

201310229

Jacquelin Estrada

At a busy intersection in Queens, a driver stopped his car in the crosswalk to let a bus turn in front of him and found himself in the crosswalk when the light turned red. He tried to back the car up through the crosswalk, but because people were already crossing, PO Jacqueline Estrada told him to stop the car. She directed him to move the car to the curb, but the man refused, stating that she should simply give him a ticket and let him be on his way. PO Estrada asked for his license and registration. The man provided his registration but did not have his drivers' license on him. PO Estrada radioed for other officers to come to her assistance, and multiple officers responded. Because the man would not move his car and could not provide a valid drivers' license, he was arrested. The woman in the passenger seat also could not provide a license, so the car could not be released to her. PO Estrada drove the car to the precinct, where the man's arrest for disorderly conduct was processed. He was, eventually, identified as having a valid drivers' license.

When asked if the car had been searched before being taken to the precinct, PO Estrada stated that she had not searched the car and that she could not recall seeing anyone search the car. When her sergeant was interviewed, however, he stated that he and PO Estrada together had searched the car. He stated that it was policy to search cars for "weapons, drugs, or anything that could hurt officers." He confirmed that he had no reason to suspect, based on the encounter, that there were guns or drugs in the car.

Because the search of the car was improper but taken in good faith, the CCRB substantiated the allegations of an improper search by the sergeant and PO Estrada and recommended that they receive instructions. It further found that PO Estrada had made a false official statement by testifying that she had not searched the car nor seen anyone else do so.

The NYPD resolved the case by giving PO Estrada formalized training.

Interview Details

██████████ was interviewed at the CCRB on November 14, 2013 from 2:56 p.m. to 3:28 p.m. regarding CCRB case number 201310229.

██████████ is a Caucasian man of 200 pounds with brown hair, blue eyes, and a height of 5'10". His date of birth is ██████████ and he currently resides at ██████████.

On October 28, 2013, at approximately 4:15 p.m., ██████████ and ██████████ were driving a 2013 grey Nissan in the vicinity of ██████████ in Queens, described as a busy environment. At 4:15 p.m., ██████████ described the environment as not very busy and as he was approaching an intersection on ██████████ there was a bus making a left turn so he stopped in a crosswalk to let the bus go. The traffic light turned red and he stayed in the crosswalk. There was no one behind his vehicle; ██████████ was reversing when a female officer, PO1, told him to stop backing up. Two female police officers in regular blue uniform and on foot, PO1 and PO2, initially approached ██████████ vehicle. PO1, identified as "PO Jacqueline Estrada," was described as a female Spanish officer with brown hair, 5'2" to 5'3" tall, and 120 pounds. PO2 was described similarly to PO1, as having brown hair, a height of 5'2" to 5'3" tall, 120 pounds, and being nice. ██████████ did not know PO2's name, but he could distinguish PO1 and PO2 from their different facial structures.

██████████ did not know why PO1 approached his vehicle. PO1 asked ██████████ for his license and registration. ██████████ gave the officer all of his information, except for his driver's license, which he did not have on his person. He gave PO1 his city job identification card in lieu of his driver's license. PO1 told ██████████ to move his vehicle two times, and he moved his vehicle both times. ██████████ was waiting at the scene for about 15 minutes, but PO1 did not write him a summons. ██████████ got a little mad, which he explained as not yelling, not cursing at PO1, not getting out of the vehicle or anything like that. ██████████ told PO1 "what the hell is wrong with you?" and that if she wrote him the summons, then he would have left the scene already. He asked PO1 repeatedly to write the summons since she had all of his documents. PO1 told ██████████ to move the vehicle a third time, and he told PO1 that he was not moving the vehicle until she wrote him the summons. PO1 called ██████████ a "fucking asshole."

While she was speaking in Spanish to PO2, ██████████ heard PO1 say "gringo," which is a word used to refer to North Americans or foreigners. ██████████ did not know the meaning of the word "gringo," did not know if it had a negative connotation and stated that he did not care and was not offended that PO1 said "gringo" to PO2. PO1 did not call ██████████ a "gringo" directly. PO2 was described as standing at the scene. ██████████ did not interact much with the officers. PO1 asked ██████████ for her driver's license and ██████████ gave the license to PO2.

