



The City of New York
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Release #10-2025
nyc.gov/doi

FOR IMMEDIATE RELEASE
THURSDAY, FEBRUARY 20, 2025

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DOI ISSUES REPORT ON MISCONDUCT OF TIMOTHY PEARSON, FORMER SENIOR ADVISOR TO THE MAYOR FOR PUBLIC SAFETY, DURING A VISIT TO THE TOURO COLLEGE SHELTER FOR MIGRANTS IN OCTOBER 2023

Jocelyn E. Strauber, Commissioner of the New York City Department of Investigation (“DOI”), issued a public report outlining DOI’s findings concerning former Senior Advisor to the Mayor Timothy Pearson’s October 17, 2023 site visit to the Touro College “Respite Center” in Manhattan. At the time of Pearson’s visit, the Touro Facility, formerly a vacant academic building, served as a residence for approximately 130 adult migrants who had sought shelter in the City. The Touro Facility was managed by New York City Emergency Management (“NYCEM”). DOI concluded, based largely on interviews of witnesses to the incident who worked at the Touro Facility, that when Pearson sought to enter the Touro Facility, he unjustifiably refused to show identification to security staff at the facility’s entrance and then became physically aggressive with two security staff members after they attempted to prevent him from entering the building because he refused to show identification as required.

DOI also concluded that Pearson pushed the first security staff member, a male, out of the way so he could enter the Touro Facility without showing identification. Immediately following that incident, Pearson was approached by the second security staff member, a female, whom he cursed at and pushed with his hands, causing her to fall backwards. Pearson then caused both security staff members to be arrested by the New York City Police Department (“NYPD”), based on false reports that they accosted him as he entered the Touro Facility. Subsequent to the arrests, the Manhattan District Attorney declined to pursue charges against the two security personnel. A copy of the Report is attached to this release and can also be found on DOI’s website here: <https://www.nyc.gov/site/doi/newsroom/public-reports.page>

DOI Commissioner Jocelyn E. Strauber said, “It should go without saying that Senior City officials, like all City employees, must follow City rules, conduct themselves professionally, and treat others with courtesy and respect. As relevant here, City rules require that all visitors to migrant shelters show identification to be granted entry, a common-sense measure intended to keep residents and staff safe. But Timothy Pearson, the Mayor’s former Senior Advisor for Public Safety, became verbally abusive and physically aggressive when asked to provide his identification at the entrance to the Touro shelter, and used physical force against staff who tried to prevent him from entering without it. His conduct, as evidenced by witness statements and Body Worn Camera footage that DOI reviewed, fell far below our most basic expectations for public servants.”

DOI’s investigation included, among other steps, interviews of witnesses¹, reviews of NYCEM and NYPD documentation of the altercations between Pearson and Touro shelter staff; NYCEM shelter policies;

¹ Despite several invitations to speak with DOI about the incident, both directly by mail and email and through counsel, Pearson did not respond.

footage obtained from Body Worn Cameras (“BWC”), witnesses’ cell phones, NYPD pole cameras and surveillance from the Post Office building across the street from the Touro Facility. The NYCEM Respite Center at the Touro Facility lacked any functioning security cameras in the entryway or anywhere inside the building and DOI is not aware of any other footage taken during Pearson’s October 17, 2023 visit to the facility.

Pearson retired in 2012 from the NYPD as an Inspector, joined the Mayor’s Office as a Senior Advisor to the Mayor around May 2022, and resigned from that position in September 2024, during this investigation. His official duties included oversight of the Mayor’s Office of Municipal Services Assessment, a multi-agency task force responsible for monitoring the performance of City agencies. Pearson was also deeply involved in the City’s response to the migrant crisis, conducting quality assurance visits to shelters and providing oversight of shelter security services.

NYCEM staffs its Respite Centers primarily through third-party vendors contracted with the City, and has strict visitation policies for the Centers, providing guidance for both planned and unplanned visits. This guidance applies to all visitors, including City officials. For both planned and unplanned visits, Operations Managers must notify NYCEM Respite Operations of any non-resident and non-staff member/vendor visits to a shelter. Furthermore, NYCEM policy explicitly states that Arrow Security shall “restrict Respite Center access to site staff, clients, and authorized persons only displaying proper identification. This includes making sure all individuals entering facilities have the appropriate identification before allowing entry.”

Every Touro staff member interviewed by DOI reiterated the importance of ensuring that all visitors present appropriate identification. The interviewees explained that these security practices are critical to ensure that the shelters run in a safe and efficient manner.

