b) s coat about the mid-torso from behind.

Per PO Torres' BWC footage **(BR 08)**, at runtime 01:00, PO Delohery holds the front bottom of § 87(2)(b) s coat with one hand as other officers hold § 87(2)(b) s arms. At 01:03, PO Delohery grabs the bottom of § 87(2)(b) s coat with two hands. PO Delohery then grabs § 87(2)(b) s right front coat pocket and frisks it with his left hand. At 01:06, PO Delohery reaches his left hand downward and appears to frisk § 87(2)(b) s front right pants pocket. At 01:09, PO Celestin frisks the left front side of § 87(2)(b) s coat at about the mid-torso. At 01:10, PO Delohery frisks both of § 87(2)(b) s front coat pockets and asks where his ID is. § 87(2)(b) says it is in his jacket. At 01:18, PO Celestin starts to unzip § 87(2)(b) s coat. At 01:21, § 87(2)(b) tries to move his left arm away from officers' grasps and tells officers that he is trying to get his ID. At 01:23, PO Celestin and PO Torres unzip § 87(2)(b) s coat. The officers tell § 87(2)(b) to stop reaching. At 01:28, PO Torres grabs § 87(2)(b) s front right coat pocket. PO Celestin frisks the front left interior of § 87(2)(b) s coat and asks if § 87(2)(b) has a knife. At 01:32, PO Torres frisks § 87(2)(b) s interior left coat pocket. PO Torres holds onto the bottom of the knife from outside the pocket. § 87(2)(b) says he has a knife. PO Celestin unzips

the interior left pocket and removes a red knife. An officer asks, “So that’s why you’re acting up? § 87(2)(b) says, “Nah bro, because why y’all niggas touching me for?” An officer says, “Because you have a knife on you.” PO Torres says, “And you were riding the bicycle on the sidewalk, and we tried to stop you multiple times.” An officer tells § 87(2)(b) to stop moving. § 87(2)(b) reaches his right hand toward his interior left coat pocket and says he is going to get his ID. At 01:46, the officers tell § 87(2)(b) to relax. § 87(2)(b) moves his left arm backwards and grabs PO Celestin’s wrist as PO Celestin holds § 87(2)(b) s left elbow. At 01:50, PO Celestin grabs § 87(2)(b) by the front of his hoodie and pulls him a few feet to the front of one of the unmarked police vehicles. PO Celestin tells § 87(2)(b) to “chill out,” and § 87(2)(b) leans in toward PO Celestin and says, “Get the fuck off me nigga.” At 01:54, multiple officers grab § 87(2)(b) and an officer tells him to turn around and put his hands behind his back. PO Torres says to “dis con,” him. At 02:02, § 87(2)(b) is tensing his right arm as Sgt. Perlmutter tries to pull it behind his back. He resists officers’ attempts to handcuff him as officers tell him to stop resisting. At 02:12, § 87(2)(b) jerks his right arm backwards as officers handcuff his right wrist.

Per PO Oswald’s BWC footage **(BR 10)**, at runtime at 02:13, as the officers are struggling to handcuff § 87(2)(b) PO Oswald says, “Bro, you’re going to get punched, I’m telling you right now. You’re going to get hit. You’re going to get hit.” § 87(2)(b) says, “Let me get my ID bro.” At 01:24, PO Oswald says, “Bro, you’re going to get hit bro. You’re going to get hit.”

Per PO Barlow’s BWC footage **(BR 06)**, at runtime 01:57, § 87(2)(b) keeps moving and tensing his right arm as PO Barlow and Sgt. Perlmutter try to pull it behind his back. At 02:01, PO Barlow handcuffs § 87(2)(b) s right wrist as § 87(2)(b) appears to jerk that arm. At 02:04, PO Barlow says, “You’re about to go on the floor. Give me your hand now.” At 02:05, § 87(2)(b) s hands are behind his back. At 02:11, PO Barlow rear handcuffs § 87(2)(b) At 02:51, Sgt. Perlmutter removes a cellphone from § 87(2)(b) s front right coat pocket.