About 15 minutes from the initial interaction, PO1 called for back-up. ██████████ assumed that PO1 was upset that he did not move the car the third time. ██████████ was not making any movements inside the car. He was sitting in the car while PO1 called for back-up and during the time it took for the officers to arrive on scene. At least three or four police cars responded, and when they started to pull up to the scene, ██████████ moved his vehicle and PO1 screamed "ha, you wanna move now." ██████████ stated that PO1 was "pissed off and she wanted to get him" because he did not listen to her third command to move the vehicle. ██████████ did not see PO1 on the radio or cell phone. ██████████ thought that perhaps PO1 was waiting for a police car to run his license, but no one arrived before the 85 was called.

██████████ thinks that PO1 called in the incorrect code and described her as a rookie because the back-up officers asked "why did you call in an 85?" since ██████████ was not out of his vehicle and he was talking to the officers. Once back-up officers arrived on scene, PO3, described as a sergeant and a tall white man, and PO4, described as PO3's partner and a black woman, talked to ██████████. He explained to the officers that he could not find his driver's license, he was looking for it, and he worked for the city. The officers then went to talk to PO1, and ██████████ did not know what PO1 told the back-up officers. After their conversation with PO1, the back-up officers returned to ██████████ location, asked him to exit the vehicle and placed him in handcuffs. PO3 placed the handcuffs on ██████████ and told him that he will be taken to the precinct stationhouse for about one hour where PO1 could take her time to write out the summonses. No force was used in taking ██████████ into custody. ██████████ described these officers as courteous and said they spoke to him nicely.

██████████ also exited the vehicle, and PO1 told the back-up officers to take her into custody because she did not provide her driver's license. PO2 told the back-up officers that ██████████ gave her the driver's license, and that ██████████ did not do

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anything. [REDACTED] had a valid driver's license on her person. [REDACTED] reiterated his opinion that there was no reason for PO1 to call for back-up.

There was no crowd formed until [REDACTED] was handcuffed, and that crowd stood mostly on the sidewalk.

The police car, in which [REDACTED] was located, drove off when PO1 entered [REDACTED] vehicle to drive it to the stationhouse. PO3 and PO4 transported [REDACTED] to the 115th precinct stationhouse on Northern Boulevard and 92nd Street. [REDACTED] thought that he was going to the stationhouse so that officers could validate his information since he did not have his driver's license, but he did not know that he was being arrested. He was searched and frisked at the stationhouse. While he was there, officers checked out his license, searched for warrants, and told him initially that everything was okay. The officers told [REDACTED] to wait in the other room for PO1. PO1 drove [REDACTED] car to the stationhouse. PO1 wanted to voucher [REDACTED] car, but the other officers at the stationhouse did not think that was necessary. These officers told PO1 to have [REDACTED] call someone to pick up the car. [REDACTED] called his brother, in whose name the car was registered and who had the same last name as [REDACTED] and his brother came to the stationhouse with [REDACTED] to pick up the vehicle.

At the stationhouse, [REDACTED] asked PO1 if he was being arrested, and PO1 replied yes. [REDACTED] then asked why he was being arrested, and PO1 said for an expired license. [REDACTED] told PO1 that his driver's license was not expired. PO1 told [REDACTED] his license was expired because she had the paper right there. [REDACTED] had found [REDACTED] driver license at a later time, but she gave his motorcycle permit to the officers in lieu of the driver's license. As PO1 was inputting [REDACTED] arrest information, another officer, PO5, came over to help her since she could not do the paperwork. [REDACTED] thinks that it was PO1's first time doing the paperwork. PO5 told PO1 that the document she had was not a license; it was a permit. PO5 looked up [REDACTED] license information and said that his license was not expired. PO1 then told PO5 that the document said that it was expired, and PO5 informed PO1 that the expired document was a motorcycle permit. PO1 said okay; PO5 asked PO1 if [REDACTED] was on a motorcycle. PO1 said no, and the officer said okay, [REDACTED] cannot be arrested for that. PO1 told PO5 "I can't get him on that then." PO5 replied no since he was not on a motorcycle and his driver's license is valid. PO5 walked out of the room. [REDACTED] asked PO1 to let him go since his driver's license is valid, and he asked if he was still going through this. PO1 replied "I'll find something."