DOI’s investigation found:

- Both Pearson and his driver’s characterization of the events were inconsistent with over seven Touro staff witnesses, all of whom credibly described Pearson as the initial aggressor to DOI, and recalled security forcibly escorting Pearson out of the lobby.
- After the altercation, both Pearson and his driver conveyed to the NYPD that Pearson had been assaulted at the Touro Facility, assertions that DOI has concluded were false. On the basis of those false assertions, NYPD took two security staff members working at Touro into custody immediately after the incident.
- Pearson instructed police officers at the scene to call a “10-85,” an NYPD radio signal code for officer needs assistance, which is used to request additional units and call for backup if NYPD is conducting a stop or attempting to effectuate an arrest. As a result, seven units and 19 NYPD officers responded to the scene.
- BWC footage showed that once the additional units responded, Pearson mischaracterized both the events that occurred inside the Touro Facility and his duty status with the NYPD, contributing to NYPD’s decision to arrest two security staff members.
- Pearson appeared at the NYPD Midtown South Precinct, where the two security staff members were held, following their arrests.

DOI determined that Pearson acted unprofessionally when he sought to enter a City-run migrant shelter without showing identification, initiated aggressive physical contact with two security personnel to enter and to remain inside the shelter, abused his authority when he threatened shelter staff’s jobs after they demanded identification pursuant to City policy, and provided false statements to NYPD officers about the conduct of shelter staff in connection with this incident. The consistency of the witness statements

supports the conclusion that Pearson unreasonably refused to show identification and subsequently pushed two individuals when they failed to yield to his authority. Pearson also mischaracterized his actions in statements to the police, resulting in the arrests of the two security personnel.

The investigation was conducted by Investigative Attorney Jasmine Harris of DOI's Office of the Inspector General for NYCEM, with the assistance of Special Counsel to the Inspectors General Maria Paolillo, and under the supervision of Deputy Inspector General Arturo Sanchez, Inspector General Audrey Feldman, Deputy Commissioner of Strategic Initiatives Christopher Ryan, and Deputy Commissioner/Chief of Investigations Dominick Zarrella.

DOI is one of the oldest law-enforcement agencies in the country and New York City's corruption watchdog. Investigations may involve any agency, officer, elected official or employee of the City, as well as those who do business with or receive benefits from the City. DOI's strategy attacks corruption comprehensively through systemic investigations that lead to high-impact arrests, preventive internal controls and operational reforms that improve the way the City runs.

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New York City
Department of Investigation



Investigation into the October 2023
Physical Altercation Involving
Former Senior Advisor to the Mayor
for Public Safety Timothy Pearson

Jocelyn E. Strauber
Commissioner

Audrey Feldman
Inspector General for New York City Emergency Management

February 2025

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I. Executive Summary

On Tuesday, October 17, 2023, former Senior Advisor to the Mayor for Public Safety Timothy Pearson arrived for a site visit at the Touro College “Respite Center,” located at 320 West 31st Street in Manhattan (hereinafter the “Touro Facility”). At the time of Pearson’s visit, New York City Emergency Management (“NYCEM”) was using the Touro Facility, formerly a vacant academic building, to house approximately 130 adult migrants who had sought shelter from the City.¹

Shortly after Pearson’s visit, several news outlets reported that there had been a physical altercation between Pearson and security personnel stationed at the entrance to the Touro Facility. The initial reports, drawing largely from a series of written eyewitness statements obtained by *The City*, stated that Pearson had allegedly refused to identify himself at the shelter entrance, resulting in a scuffle in which Pearson “grabbed a migrant shelter guard by her neck and threw her to the ground.”² Other articles, quoting a spokesperson for the Mayor’s Office, reported that Pearson was “denied access” and “accosted” at a City migrant shelter.³ As has also been publicly reported, the NYPD responded to the scene and arrested two Arrow Security guards, Terrence Rosenthal and Leesha Bell, in the wake of the incident. The Manhattan District Attorney’s Office declined to pursue charges against both Rosenthal and Bell shortly thereafter.⁴

The New York City Department of Investigation (“DOI”) began investigating the above-described events soon after they were publicly reported.

¹ The New York City Fire Department (“FDNY”) issued a vacate order for the site less than one week after Mr. Pearson’s visit. See Charles Lane, *FDNY Shuttles Midtown Migrant Shelter for Failing to Provide Adequate Fire Alarm System*, GOTHAMIST, Oct. 26, 2023, <https://gothamist.com/news/fdny-shuttles-midtown-migrant-shelter-for-failing-to-provide-adequate-fire-alarm-system>. The site has not served as a City facility since then.

² Gwynne Hogan, *Adams Advisor Tim Pearson Grabbed and Shoved Shelter Guards, Say Witnesses*, THE CITY, Oct. 18, 2023, <https://www.thecity.nyc/2023/10/18/tim-pearson-eric-adams-migrant-shelter/>; see also, e.g., Rubinstein et al., *Top Adviser to Mayor Adams is Being Investigated Over Altercation*, NY TIMES, Oct. 24, 2023, <https://www.nytimes.com/2023/10/24/nyregion/timothy-pearson-investigation-adams.html>. Significantly, none of the initial reporting relied on direct witness accounts.