PO Oswald **(BR 11)** provided a statement § 87(2)(g) . When officers attempted to stop § 87(2)(b) for riding a bicycle at a high rate of speed on the sidewalk through verbal orders, § 87(2)(b) grabbed the right side of his waistband and accelerated. PO Oswald could not recall if he saw any bulges on § 87(2)(b) s person while seated in his vehicle. Immediately upon exiting the vehicle to assist with the stop, PO Oswald witnessed a heavy, L-shaped bulge in § 87(2)(b) s front right coat pocket; he did not recall the orientation of the bulge’s shape. As PO Oswald approached, § 87(2)(b) again reached his hand towards his front right coat pocket and waistband (the same area he had clenched while riding his bicycle), and walked backwards and away from PO Oswald while nervously widening his eyes. PO Oswald interpreted this as a flight risk. PO Oswald did not recall what he felt when he frisked § 87(2)(b) s front right coat pocket, but knew that it was eventually revealed to be a cellphone. Prior to the frisk, § 87(2)(b) flailed his arms and bladed his body away from officers as if to conceal a weapon behind his body. § 87(2)(b) was “tensed up” and would not stop moving despite multiple orders from officers to stop moving. Given § 87(2)(b) s flight risk and noncompliance, officers handcuffed § 87(2)(b) PO Oswald told § 87(2)(b) that he was “going to get punched,” and “You’re going to get hit,” because he was actively resisting the officers by tensing and flailing his arms as they attempted to place their handcuffs on him, and he wanted to gain voluntary compliance.

Stop Report § 87(2)(b) **(BR 12)**, § 87(2)(g) was prepared by PO Oswald and presented to him during his interview, § 87(2)(g) .

PO Celestin **(BR 13)** provided a statement § 87(2)(g) . PO Celestin grabbed § 87(2)(b) after he tried backing away from officers because he believed he was a flight risk as no officers were positioned behind him. As he hugged § 87(2)(b) from behind, PO Celestin felt a knife on his left side. This was not an intentional frisk as he only attempted at this point to gain physical control of § 87(2)(b) He could tell it was a knife due to the object's hard texture, and he could feel the dull side of the blade through the pocket. PO Celestin continued feeling that area and realized that the knife was within an interior pocket of the coat. For the safety of all people present during the incident, PO Celestin assisted officers in unzipping § 87(2)(b) s coat to remove § 87(2)(b) s knife from inside the coat. PO Celestin was presented PO Torres' BWC footage between runtimes 01:45 and 01:54, and stated that he grabbed § 87(2)(b) at this time because PO Celestin wanted to keep him in a secure area after he continued to move around.

PO Torres' **(BR 14)** statement was § 87(2)(g) the following § 87(2)(g) . Once § 87(2)(b) confirmed he had a knife, PO Torres assisted PO Celestin by grabbing § 87(2)(b) s right-side as PO Celestin unzipped the coat. While PO Torres held § 87(2)(b) he also felt the bulge of the knife as a "rigid rectangular object." Officers retrieved it for their own safety. PO Torres denied frisking § 87(2)(b) and only grabbed him to prevent him from moving. No officer told PO Torres that § 87(2)(b) had any bulges in his pockets. PO Torres explained that at the time of the knife being discovered and taken by officers, § 87(2)(b) was already arrested for the summonses he was to be issued.

PO Delohery's **(BR 15)** statement was § 87(2)(g) the following § 87(2)(g) . PO Delohery did not recall whether he frisked § 87(2)(b) PO Delohery acknowledged touching § 87(2)(b) s two front coat pockets because § 87(2)(b) kept going into those pockets, and PO Delohery was worried he had a weapon in those pockets. PO Delohery did not remember if he observed anything that indicated there was a weapon in either of the pockets. PO Delohery did not recall whether he touched § 87(2)(b) s front right pants pocket. PO Delohery was shown PO Torres' BWC footage between runtimes 01:00 and 01:16 and stated that it appeared that he touched § 87(2)(b) s front right pants pocket. Although, he did not recall why he did so other than "just him reaching all over the place." PO Delohery stated that § 87(2)(b) was "going… all over, like he was looking for something." PO Delohery did not recall if § 87(2)(b) said he was looking for his ID or anything else.

PO Barlow's **(BR 16)** statement was § 87(2)(g) the following § 87(2)(g) . PO Barlow activated his BWC approximately 15 to 20 seconds after exiting his vehicle and assisting with stopping § 87(2)(b) PO Barlow activated his BWC late because he was primarily focused on § 87(2)(b) due to his initial noncompliance with stopping and his general flight risk. Once the other officers approached and he heard the activation sounds of their BWC devices, he decided to also turn on his BWC. PO Barlow explained that § 87(2)(b) showed an indication that he might have a weapon concealed on his person given his noncompliance, stepping away from officers, and flailing arms. PO Barlow denied seeing any weapon-shaped bulges on his person. As officers attempted to rear handcuff § 87(2)(b) he did not comply with police officers as he continuously flailed, tensed, and pulled his arms. As a de-escalation tactic, PO Barlow informed § 87(2)(b) that he would be placed on the ground if he did not stop moving, and it was successful as § 87(2)(b) then complied with the officers by giving them his arms.