[REDACTED] went to Central Booking for a disorderly conduct charge. He thought that PO1 was taking him into custody for the license, and he said that "she came up with that disorderly charge." [REDACTED] saw a judge who did not say anything but [REDACTED]. He was released shortly after that. He spent minimal time in court, but spent 24 hours in Central Booking. [REDACTED]

Other than the third time that PO1 asked him to move his vehicle, [REDACTED] was following all directions given by PO1. PO1 did not use any other discourteous language aside from calling [REDACTED] "a fucking asshole." PO1 did not use any other offensive language besides referring to [REDACTED] as a "gringo" when talking to PO2. [REDACTED] was arrested, and charged with disorderly conduct. [REDACTED] found [REDACTED] driver's license, but he did not know when it was found.

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██████████ is a Caucasian woman of 140 pounds with brown hair, brown eyes, and a height of 5'5". Her date of birth is ██████████, and she currently resides at ██████████.

██████████ was interviewed at the CCRB on November 14, 2013 from 3:32 p.m. to 3:57 p.m. regarding CCRB case number 201310229.

On October 28, 2013, at approximately 4:30 p.m. on ██████████ a busy environment, ██████████ and ██████████ were driving in a grey Nissan Ultima. ██████████ stopped in a crosswalk to let a MTA bus pass and as he was backing up, an officer, PO1, approached ██████████ vehicle and started to scream. PO1, identified as Officer Jacquelin Estrada and described as a Spanish female officer with a ponytail hairstyle, a medium build, brown hair, a height of 5'5" or shorter, and wearing a dark-blue uniform, explained that someone could have been walking behind ██████████ car while he was backing up. ██████████ did not know if anyone was walking behind the vehicle. At this time, PO1 was the only officer to approach ██████████ and ██████████ vehicle. ██████████ said sorry, and explained that he was letting the MTA bus pass. PO1 did not care, and requested ██████████ documents. ██████████ had all of his documents except his driver's license, and he gave PO1 his city job identification instead. ██████████ stated that PO1 did not care about ██████████ work identification, but she was not writing him a summons. When ██████████ attempted to move the car, PO1 told ██████████ to stay right there and not move the car. PO1 then told Mr. Ciprati to move the car two times, and he moved the car both times. For the third time, PO1 asked ██████████ to move the car, and he did not move the car. ██████████ told the officer to write him a summons so that he will be out of the area and on his way. ██████████ stated that it was difficult to keep pulling over when there was so much traffic, and PO1 kept saying "stay here" and "go there." ██████████ and ██████████ were not making any movements in the car. ██████████ continued to look for the license in the glove compartment. ██████████ was not happy, but did not yell or anything.

PO1 approached the passenger's side of the vehicle, yelled in ██████████ face, and asked for her driver's license. ██████████ was removing her license from her handbag when she asked PO1 why she needed her license since she was not driving and she did not say a word. PO1's response was that she asked for it, and she walked away before ██████████ hand over her driver's license. After several minutes into the interaction between PO1 and the occupants of the vehicle, PO1's partner, PO2, approached the passenger's side of the vehicle. PO2 was described as a short female officer, looking very similar to PO1, and very sweet. ██████████ told PO2 that she did not know why PO1 wanted her driver's license. PO2 told ██████████ that she understood and that she should relax and give her the driver's license since she was going to talk to PO1. ██████████ who had removed her driver's license from her handbag, gave PO2 her driver's license. After walking away from the civilians' vehicle, PO1 was on the sidewalk saying "watch, watch...you're going to move now." PO1 made a phone call.