³ Larry Celona et al., *Adams aide ‘accosted’ during heated argument with security guards at NYC migrant center*, NY POST, Oct. 17, 2023, <https://nypost.com/2023/10/17/adams-aide-gets-into-scuffle-with-security-guards-at-nyc-migrant-center/>; Rachel Dobkin, *NYC Mayor Staff Member Gets in Fight Outside Migrant Shelter*, NEWSWEEK, Oct. 18, 2023, <https://www.newsweek.com/nyc-mayor-staff-member-gets-fight-outside-migrant-shelter-1835842>. Other articles refer to “police sources,” who allegedly told the media that Pearson was “bumped” by a security guard. Rocco Parascandola et al., *Former NYPD cop turned Mayoral aide clashes with guard at Midtown migrant shelter: sources*, NY DAILY NEWS, Oct. 18, 2023, <https://www.nydailynews.com/2023/10/18/former-nypd-cop-turned-mayoral-aide-clashes-with-guard-at-midtown-migrant-shelter-sources/>.

⁴ Chris Sommerfeldt, *New Video Shows Hectic Aftermath of Shelter Scuffle Involving Mayor Adams Adviser Tim Pearson*, NEW YORK DAILY NEWS, Aug. 25, 2024, <https://www.nydailynews.com/2024/08/25/new-video-shows-hecktic-aftermath-of-shelter-scuffle-involving-mayor-adams-adviser-tim-pearson/>.

As detailed below, based largely on interviews of multiple Touro staff members, DOI concluded that when Pearson sought to enter the Touro Facility on October 17, he unjustifiably refused to show identification to Arrow Security staff at the facility's entrance and then became physically aggressive with both Rosenthal and Bell after they attempted to prevent him from entering the building because he refused to show identification as required. Based on the interviews conducted and other evidence reviewed by DOI in the course of its investigation, DOI concluded that Pearson pushed Rosenthal out of the way so that he could enter the Touro Facility without showing identification. When approached by Bell in the lobby of the facility immediately thereafter, Pearson both cursed at Bell and pushed her with his hands, causing her to fall backwards. Pearson then caused Bell and Rosenthal to be arrested by NYPD nearby the facility, based on false reports that they accosted him as he entered the Touro Facility.

Despite several invitations to speak with DOI about this incident, both directly by mail and email and through counsel, Pearson did not respond. Detective Joseph Raffaele, Pearson's driver who accompanied him to the Touro Facility that day, informed DOI that Bell chest-bumped Pearson, and Rosenthal shoved Pearson to the ground. In light of multiple consistent witness statements that described Pearson as the aggressor, DOI did not find Detective Raffaele's account to be credible.

On September 30, 2024, while this investigation was ongoing, Pearson resigned his position as a senior aide to the Mayor.

II. Investigative Findings

A. Factual Background

The City's Asylum-Seeker Response

Over the past few years, the City of New York has responded to an unprecedented influx of migrants and asylum seekers in need of shelter. Since the spring of 2022, over 220,000 migrants have arrived in New York City. Several city agencies collaborated to provide housing, food and healthcare, among other services, to the migrants. Department of Social Services ('DSS') shelters could not provide sufficient housing, so the City and its not-for-profit partners opened over 200 emergency shelters. These sites have been managed by various agencies, including DSS, NYC Health and Hospitals, and NYCEM. The City has contracted with various vendors to provide the staffing required to operate these shelter sites, including to provide security, health screening, and to otherwise address the migrants' needs.

Timothy Pearson

Timothy Pearson is a retired NYPD Inspector who joined the Mayor's Office as a Senior Advisor to the Mayor around May 2022.⁵ His official duties included oversight of the Mayor's Office of Municipal Services Assessment ('MSA'), a multi-agency task force responsible for monitoring the performance of City agencies.⁶ Pearson was deeply involved in the City's response to the migrant crisis, conducting quality assurance visits to shelters and providing oversight of shelter security services.⁷ According to the Mayor, Pearson also helped cut costs and renegotiate City contracts concerning services provided to asylum seekers.⁸

Pearson has not been an active member of the NYPD since his retirement from law enforcement in 2012. However, in his role as the Mayor's Senior Advisor, Pearson advised NYPD on "new technology and matters related to the NYPD,"⁹ and, according to Mayor Adams, Pearson was "an important entity in the New York City Police Department."¹⁰

Pearson resigned from his position at City Hall effective October 4, 2024.

B. Summary of Investigation and Available Evidence

DOI's investigation included, among other steps, interviews of witnesses and a review of NYCEM and NYPD documentation of the altercation between Pearson and Touro shelter staff; NYCEM shelter policies; and footage obtained from body worn cameras

⁵ Pearson was technically employed and paid by the NYC Economic Development Corporation ('EDC'), but did not appear to perform any functions at EDC.

⁶ Joe Anuta, *Court Documents Confirm Top Aide's Role in Secretive New York City Office*, POLITICO, Jul. 23, 2024, <https://subscriber.politicopro.com/article/2024/07/court-documents-confirm-top-aides-role-in-secretive-new-york-city-office-00170645>.