§ 87(2)(g)

Per *People v. De Bour*, 40 N.Y.2d 210 [1976] **(BR 19)**, "behavior which is susceptible of innocent as well as culpable interpretation" will not constitute probable cause, and "innocuous behavior alone will not generate a founded or reasonable suspicion that a crime is at hand." In order to frisk an individual, an officer must have a reasonable suspicion that the individual is armed.

In *People v. Campbell*, 293 A.D.2d 396 [2002] **(BR 20)**, the court determined that an officer placing his hand on the back of a civilian during a traffic stop after the civilian placed his own hand behind his back was justified as a minimal intrusive self-protective measure. When the civilian turned away from the officer, causing the officer's hand to slip down to the civilian's waistband, the officer felt a gun. The court determined this action was not a frisk, but a self-protective action that was not an attempt to ascertain whether a weapon was present.

Per *People v. Stevenson*, 7 A.D.3d 820 [2004] **(BR 21)**, an officer's observation of a bulge on an individual's person that is "readily susceptible of an innocent as well as a guilty explanation" permits the officer to ask the individual if he has a weapon, but such an observation is insufficient to permit the officer to stop the individual.

Per *People v. Gerard*, 942 N.Y.S.2d 112 [2012] **(BR 22)**, an individual in a high-crime area early in the morning, who has a weighted-down bulge in his pocket, changes course after noticing officers, blades his body as an officer approaches him, and attempts to block the officer's hand from touching the bulge, only provides the officers with founded suspicion and, in totality, does not create the reasonable suspicion necessary to stop and frisk the individual.

NYPD Patrol Guide Procedure 212-11 **(BR 23)** advises officers that if a frisk reveals an object that the member of service reasonably suspects may be a weapon, the member of service may search only those interior portions of the stopped person's clothing to remove the weapon.

PO Oswald stated that he observed an L-shape bulge in § 87(2)(b) s front right coat pocket upon approaching him. A screenshot from PO Barlow's BWC footage of that pocket shows that the pocket bulge was not clearly L-shaped but somewhat rectangular, and did not appear to be weighing down the pocket, and thus could have been a number of innocent objects, including a cellphone (which it was eventually revealed to be). § 87(2)(g)

it is recommended that **Allegation A** be **substantiated**.

BWC shows that PO Delohery frisked § 87(2)(b) s two front coat pockets and right front pants pocket. PO Delohery did not recall observing any physical indication that § 87(2)(b) possessed a weapon, other than it appeared that § 87(2)(b) was reaching for something. BWC footage shows that PO Delohery asked for § 87(2)(b) s ID prior to those reaching movements. § 87(2)(g) it is recommended that **Allegation B** be **substantiated**.

PO Celestin stated that he incidentally felt a knife in § 87(2)(b) s interior coat pocket

when he was grabbing him from behind to prevent him from fleeing, § 87(2)(g) BWC footage also shows that PO Celestin grabbed the area of § 87(2)(b) s coat with the knife within seconds of initially grabbing him from behind. § 87(2)(g) it is recommended that **Allegations C, D, and E** be closed as **within NYPD guidelines**.

PO Torres stated that he did not frisk § 87(2)(b) s front right coat pocket but grabbed it while holding § 87(2)(b) in place. § 87(2)(g) it is recommended that **Allegation F** be **substantiated**.

Per NYPD Patrol Guide Procedure 221-01 **(BR 24)**, force may be used when it is reasonable to place a person in custody or to prevent escape from custody. Any application or use or force must be reasonable under the circumstances, and de-escalation must be prioritized whenever possible. Members of service must consider the following criteria regarding the reasonable use of force: the nature and severity of the crime/circumstances; actions taken by the subject; duration of the action; immediacy of the perceived threat or harm to the subject, and/or bystanders; whether the subject is actively resisting custody; whether the subject is attempting to evade arrest by flight; number of subjects in comparison to the MOS; subject's violent history, if known; presence of hostile crowd or agitators; subject apparently under the influence of a stimulant/narcotic which would affect pain tolerance or increase the likelihood of violence.

§ 87(2)(g) Therefore, it is recommended that **Allegations G, H, and I** be closed as **within NYPD guidelines.**

Per NYPD Patrol Guide Procedure 212-123 **(BR 25)**, officers are required to activate their BWCs prior to arrival at an incident location or prior to commencing any self-initiated police action. Officers are also required to activate their BWCs as soon as it is feasible and safe to do so after taking necessary action to preserve human health and safety when an unanticipated or exigent occurrence takes place.