PO1 was cursing and talking to her partner, PO2. ██████████ and ██████████ heard PO1 say "gringo...this guy" to PO2. PO1 called ██████████ an "asshole" about 10 times. ██████████ continued to tell PO1 to write him a summons so he will be out of the area. ██████████ told PO1 that she had all of his documents and there was nothing else that he could do. PO1's response to ██████████ was "yeah, you gonna be a little asshole."

PO1 made a distress call to which back-up officers responded. ██████████ assumed that PO1 did not call in the right code because according to ██████████ the back-up officers thought that it was all ridiculous. Approximately seven or more minutes after PO1 approached the grey Nissan Ultima, about 10 to 15 uniformed officers arrived on the scene. The back-up officers told ██████████ and ██████████ to exit the vehicle. ██████████ did not remember which officers told her to exit the car. After exiting the vehicle simultaneously on opposite sides, the officers separated ██████████ and ██████████ was turned towards the opposite direction that ██████████ was facing so she did not witness what occurred to him during this time. ██████████ talked with PO2 and with another officer, PO3, to whom ██████████ explained what occurred. PO3 told ██████████ that he did not think that the officers will hold ██████████ and that ██████████ could pick ██████████ up at the stationhouse since they will likely give him a summons there, but not arrest him. PO3 was described as a white male officer with brown hair, medium height, and a skinny build. ██████████ did not know PO3's name. ██████████ also spoke with an African-American female officer, PO4, who approached her and asked what the problem was.

While talking to PO3, ██████████ was standing near the passenger side of the car and she was facing away from the car. She turned around to see what was going on, and she observed about three officers searching their car. She did not know any of the officers who searched the car; and she did not remember who they were exactly, as such she could not provide officer descriptions. When ██████████ exited the vehicle, there were no open compartments and one did not need a key to enter these

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compartments. She observed officers going through the glove compartments, under the seats, and the entire car. [REDACTED] did not know if the trunk was searched. When [REDACTED] turned around, she saw [REDACTED] in the back of the police car, and the officers told her that she could not speak with him. She was surprised to see him in the back of a police car, which was parked across the street from where the civilians' car was situated. [REDACTED] did not know if [REDACTED] saw the car search because he was in the police car. There was nothing missing from the car. PO1 told the back-up officers to arrest [REDACTED] too, but PO2 told the officers that [REDACTED] did not do anything and she did not say a word.

As the back-up officers were taking [REDACTED] into custody, [REDACTED] asked PO1 what was going on and why they were taking [REDACTED] since nothing happened. [REDACTED] stated that she is worried because PO1 took a picture of [REDACTED] driver's license with PO1's personal iPhone, and she stored [REDACTED] telephone number in her phone contacts. [REDACTED] asked PO1 why she was doing this, and PO1 replied "because I can, that's why." PO1 had a notepad that she was writing on, and [REDACTED] asked if PO1 could write down her information on that notepad since [REDACTED] did not feel comfortable having her information on PO1's personal iPhone.

The back-up officers on the scene told [REDACTED] that she could drive the car since her license is valid. [REDACTED] saw PO1 enter the car to drive it, and she told PO1 that it was half her car and that she could take the car home since she and [REDACTED] live together at the same address. PO1 told [REDACTED] to "get [her] ass on the train." [REDACTED] asked PO1 why she was doing this and why she could not take the car when PO1 ran her driver's license. PO1 told [REDACTED] "because I'm going to be a pain in the ass"; "I'm going to make this as hard as possible for you"; and "I'll do what I want to do." There were other officers in the vicinity, who should have heard PO1 yell "get your ass on the train" to [REDACTED].

