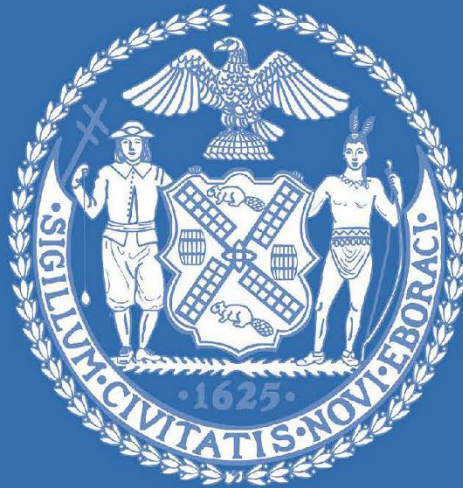


# CIVILIAN COMPLAINT REVIEW BOARD

ERIC L. ADAMS, Mayor   DR. MOHAMMAD KHALID, Interim Chair   JONATHAN DARCHE, Esq. Executive Director



## *Administrative Prosecution Unit*

### 1<sup>st</sup> Quarter 2025 Report

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## **ADMINISTRATIVE PROSECUTION UNIT BACKGROUND**

When the Board substantiates a misconduct allegation(s) and recommends Charges and Specifications, in most instances the case is prosecuted by the CCRB's Administrative Prosecution Unit (APU) pursuant to a Memorandum of Understanding (MOU) between the CCRB and the NYPD.

The APU prosecutes cases before the NYPD Deputy Commissioner of Trials (DCT) or an Assistant Deputy Commissioner of Trials (ADCT). The member of service (MOS) can accept a plea offer in lieu of a trial. If the MOS goes to trial and is found guilty, the NYPD trial commissioner will recommend a penalty. The Police Commissioner may accept, reject, or modify any plea agreement, trial verdict, or penalty recommendation.

The APU treats each officer against whom an allegation is substantiated as a separate case. A single CCRB complaint may generate more than one APU case depending on the number of officers against whom the Board recommends Charges and Specifications.

## **INTRODUCTION**

This report will address the following matters: (i) trial verdicts issued by an Assistant Deputy Commissioner of Trials ("ADCT"); (ii) the treatment of Administrative Prosecution Unit ("APU") pleas by the Police Commissioner ("PC"); (iii) the retention of cases under Provision Two of the April 2, 2012, Memorandum of Understanding ("MOU"); (iv) cases administratively closed by the Police Commissioner; (v) cases closed due to the statute of limitations ("SOL"); (vi) the size of the APU's docket; (vii) the time to serve Charges and Specifications on Respondents; and (viii) the discipline concurrence rate.

The report contains information concerning the following case closures in the first quarter of 2025: four (4) trial verdicts, thirty-six (36) pleas, nine (9) retained cases, eight (8) PC administratively closed cases, and zero (0) APU administratively closed cases. Finally, it includes information regarding the discipline and concurrence rates for the quarter which stand at 82% and 71% respectively.

## SECTION I: TRIALS

At the conclusion of an administrative trial, the presiding ADCT renders a finding of guilty or not guilty on each of the Charges and Specifications against the member(s) of service ("MOS").<sup>1</sup> For guilty verdicts, the ADCT recommends a penalty for each member of service involved in the case and the Police Commissioner either approves, modifies, or reverses the verdict and recommended penalty.<sup>2</sup> There is no penalty recommendation for not guilty verdicts. In the first quarter of 2025, the verdicts for four (4) APU trials were finalized. The verdicts can be found below.

| COMPLAINT   | OFFICER          | CCRB SUBSTANTIATED ALLEGATIONS  | APU RECOMMENDED PENALTY                 | ADCT DECISION & PC DECISION   |
|---|------------------|---|---|---|
| 201900271<br><a href="#">Read Closing Report Here</a> | PO Angel Lopez   | 1. Abuse of Authority - at the 47th Precinct stationhouse strip-searched the Victim.                              | Five (5) days' vacation forfeiture      | The ADCT rendered a not guilty verdict on all charges. The Police Commissioner approved the not guilty verdict.<br><br><a href="#">Read Final Documents Here</a>  |
| 202106081<br><a href="#">Read Closing Report Here</a> | DT3 Volkan Maden | 1. Abuse of Authority - detained the Victim.<br>2. Abuse of Authority - issued an unlawful summons to the Victim. | Thirteen (13) days' vacation forfeiture | The ADCT rendered a guilty verdict on all charges. The ADCT recommended thirteen (13) days' vacation forfeiture. The Police Commissioner approved the guilty verdict and did not modify the penalty.<br><br><a href="#">Read Final Documents Here</a> |

<sup>1</sup> The APU treats each officer against whom an allegation is substantiated as a separate "case." As such, all APU data discussed in this report uses the same terminology. While there may be trials or incidents that involve multiple officers, the word "case" should be interpreted as "case against a single officer."

