

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Krystal Camille Edwards	Team: Squad #03	CCRB Case #: 202402502	☐ Force	☒ Discourt.	☐ U.S.
			☐ Abuse	☒ O.L.	☐ Injury
Incident Date(s) Friday, 03/01/2024 11:05 PM	Location of Incident: Outside 332 East 115th Street	18 Mo. SOL 9/1/2025	Precinct: 23		
Date/Time CV Reported Thu, 03/07/2024 4:56 PM	CV Reported At: IAB	How CV Reported: E-mail	Date/Time Received at CCRB Tue, 03/12/2024 12:31 PM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. PO Sheldon Elliott	21027	958550	023 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. PO Stephan Grant	21275	963058	023 PCT

Officer(s)	Allegation	Inv. Div. Recommendation
A . PO Sheldon Elliott	Discourtesy: Police Officer Sheldon Elliott spoke discourteously to an individual.	A . Substantiated
B . PO Sheldon Elliott	Off. Language: Police Officer Sheldon Elliott made remarks to an individual based upon the perceived sexual orientation of an individual.	B . Substantiated

Case Summary

On March 7, 2024, Sergeant Aml Elsokary, of the NYPD's Equal Opportunity and Diversity Investigative Unit, filed this complaint with IAB by e-mail following from a notification from Lieutenant Kinafi Chong of the 23rd Precinct. The complaint was received by the CCRB on March 12, 2024. The alleged victim involved in this complaint is unidentified (**BR 1**).

On March 1, 2024 at 11:05pm, Police Officer Sheldon Elliott, and his partner, Police Officer Stephan Grant, both of the 23rd Precinct, received a radio call from their supervisor asking for assistance with an arrest in front of 332 East 115th Street, in Manhattan. While at the location, an unknown individual told PO Elliott, "Suck my dick, nigga, suck my dick." When PO Elliott got back to his police vehicle and closed the door, he told the unknown individual, "Yea faggot," in response to the unknown individual's taunts (**Allegation A: Discourtesy – Substantiated and Allegation B: Offensive Language-Substantiated**). No arrest or summons of the unidentified civilian resulted from this incident.

BWC footage from nine officers, including PO Elliott and his partner PO Grant, was obtained (**BR 2**).

Findings and Recommendations

Allegation (A) Discourtesy: Police Officer Sheldon Elliott spoke discourteously to an individual.

Allegation (B) Offensive Language: Police Officer Sheldon Elliott made remarks to an individual based upon the perceived sexual orientation of an individual.

As noted above, Lt. Chong reported this incident to the NYPD's Equal Opportunity and Diversity Investigative Unit, which subsequently reported the incident to IAB. The alleged victim of this allegation is unknown to the CCRB. The FADOs investigated in this complaint are based on BWC video.

PO Elliott, and his partner, PO Grant, received a radio call from their supervisor asking for assistance with an arrest in front of 332 East 115th Street, in Manhattan. Once they arrived, PO Elliott's BWC at 1:20 shows officers, who were already on the scene holding the arrested individual's arms, identified via investigation as § 87(2)(b) and one officer performing a search of § 87(2)(b) body. At 5:33, PO Elliott exits his police and approaches the police vehicle that is escorting § 87(2)(b) to the 23rd Precinct stationhouse. At 5:50, an unknown individual in the background is heard saying, "It's always the black one. Clown ass nigga." The person laughs and then says "bozo" approximately three times. At 5:56, PO Elliott says, "Pull off, pull up," followed by, "Yeah, faggot" before closing the door to his police vehicle and driving away (**BR2**).

PO Romana Rimi's BWC is consistent with PO Elliott's BWC, and it captures additional statements made by the unknown civilian (**BR 4**). At 3:12, the interaction between PO Elliott and the unknown civilian, which was also captured on PO Elliott's BWC can be heard in the background. At 3:22, the civilian says, "Suck my dick nigga, suck my dick." A car is heard driving off in the background.

PO Elliott stated that on the date of the incident, while operating his assigned vehicle with his partner, PO Grant, they received a radio call from their supervisor asking for assistance with an arrest (**BR 3**). When PO Elliott and PO Grant arrived on the scene, the officers present already had the arrested male, who the investigation identified as § 87(2)(b) under arrest. PO Elliott and PO Grant assisted in putting § 87(2)(b) into the police vehicle for transport to the 23rd Precinct Stationhouse. Once back in their own police vehicle, PO Elliott and PO Grant observed a male who previously spoke with § 87(2)(b) approach the police vehicle § 87(2)(b) was in. PO Elliott and PO Grant exited their vehicle to assess the situation. The officers explained to the male that he

could not block the vehicle and the male stepped on to the sidewalk. Once it was determined that the vehicle with § 87(2)(b) was ready to drive off, PO Elliott and PO Grant proceeded back to their vehicle. While walking back, the male said to PO Elliott, “It’s always the black one,” and began to hurl expletives at the officers which included “suck my dick.” Once he got back to the police vehicle, PO Elliott shouted to the police vehicle in front of him to “pull up, pull up, pull up,” and closed his door. Once inside of his police vehicle, PO Elliott called the individual shouting the expletives at him a damn “faggot.” PO Elliott said that he said this out of frustration from the male constantly saying, “Suck my dick.” PO Elliott said that the male did not hear his remark because the male had already left the scene.

NYPD Administrative Guide Procedure 304-06 prohibits “Using discourteous or disrespectful remarks regarding another person’s age, ethnicity, race, religion, gender, gender identity/expression, sexual orientation, or disability,” (BR 5).

§ 87(2)(g)

it is recommended that **Allegation A and Allegation B** be closed as **Substantiated**.

Civilian and Officer CCRB Histories

- PO Elliott has been a member of service for eight years and has been a subject in thirteen CCRB complaints and twenty-seven allegations, none of which were substantiated. § 87(2)(g)

Mediation, Civil, and Criminal Histories

- Given that the alleged victim involved in this complaint is unidentified, the investigation could not offer mediation, could not determine whether there is civil litigation related to this complaint, and could not search for related criminal histories.

RPBP History

- This complaint did not contain any allegations of Racial Profiling/Bias-Based Policing

Squad No.: 3

Investigator:	<u>K.C. Edwards</u> Signature	<u>Inv. K.C. Edwards</u> Print Title & Name	<u>06/24/2024</u> Date
Squad Leader:	<u>Rolando Vasquez</u> Signature	<u>IM Rolando Vasquez</u> Print Title & Name	<u>6/26/2024</u> Date