As PO1 was entering the vehicle, [REDACTED] asked PO1 for her name and stated that she will make a complaint about the incident because it was not right. PO1 was looking at [REDACTED] but PO1 did not give her name to [REDACTED]. She stated that PO1 knew that she had asked for her name because PO1 was smirking at her while in the civilians' car. There were officers in the vicinity when [REDACTED] asked for PO1's name, but [REDACTED] did not know if they heard this interaction since it was hectic. [REDACTED] saw PO1's name later on, and identified PO1 as Officer Jacqueline Estrada. When [REDACTED] was taken into custody, the back-up officers left the scene. PO1 drove the civilians' car to the stationhouse. [REDACTED] did not know if PO1 participated in any search of the vehicle.

There was a crowd gathered. [REDACTED] did not know when the crowd gathered, and she did not know any of the people in the crowd. She assumed that the crowd gathered after the back-up officers arrived on the scene. [REDACTED] was not shouting or acting disorderly or doing anything to cause a crowd. [REDACTED] and [REDACTED] were following orders, such as move the car and hand over your driver's license, that were given by the officers. [REDACTED] and [REDACTED] were not outside of the vehicle at any point before the back-up officers ordered them to exit the vehicle. No one told [REDACTED] anything about why [REDACTED] was being taken into custody.

An officer, PO5, from the 115th precinct called [REDACTED] on her cell phone and told her to get the car from the stationhouse. [REDACTED] brother picked [REDACTED] up from the scene and drove her to the stationhouse. When [REDACTED] arrived at the stationhouse, PO1 gave her the car keys, [REDACTED] visine, and told her that the car was outside. [REDACTED] asked PO1 what was going to happen now, but PO1 was being discourteous to her, which was defined as ignoring [REDACTED]. She continued to ask PO1 questions regarding the time at which she could pick up [REDACTED]. PO1 told [REDACTED] that [REDACTED] was going to Central Booking that night, and she can pick him up the following day. PO1 did not use any discourteous words to [REDACTED] in the stationhouse. [REDACTED] was not certain if PO1 used any other discourteous words aside from telling her to "get [her] ass on the train" and calling [REDACTED] an "asshole."

[REDACTED] could not find his license during the interaction with the officers, and hence he did not provide his license to the officers. After she picked up the car from the stationhouse and returned home, [REDACTED] found [REDACTED] license in the car. [REDACTED] was reorganizing the car's contents from when the officers searched the car, and while cleaning the floor of the passenger's seat, [REDACTED] found [REDACTED] driver's license.

No one consumed any drugs or alcohol prior to the incident.

Interview Details

January 6, 2014
201310229
PO Jacqueline Estrada
9:38 a.m. – 10:00 a.m.

- *PO Estrada, a Hispanic woman who is 5'4" tall, weighs 130 pounds, with brown hair and brown eyes, was 36 years old at the time of the incident.*
- *PO Estrada worked from 2 p.m. to 11:35 p.m., was dressed in uniform, and was assigned to Foot Post 2 with PO Sonia Mejia.*

Memo Book

4:31 p.m., Arrest time. Car stop at [REDACTED] 5 p.m., Arrive at precinct. 5:20 p.m., [REDACTED], DOB: [REDACTED]. PO Estrada giving her the keys of 2013 Nissan plate [REDACTED] for DSD, gray, registration [REDACTED] and a cell phone, Samsung Touch 21 Galaxy X 4. Impactology and clear eye drops. [REDACTED] signature]. 5:30 p.m., Starting paperwork in the computer. 7:30 p.m., Paperwork done. Arrest # [REDACTED] Defendant, [REDACTED] DOB [REDACTED] [REDACTED]. Defendant was stopped at the intersection of [REDACTED] Arresting officer approached the vehicle and on the way to approach him from the southwest corner, the defendant started to move the car, backing up. Then I yelled stop moving because there were people in front of him and behind the car as well due to the defendant being in the middle of the crosswalk and got stuck on the red line. Defendant became very upset and in response to me asking what he was doing, defendant stated, "I just got stuck here because the fucking bus stopped right in front of me!" yelling at me and very disrespectful. I requested the defendant to produce his documents, driver's license, insurance and registration card and he gave me his work ID, stating, "This is all I have," yelling and giving me the document with attitude. I asked for a second time for the registration and insurance card and he provided me with them, again very disrespectful. After having all the documents, I ordered the driver to move to the next corner and wait over there and defendant stated, "You stopped me here, so I'll stay here. Give me all my shit and then I'll move." After his response, my partner, PO Mejia, put the car stop over the radio and requested another unit to respond to our location. In the meantime, two MTA agents tried to talk to the defendant with no positive response at all regarding ordering to move from the intersection due to him causing a lot of traffic, delays to the bus schedule, and putting at risk the pedestrians crossing over in the middle of the chaotic traffic scene he produced. One of the backup units to respond was Sgt. Jose Guzman from patrol and Sgt. Tyler Ehrlein, the Impact sergeant of the day and the defendant gave him an attitude as well and was very disrespectful. Sgt. Ehrlein decided to bring him to the 115th Precinct Stationhouse and looked to ID him. Defendant kept saying the arresting officer (me) was an inexperienced cop and I did not know what I was doing and he was going to make a complaint. After being inside of the cells, defendant stated he was sorry he gave me attitude and was disrespectful because his girlfriend was giving him a hard time and he was so upset and stressed. 10:20 p.m., called EAP, got log # 11453. 10:35 p.m., End of tour.