⁷ July 30, 2024, "Transcript: Mayor Adams Holds In-Person Media Availability," *available at* <https://www.nyc.gov/office-of-the-mayor/news/602-24/transcript-mayor-adams-holds-in-person-media-availability> (describing Pearson's responsibilities in Mayor Adams' administration); October 24, 2023, "Transcript: Mayor Adams Holds In-Person Media Availability," *available at* <https://www.nyc.gov/office-of-the-mayor/news/813-23/transcript-mayor-adams-holds-in-person-media-availability> (describing Pearson's role in relation to the migrant crisis).

⁸ July 30, 2024, "Transcript: Mayor Adams Holds In-Person Media Availability," *available at* <https://www.nyc.gov/office-of-the-mayor/news/602-24/transcript-mayor-adams-holds-in-person-media-availability>; September 17, 2024, "Transcript: Mayor Adams Holds In-Person Media Availability," *available at* <https://www.nyc.gov/office-of-the-mayor/news/695-24/transcript-mayor-adams-holds-in-person-media-availability>.

⁹ Letter from Timothy Pearson to Eric Adams, Mayor of the City of New York (Sept. 30, 2024), *available at* Jeff Coltin (@JeffCColtin), X, <https://x.com/JCColtin/status/1840923880896012709?lang=en>.

¹⁰ December 26, 2023, "Transcript: Mayor Adams Holds In-Person Media Availability," *available at* <https://www.nyc.gov/office-of-the-mayor/news/990-23/transcript-mayor-adams-holds-in-person-media-availability>.

(‘BWC’), witnesses’ cell phones, NYPD pole cameras, and surveillance footage from the Post Office building across the street from the Touro Facility.

The NYCEM Respite Center at the Touro Facility lacked any functioning security cameras in the entryway or anywhere inside the building and DOI is not aware of any other footage taken during Pearson’s October 17, 2023 visit inside the facility. As such, DOI’s findings with respect to Pearson’s initial encounters with Touro Facility staff inside the building are based exclusively on witness accounts, including witness interviews conducted by DOI and a series of written statements¹¹ collected by NYCEM Operations Managers from staff at the Touro Facility on October 17 and 18 pursuant to reporting requirements in NYCEM’s Respite Center Operations Manager Field Guide.¹² DOI was able to interview nine witnesses.¹³ All the witnesses interviewed, with one exception, provided statements consistent with their written accounts. DOI also interviewed Arrow Security guards Bell and Rosenthal, three of the responding NYPD officers, and Detective Rafaelle.

With respect to events that occurred on 31st Street outside of the Touro Facility following the initial encounter between Pearson and facility staff, DOI’s findings are based on a combination of witness accounts and video footage.

C. Findings

a. Visitation Procedures at NYCEM Respite Centers

NYCEM staffs its Respite Centers primarily through third-party vendors contracted with the City, including Arrow Security, which provides security guards, Medrite, which addresses residents’ medical needs, and Hagerty, which provides operations management staff. Security guards at Respite Centers are expected to, amongst other tasks, prevent unauthorized entry to the shelters.

¹¹A total of 16 written statements were collected, but three provided little detail about the incident and therefore are not considered in this Report.

¹² The Respite Center Operations Manager Field Guide, a manual created and distributed by NYCEM, requires Operations Managers to create Serious Incident Reports in the event of a disruptive incident; these should include an explanation of the situation and any corrective action taken. The Guide does not explicitly require the Operations Manager to collect written statements; on the day in question, an Operations Manager asked staff to write down their statements in an effort to memorialize the incident. The 13 written statements, which served as the apparent basis for subsequent press reports on the incident, were taken from Security Guards from Arrow, Generalists from Medrite, and Operations Managers from Hagerty. Eight of the 13 written statements came from staffers who had purported to witness the entire course of Pearson’s interaction with Rosenthal and Bell in real time; the remaining five statements came from staff who personally witnessed at least some of the relevant events described in this Report.

¹³ DOI interviewed two Operations Managers from Hagerty Consulting, four Security Personnel from Arrow Security, and three Generalists from Medrite. DOI also interviewed Arrow Security Guard Angelica Weldon, who did not create a written statement because she was taken to the hospital after injuring her arm. The remaining four witnesses either did not respond to DOI’s outreach or refused to cooperate with DOI’s investigation.

As detailed in the Respite Center Operations Manager Field Guide, NYCEM has strict visitation policies for the Respite Centers, and provides guidance for both planned and unplanned visits. This guidance applies to all visitors, including City officials. For both planned and unplanned visits, Operations Managers must notify NYCEM Respite Operations of any non-resident and non-staff member/vendor visits to a shelter. Furthermore, NYCEM policy explicitly states that Arrow Security shall “restrict Respite Center access to site staff, clients, and authorized persons only displaying proper identification. This includes making sure all individuals entering facilities have the appropriate identification before allowing entry.” NYCEM shelters are provided with signage stating, “No Visitors or Weapons Allowed. All Guests and Employees Must Show ID.” The ID requirement applies to every single individual entering the facility, regardless of their City title, or whether their visit was pre-approved by NYCEM.