<sup>2</sup> As the final arbiter of discipline, the Police Commissioner can modify the ADCT penalty and/or reverse a verdict.

| <b>COMPLAINT</b>                                      | <b>OFFICER</b>      | <b>CCRB SUBSTANTIATED ALLEGATIONS</b>  | <b>APU RECOMMENDED PENALTY</b>     | <b>ADCT DECISION &amp; PC DECISION</b>   |
|---|---------------------|--|------------------------------------|--|
| 202200476<br><a href="#">Read Closing Report Here</a> | PO Marcarthur Jean  | <ol style="list-style-type: none"> <li>1. Force - used physical force against the Victim.</li> <li>2. Abuse of Authority - threatened the Victim with the use of force.</li> </ol>   | Ten (10) days' vacation forfeiture | <p>The ADCT rendered a not-guilty verdict on all charges. The Police Commissioner approved the not guilty verdict.</p> <p><a href="#">Read Final Documents Here</a></p>  |
| 202202526<br><a href="#">Read Closing Report Here</a> | SGT Perry Quincoses | <ol style="list-style-type: none"> <li>1. Force - used physical force against the Victim.</li> <li>2. Abuse of Authority - ejected the Victim from the transit system.</li> <li>3. Abuse of Authority - interfered with the Victim's use of a recording device.</li> </ol> | Ten (10) days' vacation forfeiture | <p>The ADCT rendered a guilty verdict on two (2) charges and a non-guilty verdict on one (1) charge. The ADCT recommended ten (10) days' vacation forfeiture. The Police Commissioner approved the guilty verdict and did not modify the penalty.</p> <p><a href="#">Read Final Documents Here</a></p> |

## SECTION II: PLEAS

In lieu of a trial, the MOS can reach a plea agreement with the APU. This agreement must be approved by both the ADCT and the Police Commissioner. The APU uses several factors to determine plea recommendations, including, but not limited to, MOS length of service, MOS rank, MOS disciplinary history, the facts of the case, the strength of the case, vulnerability of the victim, the extent of any injury, the number of complainants, precedent from cases involving analogous charges, and the delineated penalty categories from the New York City Police Department's ("NYPD") Disciplinary Matrix. In the first quarter of 2025, the APU finalized thirty-six (36) plea agreements.

| COMPLAINT   | OFFICER              | CCRB SUBSTANTIATED ALLEGATIONS  | PLEA AGREEMENT   |
|---|----------------------|---|--|
| 201901152<br><a href="#">Read Closing Report Here</a> | SGT Kevin Grayson    | <ol style="list-style-type: none"><li>1. Abuse of Authority - supervised the stop of the Victim.</li><li>2. Abuse of Authority - at the 44th Precinct stationhouse authorized the strip search of the Victim.</li></ol> | The officer pled guilty and accepted twenty (20) days' vacation forfeiture. The Police Commissioner approved the plea and did not modify the penalty.<br><br><a href="#">Read Final Documents Here</a> |
| 201905671<br><a href="#">Read Closing Report Here</a> | PO Christine Rathjen | <ol style="list-style-type: none"><li>1. Abuse of Authority - did not obtain medical treatment for the Victim.</li></ol>  | The officer pled guilty and accepted twenty (20) days' vacation forfeiture. The Police Commissioner approved the plea and did not modify the penalty.<br><br><a href="#">Read Final Documents Here</a> |

| <b>COMPLAINT</b>                                      | <b>OFFICER</b>       | <b>CCRB SUBSTANTIATED ALLEGATIONS</b>   | <b>PLEA AGREEMENT</b>  |
|---|----------------------|---|--|
| 201909139<br><a href="#">Read Closing Report Here</a> | PO Jesse Trap        | <ol style="list-style-type: none"> <li>2. Force - physical force against Victim 1.</li> <li>3. Offensive Language - made offensive remarks to Victim 2 based upon the perceived mental disability of Victim 2.</li> <li>4. Offensive Language - made offensive remarks to Victim 1 based upon the perceived mental disability of Victim 1.</li> <li>5. Offensive Language - made offensive remarks to Victim 3 based upon the perceived mental disability of Victim 3.</li> </ol> | <p>The officer pled guilty and accepted twenty (20) days' vacation forfeiture. The penalty was to run concurrently with the penalty issued for CCRB Case No. 202100512. The Police Commissioner approved the plea and did not modify the penalty.</p> <p><a href="#">Read Final Documents Here</a></p> |
| 202001357<br><a href="#">Read Closing Report Here</a> | DT3 Kenneth Caufield | <ol style="list-style-type: none"> <li>1. Force - used physical force against the Victim.</li> <li>2. Discourtesy - spoke discourteously to an individual.</li> <li>3. Discourtesy - spoke discourteously to individuals.</li> <li>4. Offensive Language - made remarks to individuals based upon the perceived mental disability of individuals.</li> </ol>  | <p>The officer pled guilty and accepted fifteen (15) days' vacation forfeiture. The Police Commissioner approved the plea and modified the penalty to ten (10) days' vacation forfeiture.</p> <p><a href="#">Read Final Documents Here</a></p>   |
| 202001952<br><a href="#">Read Closing Report Here</a> | PO Jamal Moye        | <ol style="list-style-type: none"> <li>1. Abuse of Authority - refused to provide his name to the Victim.</li> <li>2. Abuse of Authority - refused to provide his shield number to the Victim.</li> </ol>   | <p>The officer pled guilty and accepted training. The Police Commissioner approved the plea and did not modify the penalty.</p> <p><a href="#">Read Final Documents Here</a></p>   |