CCRB Statement

PO Jacqueline Estrada was interviewed at the CCRB on January 6, 2014 about the incident that occurred at approximately 4:31 p.m. on October 28, 2013 in the vicinity of [REDACTED] in Queens.

PO Jacqueline Estrada and PO Sonia Mejia, were initially assigned to two foot posts, but combined their posts and were patrolling the area between the posts together. The officers were standing on the corner of [REDACTED] in Queens when as the light change, they observed a vehicle got stuck in the middle of the cross walk, approximately 10 feet away from them, blocking vehicular and pedestrian traffic. PO Estrada observed that [REDACTED] identified via CCRB photo, began backing up his car without looking in his mirror. PO Estrada yelled for [REDACTED] to stop because approximately 10 pedestrians were crossing the street near [REDACTED] car. PO Estrada approached with the intention of asking [REDACTED] if there was an emergency and why he appeared to be in such a rush and could not wait to backup. PO Estrada approached the driver's side and PO Mejia approached the passenger's side, where Melissa Federico, identified via investigation, sat in the front seat.

As she approached, PO Estrada ordered [REDACTED] not to move because pedestrians were crossing at the intersection. [REDACTED] asked PO Estrada what he wanted her to do and noted that a bus stopped right in front of him. While inside of his car, [REDACTED] was disrespectful and yelled and cursed at the officers. PO Estrada asked for [REDACTED] documents. [REDACTED] produced his work ID card and said that was all he had. PO Estrada ordered [REDACTED] to move to the corner to get traffic

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moving, but he refused and said once PO Estrada gave him all of his “shit,” he would move since she stopped him there. At that point, PO Mejia put the stop over the radio and two MTA officers from the [REDACTED] station approached and tried to convince [REDACTED] to move. [REDACTED] still refused to comply. PO Estrada began to say, “We called an 85,” but stopped and said the officers called for additional units for a non-emergency involving an uncooperative driver. Sgt. Tyler Ehrlein, Sgt. Jose Guzman, his unidentified driver (possibly PO Kathryn Brown), two plainclothed Conditions officers, and the patrol supervisor, who had no operator, responded to the scene, but PO Estrada later said she could not recall whether a “10-85” was called.

[REDACTED] was ordered to exit his car. PO Estrada could not recall whether he did so on his own or was assisted. Sgt. Ehrlein handcuffed [REDACTED] who was arrested for disorderly conduct, and decided that he would be transported to the 115th Precinct stationhouse. [REDACTED] became very upset. She was yelling and asking why this was happening. PO Estrada explained to her that she was escalating the situation by complaining when all they asked [REDACTED] to do was pull over to allow for the flow of traffic. PO Estrada asked for [REDACTED] ID because she was very disrespectful. [REDACTED] provided her driver’s license. PO Estrada wanted to scare [REDACTED] by obtaining her ID, but never intended to summons or arrest her. [REDACTED] did not ask to take custody of [REDACTED] car at the scene. Sgt. Ehrlein instructed PO Estrada to transport the car back to the 115th Precinct stationhouse, where it was subsequently released to [REDACTED] along with a cell phone.