Every Touro staff member interviewed by DOI reiterated the importance of ensuring that all visitors present appropriate identification. The interviewees explained that these security practices are critical to ensure that the shelters run in a safe and efficient manner. Failing to identify visitors could allow unauthorized individuals into the facility, from migrants previously barred for violent acts to reporters from press outlets. Checking identification also allows the shelter to know who is in the building in case of an emergency. Touro Facility staff told DOI that, even after working at the same location for months, they were still required to show identification every time they sought to enter the building.

Terrence Rosenthal, one of the two Arrow Security guards who was arrested following Pearson’s site visit, told DOI that at the time of the incident, he had worked as a security guard at various City-run migrant shelters for approximately four to five months. Rosenthal regularly worked the post at the front doors of the Touro Facility, and knew that an essential duty of his job was to check the identification of every person that entered the building. Every other Arrow Security guard interviewed by DOI echoed this same sentiment: that any individual entering the building (migrant, shelter employee, or visitor, regardless of official status) would not be permitted entry without first showing identification.

b. October 17, 2023 Altercation between Pearson and Staff Inside the Touro Facility

At the time of Pearson’s visit, the Touro Facility’s street entrance had two front doors leading to a small vestibule, with an additional set of doors leading to the main lobby space on the ground floor. On one side of the vestibule, there was a small glass window into an internal office. The lobby, where Medrite staff were stationed at desks, was a large room with an elevator bank and multiple doors and hallways. Arrow Security guard Terrence Rosenthal was posted in the vestibule, tasked with screening every guest, visitor, or employee who entered the building (including by

checking ID), before they entered the lobby area. Rosenthal's supervisor, Arrow Tour Commander Leesha Bell, was stationed the internal office with a view into the vestibule.

Pearson arrived at the Touro Facility at approximately 4:32 p.m. on October 17, 2023. He was accompanied by his driver, Detective Rafaele. NYPD body-worn camera footage, from the camera worn by Detective Rafaele on that date, showed that Pearson was wearing a navy pullover with the seal of the City of New York and 'TIM PEARSON SENIOR ADVISOR TO THE MAYOR' embroidered in small letters on the front, and with 'NYPD' printed in large letters on the back. BWC footage also shows that Pearson had his wallet on his person.

i. Respite Center Staff Accounts

The accounts provided by the Touro Facility staff through interviews and/or written statements were largely consistent, and included the following details: upon entering Touro, Pearson's first interaction was with Rosenthal in the vestibule. Rosenthal asked Pearson to show identification, at which point Pearson refused and asked to see the manager of the facility. Rosenthal repeated his request to see identification, but Pearson again refused. Witnesses recalled Pearson exclaiming things such as: "Who are you to ask me to show ID"; "I don't have to identify myself"; and "Get the fuck out of my way." In accordance with NYCEM protocol, Rosenthal refused to let Pearson enter the lobby from the vestibule without showing identification.¹⁴

At this point, six witnesses recalled seeing Pearson push Rosenthal, allowing Pearson to walk into the building lobby.¹⁵ Rosenthal likewise told DOI that Pearson pushed him aside, causing him to stumble. Rosenthal is 5 feet 7 inches tall and has an average build; Pearson is over 6 feet tall and has a muscular build.

Rosenthal's supervisor, Tour Commander Bell, told DOI that she was stationed in the internal office next to the front vestibule, and did not witness the beginning of Pearson's encounter with Rosenthal. Bell recalled hearing raised voices, after which she saw Rosenthal "fly across" the vestibule and Pearson enter the lobby. Bell then intervened.

¹⁴ Some Touro staff witnesses also recalled that Pearson was accompanied by a shorter Caucasian male when he tried to enter the Touro Facility, a description generally matching that of Detective Rafaele. None of the Touro staff witnesses recalled Detective Rafaele doing or saying anything during the course of the encounter inside the facility.

¹⁵ The three interviewed witnesses described the push as: (1) a push with two hands; (2) a strong shove that forced Rosenthal's body backwards; and (3) a grab with two hands to pull Rosenthal to the side. Three additional written reports wrote that Pearson "pushed" Rosenthal. Other written statements describe Pearson pushing a Touro employee, but do not name the employee.

All of the Touro staff witnesses, seven in total, including those who provided detailed written statements and those whom DOI interviewed, recalled that Bell approached Pearson inside the lobby and asked him to show identification. Six witnesses recalled Pearson responding aggressively and with expletives; one witness wrote that Pearson said, “Who the fuck are you,” while another recalled him saying “Get the fuck out of my face.” Nine witnesses (including Rosenthal and Bell) told DOI that after Bell identified herself as the Tour Commander, Pearson made a comment that threatened Bell’s job.¹⁶ Bell also recalled Pearson saying that he was “going to have [their] jobs” for refusing him entry into the facility. Bell stated that she asked Pearson to identify himself, to which he responded: “You don’t know who the fuck I am?” As detailed below, BWC footage from after the altercation, captured outside the facility, shows Pearson using similar language to threaten staff’s jobs and to close down the site, supporting the various witness accounts in this respect. The BWC footage thus corroborates the witnesses’ statements that Pearson inappropriately threatened Bell’s employment inside the facility for conduct that simply involved Bell following City policies concerning shelter entry.