| <b>COMPLAINT</b>                                      | <b>OFFICER</b>      | <b>CCRB SUBSTANTIATED ALLEGATIONS</b>  | <b>PLEA AGREEMENT</b>   |
|---|---------------------|--|---|
| 202004402<br><a href="#">Read Closing Report Here</a> | PO Danny Romero     | 1. Untruthful Statement - provided a false official statement to the CCRB.   | The officer pled guilty and accepted thirty (30) days' vacation forfeiture. The Police Commissioner approved the plea and did not modify the penalty.<br><br><a href="#">Read Final Documents Here</a>  |
| 202006059<br><a href="#">Read Closing Report Here</a> | SGT Robert Vassallo | 1. Abuse of Authority - failed to provide the Victim with a business card.<br>2. Abuse of Authority - refused to provide his shield number to the Victim.<br>3. Discourtesy - acted discourteously toward the Victim.<br>4. Untruthful Statement - provided a misleading official statement to the CCRB. | The officer pled guilty and accepted Command Discipline B with ten (10) days' vacation forfeiture. The penalty was to run concurrently with the penalty issued for CCRB Case No. 202102770. The Police Commissioner approved the plea and modified the penalty to Command Discipline B with two (2) days' vacation forfeiture.<br><br><a href="#">Read Final Documents Here</a> |
| 202007690<br><a href="#">Read Closing Report Here</a> | PO Jiantong Li      | 1. Abuse of Authority - did not obtain medical treatment for the Victim.   | The officer pled guilty and accepted twenty (20) days' vacation forfeiture. The penalty was to run concurrently with the penalty issued for CCRB Case No. 202105358. The Police Commissioner approved the plea and did not modify the penalty.<br><br><a href="#">Read Final Documents Here</a>   |



| <b>COMPLAINT</b>                                      | <b>OFFICER</b>      | <b>CCRB SUBSTANTIATED ALLEGATIONS</b>  | <b>PLEA AGREEMENT</b>   |
|---|---------------------|--|---|
| 202100292<br><a href="#">Read Closing Report Here</a> | CPT Favio Quizhpi   | 1. Abuse of Authority - failed to provide the Victim with a business card.   | The officer pled guilty and accepted training. The Police Commissioner approved the plea and did not modify the penalty.<br><br><a href="#">Read Final Documents Here</a>   |
| 202100512<br><a href="#">Read Closing Report Here</a> | PO Jesse Trap       | 1. Force - used physical force against an individual.<br>2. Force - used physical force against the Victim.                  | The officer pled guilty and accepted twenty (20) days' vacation forfeiture. The penalty was to run concurrently with the penalty issued for CCRB Case No. 201909139. The Police Commissioner approved the plea and did not modify the penalty.<br><br><a href="#">Read Final Documents Here</a> |
| 202100704<br><a href="#">Read Closing Report Here</a> | PO Michael Mercorio | 1. Abuse of Authority - threatened the Victim with the use of force.<br>2. Discourtesy - spoke discourteously to the Victim. | The officer pled guilty and accepted Command Discipline A with five (5) days' vacation forfeiture. The Police Commissioner disapproved the plea and dismissed the charges.<br><br><a href="#">Read Final Documents Here</a>   |

| COMPLAINT  | OFFICER              | CCRB SUBSTANTIATED ALLEGATIONS   | PLEA AGREEMENT  |
|--|----------------------|--|---|
| 202101702<br><b>Closing Report Will be Available Upon Closure of all related APU Cases</b> | PO Zeilabadin Truong | <ol style="list-style-type: none"> <li>1. Abuse of Authority - threatened to remove the Victim to the hospital.</li> <li>2. Abuse of Authority - failed to provide the Victim with a business card.</li> </ol>   | <p>The officer pled guilty and accepted Command Discipline B with ten (10) days' vacation forfeiture. The Police Commissioner approved the plea and did not modify the penalty.</p> <p><a href="#">Read Final Documents Here</a></p>  |
| 202102633<br><a href="#">Read Closing Report Here</a>                                      | PO Dean Kekovski     | <ol style="list-style-type: none"> <li>1. Abuse of Authority - issued a summons to the Victim.</li> <li>2. Abuse of Authority - threatened the Victim with the use of force.</li> <li>3. Abuse of Authority - threatened to arrest the Victim.</li> </ol>  | <p>The officer pled guilty and accepted Command Discipline A with five (5) days' vacation forfeiture. The Police Commissioner approved the plea and modified the penalty to Command Discipline B with ten (10) days' vacation forfeiture and training.</p> <p><a href="#">Read Final Documents Here</a></p>                             |
| 202102770<br><a href="#">Read Closing Report Here</a>                                      | DT3 Andre Brown      | <ol style="list-style-type: none"> <li>1. Abuse of Authority - interfered with the Victim's use of a recording device.</li> <li>2. Abuse of Authority - threatened to damage/seize the Victim's property.</li> <li>3. Discourtesy - spoke discourteously to the Victim.</li> <li>4. Untruthful Statement - provided a false official statement to the CCRB.</li> <li>5. Offensive Language - made remarks based upon the Victim's perceived disability.</li> <li>6. Offensive Language - made remarks based upon the Victim's perceived sexual orientation.</li> </ol> | <p>The officer pled guilty and accepted fifteen (15) days' vacation forfeiture. The penalty was to run concurrently with the penalty issued for CCRB Case No. 202200687. The Police Commissioner approved the plea and modified the penalty to ten (10) days' vacation forfeiture.</p> <p><a href="#">Read Final Documents Here</a></p> |