PO Barlow was the first officer to approach § 87(2)(b) during a self-initiated stop for riding a bicycle on the sidewalk. He spoke with § 87(2)(b) and did not activate his BWC until officers were already holding § 87(2)(b) § 87(2)(g)

§ 87(2)(g) it is recommended that **Allegation J** be **substantiated**.

Civilian and Officer CCRB Histories

- § 87(2)(b) has been party to one other CCRB complaint and has been named as a victim in one other allegation **(BR 26)**:
  - § 87(2)(b) .
- § 87(2)(b) has been a party to one other CCRB complaint and has been named as a victim in nine other allegations **(BR 27)**:
  - § 87(2)(b)
- PO Oswald has been a member of service for eight years and has been a subject in 22 other allegations of which 10 were substantiated. § 87(2)(g)
  - Case #202200051 involved one substantiated Failure to Provide RTKA Card allegation against PO Oswald. The Board recommended Command Discipline A, and the NYPD imposed Command Discipline A (loss of one vacation day).
  - Case #202300531 involved one substantiated Frisk allegation, one substantiated Search of Person allegation, one substantiated Stop allegation, one substantiated Threat of Arrest allegation, and one substantiated Unlawful Summons allegation against PO Oswald. The Board recommended Charges, and the NYPD has yet to impose discipline.
  - Case #202304721 involved one substantiated Failure to Provide RTKA Card allegation, one substantiated Improper Use of BWC allegation, one substantiated Refusal to Provide Name allegation, and one substantiated Refusal to Provide Shield Number allegation against PO Oswald. The Board recommended Charges, and the NYPD has yet to impose discipline.
- PO Celestin has been a member of service for five years and has been a subject 10 other CCRB complaints and 34 other allegations, of which nine were substantiated. § 87(2)(g) :
  - Case #202203603 involved one substantiated Entry of Premises allegation against PO Celestin. The Board recommended Command Discipline B, and the NYPD has yet to impose discipline.
  - Case #202208516 involved one substantiated Improper Use of BWC allegation against PO Celestin. The Board recommended Command Discipline A, and the NYPD imposed no penalty.
  - Case #202300531 involved one substantiated Frisk allegation, one substantiated Search of Person allegation, and one substantiated Stop allegation against PO Celestin. The Board recommended Command Discipline B, and the NYPD imposed no penalty.
  - Case #202301904 involved two substantiated Physical Force allegations, one substantiated Frisk allegation, one substantiated Improper Use of BWC allegation, and one substantiated Stop allegation against PO Celestin. The Board recommended Charges, and the NYPD has yet to impose discipline.
- PO Torres has been a member of service for six years and has been a subject in four other CCRB complaints and nine other allegations, of which one was substantiated. § 87(2)(g) :
  - Case #202201115 involved one substantiated Entry of Premises allegation against PO Torres. The Board recommended Command Discipline A, and the NYPD imposed

Command Discipline A. § 87(2)(g) [redacted]

- PO Delohery has been a member of service for six years and has been a subject in 10 other CCRB complaints and 23 other allegations, of which two were substantiated. § 87(2)(g) [redacted]
  - Case 202306875 involved one substantiated Frisk allegation and one substantiated Stop allegation. The Board recommended Formalized Training, and the NYPD has yet to impose discipline.
  - Case 202307796 involved one substantiated Frisk allegation, one substantiated Improper Use of BWC allegation, and one substantiated Stop allegation. The Board recommended Command Discipline B, and the NYPD has yet to impose discipline.
- PO Barlow has been a member of service for seven years and has been a subject five other CCRB complaints and 10 other allegations, of which one was substantiated. § 87(2)(g) [redacted]:
  - Case 202201115 involved one substantiated Entry of Premises allegation. The Board recommended Command Discipline A, and the NYPD imposed Command Discipline A.

Mediation, Civil, and Criminal Histories

- This complaint was not suitable for mediation.
- As of March 11, 2024, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regard to this incident **(BR 28)**.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)] [redacted]

§ 87(2)(g) [redacted]

[redacted]

Squad No.: 17

Investigator:	Megan McCurdy	Inv. Megan McCurdy	02/05/2025
	Signature	Print Title & Name	Date
Squad Leader:	Benjamin Shelton	IM Benjamin Shelton	02/06/2025
	Signature	Print Title & Name	Date
Reviewer:			
	Signature	Print Title & Name	Date