The confrontation between Pearson and Bell ultimately became physical. Pearson and Bell are similar heights, over 6 feet tall and with muscular builds. All 13 Touro Facility staff who either wrote a witness statement and/or spoke with DOI described Pearson as the aggressor. In particular, all of the staff alleged that Pearson pushed Bell using both hands. Staff described the push as forceful. Some of these witnesses believed that Pearson pushed Bell’s upper chest area (around the clavicles), while others recalled his hands making contact with her neck. Most of the witnesses also stated that Pearson’s push caused Bell to either stumble backward onto a table behind her or fall onto the ground. Bell herself stated that Pearson wrapped both hands on her neck and shoved her, causing her to fall backwards onto the counter behind her.¹⁷ Bell repeated these allegations to the NYPD officers who later responded to the scene.

The resulting melee was chaotic and resulted in injuries to bystanders in the lobby of the Touro facility, as well as outside.¹⁸ Witnesses recalled several uniformed Arrow

¹⁶ Six witnesses recounted that Pearson said “Not after today you won’t be” or “You won’t be working here after today,” while three additional witnesses generally recalled Pearson threatening Bell’s job but did not provide exact language.

¹⁷ This is consistent with the statement Bell provided to the New York Times. Rubenstein et al., *Guards Say Top Adams Aide Threatened Them After Having Them Arrested*; NY TIMES, Sept. 11, 2024, <https://www.nytimes.com/2024/09/11/nyregion/timothy-pearson-guards-migrants.html> (“He put his hands around my neck and threw me to the ground.”).

¹⁸ One injured employee was Arrow Security Guard Angelica Weldon; in an interview with DOI and DANY on October 30, 2023, she stated that the swarm of people caused her to fall against a wall and onto the ground, injuring her arm. In contrast, a September 2024 article states that “In the ensuing melee, Ms. Weldon, the third guard, said that *Mr. Pearson* pushed her into a wall, fracturing her shoulder.” Rubenstein et al., *Guards Say Top Adams Aide Threatened Them After Having Them Arrested*; NY TIMES, Sept. 11, 2024,

guards rushing towards Pearson, holding him by the arms, and physically removing him from the building. When Rosenthal was asked how Pearson exited the building, he could not remember. Bell stated that her glasses fell off after she was pushed by Pearson, so she could not see how Pearson exited the building.

Footage obtained from outside the facility shows Pearson exiting the building at 4:33 p.m., less than two minutes after entering the building. Pearson's gait as he crossed the street does not appear to be impaired.

ii. Accounts by Detective Raffaele and Timothy Pearson

The account provided by Detective Raffaele diverged from the Touro staff witness accounts in two significant respects: First, Raffaele denied that Pearson pushed Rosenthal. Second, although Raffaele acknowledged that there was a physical encounter between Pearson and Bell, he denied that Pearson was the aggressor and instead alleged that Bell initiated physical contact with Pearson.

Detective Raffaele told DOI that on the day in question, he was working as a substitute driver for Pearson.¹⁹ Detective Raffaele recalled that the guard at the entrance (later identified as Rosenthal) asked Pearson to show identification. Raffaele described the guard's tone as "abrasive." Detective Raffaele acknowledged that he did not see Pearson show any identification to Rosenthal, but stated that Pearson gave a statement identifying himself by his official City title, and was wearing a fleece jacket with his title embroidered on the front. Raffaele acknowledged that Pearson may have made physical contact with Rosenthal, but denied that it was an aggressive push. Instead, Raffaele explained that because Rosenthal would not let them enter, Pearson extended his arm straight out in front of him and moved Rosenthal aside, allowing Pearson to side-step around Rosenthal to enter the building.

Detective Raffaele described Bell as immediately "aggressive." He recalled Bell telling Pearson that he could not be there—meaning inside the lobby—and Pearson responding that he could be there. Bell then allegedly chest-bumped Pearson and grabbed him, causing Pearson to extend his arms out toward Bell in self-defense.

At this point, according to Raffaele, Rosenthal grabbed Pearson and threw him back through the doors, causing Pearson to fall to the ground inside the vestibule. Raffaele

<https://www.nytimes.com/2024/09/11/nyregion/timothy-pearson-guards-migrants.html> (emphasis added).

Another interviewed employee stated that Pearson "swung at him" and fell backwards onto him as other guards tried to remove him from the building, causing the guard to fall backwards onto chairs. This guard had his arm x-rayed on October 30, 2023, but it had not been fractured. He stated in the interview that he was in physical therapy for pain in his back and foot as a result of the incident.

¹⁹ At his DOI interview, Raffaele explained that he had driven Pearson only a couple of times prior to the incident, and that he did not know Pearson well.

told DOI that Pearson looked to be in pain as a result of having fallen, and that Raffaele helped Pearson to his feet, and out of the building.