| <b>COMPLAINT</b>   | <b>OFFICER</b>      | <b>CCRB SUBSTANTIATED ALLEGATIONS</b>   | <b>PLEA AGREEMENT</b>  |
|--|---------------------|---|--|
| 202102770<br><a href="#">Read Closing Report Here</a>                                      | SGT Robert Vassallo | 1. Abuse of Authority - interfered with an individual's use of a recording device.                        | The officer pled guilty and accepted Command Discipline B with ten (10) days' vacation forfeiture. The penalty was to run concurrently with the penalty issued for CCRB Case No. 202102770. The Police Commissioner disapproved the plea and dismissed the charges.<br><br><a href="#">Read Final Documents Here</a> |
| 202102984<br><a href="#">Read Closing Report Here</a>                                      | SGT Vasile Dubovici | 1. Abuse of Authority - entered the Victim's home.<br>2. Abuse of Authority - searched the Victim's home. | The officer pled guilty and accepted Command Discipline B with ten (10) days' vacation forfeiture. The Police Commissioner approved the plea and did not modify the penalty.<br><br><a href="#">Read Final Documents Here</a>  |
| 202103511<br><b>Closing Report Will be Available Upon Closure of all related APU Cases</b> | DT3 Ryan Olsen      | 1. Abuse of Authority - searched the vehicle in which the Victim was an occupant.                         | The officer pled guilty and accepted Command Discipline A and training. The Police Commissioner approved the plea and did not modify the penalty.<br><br><a href="#">Read Final Documents Here</a>   |

| <b>COMPLAINT</b>                                      | <b>OFFICER</b>    | <b>CCRB SUBSTANTIATED ALLEGATIONS</b>  | <b>PLEA AGREEMENT</b>  |
|---|-------------------|--|--|
| 202104647<br><a href="#">Read Closing Report Here</a> | PO Orkhan Mamedov | <ol style="list-style-type: none"> <li>1. Force - used physical force against Victim 1.</li> <li>2. Abuse of Authority – entered Victim 1’s home.</li> <li>3. Abuse of Authority - forcibly removed Victim 2 to the hospital.</li> <li>4. Abuse of Authority - threatened Victim 2 with the use of force.</li> </ol> | <p>The officer pled guilty and accepted Command Discipline B with ten (10) days’ vacation forfeiture. The Police Commissioner approved the plea and did not modify the penalty.</p> <p><a href="#">Read Final Documents Here</a></p>   |
| 202105056<br><a href="#">Read Closing Report Here</a> | LT Justin Simms   | <ol style="list-style-type: none"> <li>1. Abuse of Authority - did not process the Victim’s complaint regarding an officer.</li> <li>2. Abuse of Authority – threatened the Victim with the use of force.</li> </ol>   | <p>The officer pled guilty and accepted training. The Police Commissioner approved the plea and did not modify the penalty.</p> <p><a href="#">Read Final Documents Here</a></p>   |
| 202105358<br><a href="#">Read Closing Report Here</a> | PO Jiantong Li    | <ol style="list-style-type: none"> <li>3. Force - at the 60th Precinct stationhouse used physical force against the Victim.</li> <li>4. Untruthful Statement - provided a false official statement to the CCRB.</li> </ol>   | <p>The officer pled guilty and accepted twenty (20) days’ vacation forfeiture. The penalty was to run concurrently with the penalty issued for CCRB Case No. 202007690. The Police Commissioner approved the plea and did not modify the penalty.</p> <p><a href="#">Read Final Documents Here</a></p> |

| <b>COMPLAINT</b>   | <b>OFFICER</b>           | <b>CCRB SUBSTANTIATED ALLEGATIONS</b>   | <b>PLEA AGREEMENT</b>  |
|--|--------------------------|---|--|
| 202105475<br><b>Closing Report Will be Available Upon Closure of all related APU Cases</b> | PO Christopher Bonilla   | <ol style="list-style-type: none"> <li>1. Abuse of Authority - entered the Victim's home.</li> <li>2. Abuse of Authority - threatened to remove the Victim to the hospital.</li> </ol>  | <p>The officer pled guilty and accepted training. The Police Commissioner approved the plea and did not modify the penalty.</p> <p><a href="#">Read Final Documents Here</a></p>   |
| 202105828<br><a href="#">Read Closing Report Here</a>                                      | DT3 Babajide Ogunade     | <ol style="list-style-type: none"> <li>3. Abuse of Authority - detained Victim 1 at a subway station.</li> <li>4. Abuse of Authority - stopped individuals at a subway station.</li> <li>5. Abuse of Authority - stopped Victim 2 at a subway station.</li> <li>6. Untruthful Statement - provided an inaccurate official statement to the CCRB at 100 Church Street in Manhattan.</li> </ol> | <p>The officer pled guilty and accepted Command Discipline A with three (3) days' vacation forfeiture. The Police Commissioner approved the plea and did not modify the penalty.</p> <p><a href="#">Read Final Documents Here</a></p>      |
| 202106162<br><a href="#">Read Closing Report Here</a>                                      | SGT Christopher Busuttil | <ol style="list-style-type: none"> <li>1. Discourtesy - spoke discourteously to the Victim.</li> <li>2. Offensive Language - made remarks to the Victim based upon the gender of the Victim.</li> </ol>   | <p>The officer pled guilty and accepted ten (10) days' vacation forfeiture. The Police Commissioner approved the plea and modified the penalty to five (5) days' vacation forfeiture.</p> <p><a href="#">Read Final Documents Here</a></p> |

| <b>COMPLAINT</b>  | <b>OFFICER</b>     | <b>CCRB SUBSTANTIATED ALLEGATIONS</b>  | <b>PLEA AGREEMENT</b>   |
|---|--------------------|--|---|
| 202106300<br><a href="#">Read Closing Report Here</a>   | PO Jesse Trap      | <ol style="list-style-type: none"> <li>1. Force - used physical force against the Victim.</li> <li>2. Discourtesy - spoke discourteously to the Victim.</li> </ol> | <p>The officer pled guilty and accepted twenty (20) days' vacation forfeiture. The penalty was to run concurrently with the penalty issued for CCRB Cases Nos. 202100512 and 201909139 The Police Commissioner disapproved the plea and dismissed the charges.</p> <p><a href="#">Read Final Documents Here</a></p>                     |
| 202200687<br><a href="#">Read Closing Report Here</a>   | DT3 Andre Brown    | <ol style="list-style-type: none"> <li>1. Abuse of Authority - entered the Victim's home.</li> <li>2. Abuse of Authority - searched the Victim's home.</li> </ol>  | <p>The officer pled guilty and accepted fifteen (15) days' vacation forfeiture. The penalty was to run concurrently with the penalty issued for CCRB Case No. 202102770. The Police Commissioner approved the plea and modified the penalty to five (5) days' vacation forfeiture.</p> <p><a href="#">Read Final Documents Here</a></p> |
| 202201497<br><b>Closing Report Unavailable in Accordance with Civil Rights Law Section 50-b</b> | SGT Jhonny Milfort | <ol style="list-style-type: none"> <li>1. Abuse of Authority - propositioned the Victim.</li> </ol>  | <p>The officer pled guilty and accepted Command Discipline B with ten (10) days' vacation forfeiture. The Police Commissioner approved the plea and did not modify the penalty.</p> <p><a href="#">Read Final Documents Here</a></p>  |

| <b>COMPLAINT</b>   | <b>OFFICER</b>        | <b>CCRB SUBSTANTIATED ALLEGATIONS</b>   | <b>PLEA AGREEMENT</b>  |
|--|-----------------------|---|--|
| 202207750<br><a href="#">Read Closing Report Here</a>                                      | SGT Maris Garcia      | <ol style="list-style-type: none"> <li>1. Discourtesy - spoke discourteously to Victim 1.</li> <li>2. Offensive Language - made offensive remarks to Victim 1 based on her perceived mental status.</li> <li>3. Offensive Language - made remarks to Victim 2 based upon the gender of Victim 2.</li> <li>4. Offensive Language - made remarks to Victim 1 based upon race.</li> <li>1. Offensive Language - made remarks to Victim 1 based upon the gender of Victim 1.</li> </ol> | <p>The officer pled guilty and accepted Command Discipline B with ten (10) days' vacation forfeiture. The Police Commissioner approved the plea and did not modify the penalty.</p> <p><a href="#">Read Final Documents Here</a></p> |
| 202207773<br><a href="#">Read Closing Report Here</a>                                      | PO Manuel Salvatierra | <ol style="list-style-type: none"> <li>2. Abuse of Authority - detained the Victim.</li> <li>3. Abuse of Authority - improperly used his body-worn camera.</li> <li>4. Abuse of Authority - refused to provide his name to the Victim.</li> <li>5. Abuse of Authority - refused to provide his shield number to the Victim.</li> <li>6. Untruthful Statement - provided a false official statement to the CCRB.</li> </ol>  | <p>The officer pled guilty and accepted twenty (20) days' vacation forfeiture. The Police Commissioner approved the plea and did not modify the penalty.</p> <p><a href="#">Read Final Documents Here</a></p>                        |
| 202300117<br><b>Closing Report Will be Available Upon Closure of all related APU Cases</b> | PO Hamlet Deleon      | <ol style="list-style-type: none"> <li>1. Abuse of Authority - threatened to remove the Victim to the hospital.</li> </ol>  | <p>The officer pled guilty and accepted training. The Police Commissioner approved the plea and did not modify the penalty.</p> <p><a href="#">Read Final Documents Here</a></p>   |

| <b>COMPLAINT</b>                                      | <b>OFFICER</b>   | <b>CCRB SUBSTANTIATED ALLEGATIONS</b>   | <b>PLEA AGREEMENT</b>   |
|---|------------------|---|---|
| 202301290<br><a href="#">Read Closing Report Here</a> | PO Pedro Reyes   | 1. Abuse of Authority - interfered with the Victim's use of a recording device.   | The officer pled guilty and accepted Command Discipline B with ten (10) days' vacation forfeiture. The Police Commissioner approved the plea and did not modify the penalty.<br><br><a href="#">Read Final Documents Here</a> |
| 202302015<br><a href="#">Read Closing Report Here</a> | PO Rafael Payano | 1. Abuse of Authority - improperly used his body-worn camera.<br>2. Discourtesy - spoke discourteously to Victim 1.<br>3. Discourtesy - spoke discourteously to Victim 2.<br>4. Offensive Language - spoke offensively regarding Victim 1's actual or perceived disability.                                       | The officer pled guilty and accepted Command Discipline A with five (5) days' vacation forfeiture. The Police Commissioner approved the plea and did not modify the penalty.<br><br><a href="#">Read Final Documents Here</a> |
| 202302015<br><a href="#">Read Closing Report Here</a> | PO Binah Previl  | 1. Force - physical force against Victim 1.<br>2. Abuse of Authority - improperly used his body-worn camera.<br>3. Abuse of Authority - searched Victim 2<br>4. Discourtesy - spoke discourteously to Victim 1.<br>5. Offensive Language - spoke offensively regarding Victim 1's actual or perceived disability. | The officer pled guilty and accepted Command Discipline A with five (5) days' vacation forfeiture. The Police Commissioner approved the plea and did not modify the penalty.<br><br><a href="#">Read Final Documents Here</a> |