In BWC footage captured shortly after the incident, Detective Raffaele told NYPD officers that “one particular [male] security guard had his hands on him, like dragged him...” and describes the guard’s behavior as “out of line.” At another point in the footage, Detective Raffaele states that “they assaulted [Pearson].”

Pearson’s statements about the altercation inside the facility, which Pearson made outside the facility immediately thereafter, and which are captured on BWC footage, are consistent with Detective Raffaele’s account. However, there are inconsistencies in the accounts Pearson gave to different officers. In one conversation with NYPD officers, including Rosenthal’s arresting officer, Pearson stated:

First of all, I have access to all these places. I walked in, some security guard jumps in my face, I say ‘I’m here to see the manager,’ next thing I know two or three guards are all in my face [unintelligible] then the girl with the blonde hair jumps in my face, and starts screaming at me and whatnot. I’m here to see this place, whether we’re going to close it or keep it open, and now they’re trying to manhandle me out the door.

While Pearson uses the phrase “manhandle” which indicates some physical contact, he did not state that he was pushed by Rosenthal, or that Bell pushed him to the ground, though he does state that a “young lady” “started pushing on me.” As Pearson further stated, “**the young lady that was getting in my face and started pushing on me...I’m gonna have ‘em collared.** I want the Inspector down here now.” Pearson continues, “Everybody will be out of a job tomorrow. I was going to keep the center open, we’re gonna close it now for sure. I’m going to make sure not one of those damn Arrow people stay here.”

In a later conversation with an NYPD officer, Pearson makes more pointed allegations a guard (presumably Rosenthal) “grabbed” him, and also that a girl “started attacking me” and that he and Raffaele “were assaulted”:

I was going into the facility to do an inspection, there was a guard, someone, grabbed me, and I pushed him off to the side to get him off of me. Then this girl, I don’t know who she is, she comes running from the side, she’s in my face, same thing, I’m looking for the manager, then they come started attacking me. I got my detective with me, we both came in here, and we were assaulted. Okay, that’s it - it’s as simple as that.

In this second description, Pearson now alleges that the first guard grabbed him, prompting Pearson to push him to the side. Pearson's first description simply stated that the first guard "jumped in his face," but made no reference to any physical contact. Additionally, this second description does not allege that Bell made physical contact in any way. The second statement indicates that Raffaele was also assaulted, which is inconsistent with Raffaele's description of these events. These discrepancies in Pearson's own account and between his account and Raffaele's raise questions about the credibility and accuracy of Pearson's version of events.

More importantly, both Pearson and Raffaele's characterization of the events in this respect is inconsistent with over seven Touro staff witnesses, all of whom credibly described Pearson as the initial aggressor to DOI, and recalled security forcibly escorting Pearson out of the lobby. One witness recalled Pearson falling backward onto him during the process, but no witness characterized the security personnel as using unnecessary force given Pearson's conduct. Due to the number, consistency and nature of these witness accounts, DOI found them credible.

c. NYPD's Response

Following the incident, both Pearson and Raffaele conveyed to the NYPD that Pearson had been assaulted at the Touro Facility, assertions that DOI has concluded were false. On the basis of those false assertions, NYPD took Bell and Rosenthal into custody immediately after the incident. At the time Arrow Security guards removed Pearson from the Touro Facility, two NYPD Officers were stationed across the street in a Radio Motor Unit ('RMP') vehicle. At 4:34 p.m., the Officers called a "10-85," an NYPD radio signal code used by active uniformed members of the service to request additional units as backup during an investigation or potential arrest situation.²⁰

i. The '10-85' Response

Footage from a nearby surveillance camera shows a NYCEM Operations Manager approaching the RMP vehicle at 4:33PM. Seconds later, Pearson walks across the street, with Detective Raffaele jogging behind him to catch up. Pearson and Raffaele approach the drivers' door, and Pearson leans towards the door. The surveillance camera video, taken from a distance, does not make clear whether or not Pearson is speaking with the officers.

In interviews with DOI, both of the officers assigned to the RMP identified Pearson as the individual who approached their vehicle, and stated that Pearson instructed them to call a 10-85. Consistent with these two accounts, the Operations Manager confirmed in his DOI interview that he quickly left the shelter following the conflict

²⁰ 10-85 is the NYPD radio signal code for officer needs assistance, used to request additional units. NYPD will use this code to call for backup if they are conducting a stop or attempting to effectuate an arrest.

in order to alert the NYPD officers stationed across the street about the altercation with Pearson. The Operations Manager stated that within seconds of speaking with the officers in the RMP, Pearson appeared behind him and called out orders and “police codes” as if he were an officer himself. The Operations Manager explained that given the authority with which Pearson spoke to the officers, he believed that Pearson worked for the NYPD.

In contrast to these three accounts, Detective Raffaele told DOI that he asked the RMP to call a 10-85. This is another example of Detective Raffaele providing a statement inconsistent with that of other eyewitnesses, raising further questions about his recollection and credibility.