| <b>COMPLAINT</b>                                      | <b>OFFICER</b>              | <b>CCRB SUBSTANTIATED ALLEGATIONS</b>  | <b>PLEA AGREEMENT</b>  |
|---|-----------------------------|--|--|
| 202302640<br><a href="#">Read Closing Report Here</a> | SGT Alex Guess              | <ol style="list-style-type: none"> <li>1. Abuse of Authority - threatened the Victim with the use of force.</li> <li>2. Discourtesy - spoke discourteously to the Victim.</li> <li>3. Offensive Language - made remarks to the Victim based upon the perceived sexual orientation of the Victim.</li> </ol>  | <p>The officer pled guilty and accepted twenty (20) days' vacation forfeiture. The Police Commissioner approved the plea and did not modify the penalty.</p> <p><a href="#">Read Final Documents Here</a></p>                        |
| 202302804<br><a href="#">Read Closing Report Here</a> | SGT Nicholas Torrisi        | <ol style="list-style-type: none"> <li>1. Abuse of Authority - at the 44th Precinct stationhouse did not process the Victim's complaint regarding an officer.</li> <li>2. Abuse of Authority - at the 44th Precinct stationhouse, improperly used his body-worn camera.</li> <li>3. Untruthful Statement - provided a false official statement to the CCRB.</li> </ol> | <p>The officer pled guilty and accepted Command Discipline A with five (5) days' vacation forfeiture. The Police Commissioner approved the plea and did not modify the penalty.</p> <p><a href="#">Read Final Documents Here</a></p> |
| 202303194<br><a href="#">Read Closing Report Here</a> | LT Ben Kurian               | <ol style="list-style-type: none"> <li>1. Force - used physical force against the Victim.</li> <li>2. Untruthful Statement - provided a false official statement to the CCRB.</li> </ol>   | <p>The officer pled guilty and accepted Command Discipline A with five (5) days' vacation forfeiture. The Police Commissioner approved the plea and did not modify the penalty.</p> <p><a href="#">Read Final Documents Here</a></p> |
| 202305105<br><a href="#">Read Closing Report Here</a> | PO Clairret Corderolantigua | <ol style="list-style-type: none"> <li>1. Abuse of Authority - frisked the Victim.</li> <li>2. Abuse of Authority - stopped the Victim.</li> </ol>   | <p>The officer pled guilty and accepted training. The Police Commissioner approved the plea and did not modify the penalty.</p> <p><a href="#">Read Final Documents Here</a></p>   |

### SECTION III: RETAINED CASES

The Police Commissioner can retain a case, which means that the case is removed from the APU, in accordance with Provision Two of the MOU,<sup>3</sup> which states that:

in those limited circumstances where the Police Commissioner determines that CCRB's prosecution of Charges and Specifications in a substantiated case would be detrimental to the Police Department's disciplinary process, the Police Commissioner shall so notify CCRB. Such instances shall be limited to such cases in which there are parallel or related criminal investigations, or when, in the case of an officer with no disciplinary history or prior substantiated CCRB complaints, based on such officer's record and disciplinary history the interests of justice would not be served.

After a case is retained, the Police Commissioner can decide whether or not to impose discipline on an officer. In the first quarter of 2025, the Police Commissioner retained nine (9) cases.

| COMPLAINT  | OFFICER           | CCRB SUBSTANTIATED ALLEGATIONS  | REASON FOR RETAINMENT  |
|--|-------------------|---|--|
| 202302498<br><b>Closing Report Will be Available Upon Closure of all related APU Cases</b> | SGT Eric Warren   | <ol style="list-style-type: none"><li>1. Abuse of Authority - damaged Victim 1's property.</li><li>2. Abuse of Authority - improperly used his body-worn camera.</li><li>3. Abuse of Authority - searched Victim 2's home.</li></ol>  | The Police Commissioner retained the case and issued discipline to the officer – formalized training.<br><br><a href="#">Read Final Documents Here</a>                                       |
| 202306084<br><b>Closing Report Will be Available Upon Closure of all related APU Cases</b> | PO Arturo Sanchez | <ol style="list-style-type: none"><li>1. Abuse of Authority - failed to provide Victim 1 with a business card.</li><li>2. Abuse of Authority - failed to provide Victim 2 with a business card.</li><li>3. Abuse of Authority - failed to provide Victim 3 with a business card.</li><li>4. Abuse of Authority - failed to provide Victim 4 with a business card.</li></ol> | The Police Commissioner retained the case and issued discipline to the officer – Command Discipline A with one (1) day vacation forfeiture.<br><br><a href="#">Read Final Documents Here</a> |

<sup>3</sup> [https://www.nyc.gov/assets/ccrb/downloads/pdf/about\\_pdf/apu\\_mou.pdf](https://www.nyc.gov/assets/ccrb/downloads/pdf/about_pdf/apu_mou.pdf)

| COMPLAINT  | OFFICER             | CCRB SUBSTANTIATED ALLEGATIONS  | REASON FOR RETAINMENT   |
|--|---------------------|---|---|
| 202306084<br><b>Closing Report Will be Available Upon Closure of all related APU Cases</b> | PO Melanie O'Brien  | <ol style="list-style-type: none"> <li>1. Abuse of Authority - over the phone, did not process Victim 3's complaint regarding officers.</li> <li>2. Abuse of Authority - over the phone, did not process Victim 2's complaint regarding officers.</li> </ol>                        | <p>The Police Commissioner retained the case and issued discipline to the officer – Command Discipline A with one (1) day vacation forfeiture.</p> <p><a href="#">Read Final Documents Here</a></p>   |
| 202306857<br><a href="#">Read Closing Report Here</a>                                      | DI Stephen Spataro  | <ol style="list-style-type: none"> <li>1. Abuse of Authority - interfered with the Victim's use of a recording device.</li> </ol>   | <p>The Police Commissioner retained the case and issued no discipline to the officer.</p> <p><a href="#">Read Final Documents Here</a></p>  |
| 202307259<br><a href="#">Read Closing Report Here</a>                                      | SGT John Felicetti  | <ol style="list-style-type: none"> <li>1. Abuse of Authority - at the 71st Precinct stationhouse, did not process the Victim's complaint regarding an officer.</li> <li>2. Abuse of Authority - at the 71st Precinct stationhouse, improperly used his body-worn camera.</li> </ol> | <p>The Police Commissioner retained the case and issued discipline to the officer – Command Discipline B with two (2) days' vacation forfeiture.</p> <p><a href="#">Read Final Documents Here</a></p> |
| 202307344<br><b>Closing Report Will be Available Upon Closure of all related APU Cases</b> | SGT Thomas Petronis | <ol style="list-style-type: none"> <li>1. Force - used physical force against the Victim.</li> </ol>  | <p>The Police Commissioner retained the case and issued no discipline to the officer.</p> <p><a href="#">Read Final Documents Here</a></p>  |
| 202308317<br><a href="#">Read Closing Report Here</a>                                      | PO Luis Matos       | <ol style="list-style-type: none"> <li>1. Force - used physical force against the Victim.</li> </ol>  | <p>The Police Commissioner retained the case and issued no discipline to the officer.</p> <p><a href="#">Read Final Documents Here</a></p>  |

| <b>COMPLAINT</b>                                      | <b>OFFICER</b>        | <b>CCRB SUBSTANTIATED ALLEGATIONS</b>   | <b>REASON FOR RETAINMENT</b>   |
|---|-----------------------|---|--|
| 202308317<br><a href="#">Read Closing Report Here</a> | PO Joseph Difrancesca | 1. Force - used physical force against the Victim.  | The Police Commissioner retained the case and issued no discipline to the officer.<br><br><a href="#">Read Final Documents Here</a>  |
| 202308544<br><a href="#">Read Closing Report Here</a> | DT3 Jonathan Bourne   | 1. Force - used physical force against the Victim.<br>2. Abuse of Authority - refused to provide his name to the Victim.<br>3. Abuse of Authority - refused to provide his shield number to the Victim.<br>4. Abuse of Authority - threatened to arrest the Victim. | The Police Commissioner retained the case and issued discipline to the officer – Command Discipline B with two (2) days’ vacation forfeiture.<br><br><a href="#">Read Final Documents Here</a> |

#### SECTION IV: POLICE COMMISSIONER ADMINISTRATIVELY CLOSED CASES

The Police Commissioner will administratively close a case when an officer resigns, retires, or is disciplined by an internal NYPD process. Such cases require no further action from the APU. In the first quarter of 2025, the Police Commissioner administratively closed eight (8) cases.

| COMPLAINT   | OFFICER              | CCRB SUBSTANTIATED ALLEGATIONS  | REASON FOR CASE CLOSURE                                    |
|---|----------------------|---|--|
| 201509282<br><a href="#">Read Closing Report Here</a> | DT3 Robert Carbone   | 1. Force - used physical force against the Victim.  | The department dismissed charges against the officer.      |
| 201509282<br><a href="#">Read Closing Report Here</a> | DTS Angelo Pampena   | 1. Force - used physical force against the Victim.  | The department dismissed charges against the officer.      |
| 202002571<br><a href="#">Read Closing Report Here</a> | PO Kristen Caldararo | 1. Abuse of Authority - interfered with the Victim's use of a recording device.<br>2. Abuse of Authority - stopped the Victim.<br>3. Discourtesy - spoke discourteously to the Victim.                  | The department issued its own charges against the officer. |
| 202003773<br><a href="#">Read Closing Report Here</a> | SGT Majer Saleh      | 1. Force - used pepper spray against Victim 1.<br>2. Force - used pepper spray against individuals.<br>3. Force - used pepper spray against Victim 2.<br>4. Force - used pepper spray against Victim 3. | Officer resigned.  |