Within several minutes, seven units and 19 NYPD officers responded to the scene.

ii. Pearson’s Mischaracterization of his Duty Status and the Relevant Events to Responding Officers

BWC footage shows that once the additional units responded, Pearson mischaracterized both the events that occurred inside the Touro Facility and his duty status with the NYPD, resulting in the arrests of both Rosenthal and Bell.

First, BWC footage shows the arresting officer asking Pearson if he is “active,” in an apparent effort to understand whether Pearson is an active member of the NYPD. Pearson vehemently responds, “Yeah.” In fact, Pearson retired from NYPD in 2012 and was employed by EDC and as a senior aide to Mayor Adams at the time, not by the NYPD; therefore, his statement was untrue.

BWC footage also shows Pearson stating, “I want the Inspector down here now.” Inspector Aaron Edwards arrived to the scene at 4:44 p.m. BWC footage shows Edwards and Pearson walking away from the entrance to the Touro Facility to speak privately. After their conversation, Inspector Edwards gave the instruction to the other officers to take Rosenthal and Bell back to the station.

When interviewed by DOI, Inspector Edwards explained that Pearson said he was visiting the shelter because of issues with the fire alarm system. Edwards had previously been informed of the fire alarm issue, in case the shelter needed his precinct’s assistance with clearing guests. According to Edwards’ statements to DOI, Pearson told Edwards that guards “chest-bumped” him and “pushed him out, locked the doors, and didn’t let him in.” Edwards also recalled Pearson mentioning that his back hurt. Inspector Edwards explained that it was his own decision to take Bell and Rosenthal back to the station. Edwards spoke to Bell at the station, who told him that Pearson pushed her. However, Inspector Edwards decided that Detective Raffaele’s account as an active NYPD member ultimately weighed more heavily against Bell’s

account. Inspector Edwards also stated that he recognized Pearson, and was familiar with his role in the Mayor's Office and his history with the NYPD. It is unclear when Inspector Edwards spoke with Detective Raffaele about the incident, but BWC footage shows Detective Raffaele arriving at the Midtown South precinct at 5:08 p.m.

As explained above, Pearson's description of Bell as the initial aggressor to responding officers is inconsistent with the facts found by DOI (that is, that Pearson was the initial aggressor in the encounter).

iii. Pearson's Appearance at the NYPD Midtown South Precinct Following Bell and Rosenthal's Arrests

Ultimately, both Rosenthal and Bell were handcuffed outside the Touro Facility and brought to the NYPD Midtown South Precinct. At their interviews with DOI, both Rosenthal and Bell stated that they observed Pearson at the precinct shortly after they arrived. Rosenthal recalled that while he was at the desk being photographed, Pearson was watching from a nearby doorway. Rosenthal did not recall Pearson saying anything to him. Bell also recounted seeing Pearson in the precinct by the front desk. She recalled hearing Pearson say, "I told you I was going to have your job." BWC footage that DOI has reviewed confirms that both Pearson and Detective Raffaele were at the Midtown South Precinct at 5:10 p.m. Rosenthal and Bell can be seen standing next to each other in the main lobby, with their hands cuffed behind them as their personal belongings are itemized. Pearson walks behind them, and briefly pauses behind Rosenthal; pointing to the City emblem on his pullover, he says something unintelligible to Rosenthal.

Following their interviews with DOI, the New York Times published an article that contained further allegations from Bell and Rosenthal. Specifically, Bell alleged that Inspector Edwards stopped by her cell on behalf of Pearson, and Rosenthal alleged that an unidentified police officer brought him a McDonalds hamburger with a message from Pearson: that Pearson had told the officer to "make sure the charges stick."²¹ Neither Rosenthal nor Bell raised these allegations at their interviews with DOI.²² Inspector Edwards also did not discuss with DOI Pearson's presence at the precinct or any messages Pearson asked the Inspector to convey.

Rosenthal was kept in central booking for several days and ultimately arraigned; the charges were later dismissed in the interest of justice. Bell was released on the same day and issued a summons, which was later dismissed.

²¹ Rubenstein et al., *Guards Say Top Adams Aide Threatened Them After Having Them Arrested*; NY TIMES, Sept. 11, 2024, <https://www.nytimes.com/2024/09/11/nyregion/timothy-pearson-guards-migrants.html> ("He put his hands around my neck and threw me to the ground.").

²² The Times article was published on September 11, 2024; DOI interviewed Rosenthal and Bell in May 2024, and Inspector Edwards in February 2024.

III. Conclusion

Based on the witnesses interviewed, body worn camera footage, and other evidence reviewed by DOI, Pearson acted unprofessionally when he sought to enter a City-run migrant shelter without showing identification, initiated aggressive physical contact with two security personnel to enter and to remain inside the shelter, abused his authority when he threatened shelter staffs' jobs after they demanded identification pursuant to City policy, and provided false statements to NYPD officers about the conduct of shelter staff in connection with the above-referenced incident. The consistency of the witness statements supports the conclusion that Pearson unreasonably refused to show identification, and subsequently pushed two individuals when they failed to yield to his authority. Pearson also mischaracterized his actions in statements to the police, resulting in the arrest of Bell and Rosenthal.