| <b>COMPLAINT</b>   | <b>OFFICER</b>      | <b>CCRB SUBSTANTIATED ALLEGATIONS</b>   | <b>REASON FOR CASE CLOSURE</b>   |
|--|---------------------|---|--|
| 202100840<br><a href="#">Read Closing Report Here</a>                                      | SGT Dana Martillo   | <ol style="list-style-type: none"> <li>1. Discourtesy - gestured discourteously toward individuals.</li> <li>2. Discourtesy - was discourteous toward individuals.</li> <li>3. Offensive Language - was offensive toward individuals.</li> </ol>  | The department issued its own charges against the officer.   |
| 202105170<br><a href="#">Read Closing Report Here</a>                                      | PO Karim Powell     | <ol style="list-style-type: none"> <li>1. Discourtesy - spoke discourteously to the Victim.</li> <li>2. Offensive Language - made remarks to the Victim based upon ethnicity.</li> </ol>  | The department closed the case due to a pending matter.  |
| 202305394<br><b>Closing Report Will be Available Upon Closure of all related APU Cases</b> | PO Anthony Lombardo | <ol style="list-style-type: none"> <li>1. Discourtesy - spoke discourteously to an individual.</li> <li>2. Offensive Language - made remarks to an individual based upon the perceived sexual orientation of an individual.</li> </ol>  | Officer resigned.  |
| 202404600<br><b>Closing Report Will be Available Upon Closure of all related APU Cases</b> | SGT Ayinde McBurnie | <ol style="list-style-type: none"> <li>1. Abuse of Authority - improperly used his body-worn camera.</li> <li>2. Abuse of Authority - pursued the vehicle in which Victim 1 was an occupant.</li> <li>3. Abuse of Authority - pursued the vehicle in which Victim 2 was an occupant.</li> </ol> | Adjudicated at Boro Level – officer was instructed in the proper performance of duty and/or procedure. |

## SECTION V: APU ADMINISTRATIVELY CLOSED CASES

The SOL is the 18-month timeframe within which a disciplinary proceeding must commence against an officer.<sup>4</sup> Unless the case falls under the crime exception, once the SOL period elapses, a case may not proceed and will be closed without further action. In the first quarter of 2025, the APU administratively closed zero (0) cases for SOL reasons.

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<sup>4</sup> Under New York Civil Service Law § 75(4), a disciplinary proceeding cannot be commenced more than 18 months after the incident, but that time limitation does not apply where the alleged misconduct, as described in the Charges and Specifications, would constitute a crime.

The service of Charges and Specifications on a MOS is considered a commencement of a disciplinary proceeding.

## SECTION VI: THE APU DOCKET

The APU's docket increased in the first quarter of 2025 compared to the fourth quarter of 2024. The sustained docket size is attributable to the increased number of Charges and Specifications recommended by the CCRB's Board pursuant to the Disciplinary Matrix and the overall increase in the number of complaints received by the Agency.

| Cases in Open Docket         |                  |                         |                       |                |        |
|------------------------------|------------------|-------------------------|-----------------------|----------------|--------|
| Period                       | Start of Quarter | Received During Quarter | Closed During Quarter | End of Quarter | Growth |
| 2 <sup>nd</sup> Quarter 2024 | 685              | 120                     | 102                   | 703            | 2.6%   |
| 3 <sup>rd</sup> Quarter 2024 | 703              | 106                     | 114                   | 695            | -1.1%  |
| 4 <sup>th</sup> Quarter 2024 | 695              | 117                     | 68                    | 744            | 7.1%   |
| 1 <sup>st</sup> Quarter 2025 | 744              | 116                     | 57                    | 803            | 7.9%   |



## SECTION VII: SERVICE OF RESPONDENTS

The average wait time for Respondents to be served remained relatively the same between the fourth quarter of 2024 and first quarter of 2025.

| Time to Serve Respondents    |                              |                                     |   |
|------------------------------|------------------------------|-------------------------------------|---|
| Period                       | Number of Respondents Served | Average Length to Serve Respondents | Average Length to Serve Respondents (Business Days) |
| 2 <sup>nd</sup> Quarter 2024 | 91                           | 28                                  | 20  |
| 3 <sup>rd</sup> Quarter 2024 | 107                          | 23                                  | 16  |
| 4 <sup>th</sup> Quarter 2024 | 109                          | 18                                  | 13  |
| 1 <sup>st</sup> Quarter 2025 | 99                           | 19                                  | 13  |

## SECTION VIII: CONCURRENCE AND DISCIPLINE

The concurrence rate measures how often the Police Commissioner imposes the same (or more severe) discipline as recommended by the Board. The discipline rate measures how often the Police Commissioner imposes discipline of any kind. Certain “Not Adjudicated” case outcomes, such as when the officer left the force prior to discipline being imposed, do not factor into the concurrence or discipline rate.

| <b>Q1 2025 APU Concurrence and Discipline</b> |     |                       |     |
|---|-----|-----------------------|-----|
| Discipline Count                              | 40  | Concurrence Count     | 35  |
| No Discipline Count                           | 9   | Non-Concurrence Count | 14  |
| Not Adjudicated Count                         | 8   | Not Adjudicated Count | 8   |
| Discipline %                                  | 82% | Concurrence %         | 71% |