PO Estrada did not refer to either civilian as an “asshole,” a “fucking asshole,” or a “gringo” and she heard no officer make any of those statements. PO Estrada did not tell [REDACTED] to get her “ass” on the train or that PO Estrada was going to be a pain in the “ass.” She heard no officer make either of those statements. PO Estrada used no profanity or offensive language at the scene and she heard no officer do so. During the incident, more than one pedestrian stopped on the sidewalk to see what was going on, but PO Estrada was not paying much attention and could not provide a better estimation. No civilians at the scene tried to interfere.

PO Estrada drove [REDACTED] car, which was not vouchered, to the stationhouse. When asked if the vehicle was searched at the scene, PO Estrada said, “No ma’am. . .not by me.” When asked whether she saw any other officer search the car at the scene, she said, “No, I can’t recall.” When asked whether her answer was no or she could not recall, she specified it was that she could not recall. Aside from entering the car and driving it from the scene, PO Estrada did nothing else while inside. She never looked through the glove compartment, under any of the seats, in the trunk, or in any other part of the car. PO Estrada saw no officer do any of those actions. [REDACTED] who arrived to the stationhouse a few minutes after the incident was calm and respectful there. She asked PO Estrada for her name, which was visible on PO Estrada’s name plate and which PO Estrada provided verbally. PO Estrada did not hear [REDACTED] ask any other officer for their name. [REDACTED] never mentioned filing a complaint against PO Estrada.

Interview Details

January 27, 2014
201310229
PO Sonia Mejia
8:51 a.m. – 9:11 a.m.

- *PO Mejia, a Hispanic woman who is 5' tall, weighs 110 pounds, with brown hair and brown eyes, was 31 years old at the time of the incident.*
- *PO Mejia worked from 2 p.m. to 10:35 p.m., assigned to Foot Post #1, which covers [REDACTED]. She was dressed in uniform and adjoined posts with PO Jacqueline Estrada, who was assigned to Foot Post #2.*

Memo Book

PO Mejia's only entry in regard to this incident was on a fly page of her memo book, where she wrote the following: PO Estrada got an arrest, male white, for disorderly conduct. Guy was being a real jerk; did not want to move car out of traffic.

CCRB Statement

PO Sonia Mejia was interviewed at the CCRB on January 27, 2014 about the incident that occurred at approximately 4:31 p.m. on October 28, 2013 in the vicinity of [REDACTED] in Queens.

PO Jacqueline Estrada observed a car stopped in the middle of the intersection of [REDACTED]. She approached the driver's side and spoke with [REDACTED] identified via CCRB photo, who was operating the car and PO Mejia approached the passenger's side and stood near [REDACTED], identified via CCRB photo, who sat in the front driver's seat. PO Mejia could not recall whether she or PO Estrada observed either occupant of the car making any movements as they approached. She could not recall whether the windows were tinted. PO Mejia stood there to keep an eye on the car and [REDACTED]. She had no conversation with [REDACTED] and could not recall whether the passenger's window was down. PO Mejia could not recall whether either occupant of the car made any movements as PO Estrada spoke with [REDACTED].

PO Mejia could not hear the conversation between PO Estrada and [REDACTED] from her position, but knew that PO Estrada requested identification from him. PO Mejia could not recall whether she heard the request for identification as she approached the car or whether she gathered the request was made based on what she could see from her position on the passenger's side. PO Mejia could not tell what [REDACTED] demeanor was like as he spoke with PO Estrada. The only form of identification [REDACTED] had was his work identification from the Department of Transportation, which he provided. PO Estrada took [REDACTED] identification and stepped back to review it. PO Mejia never requested [REDACTED] identification and was unsure of whether PO Estrada did. PO Estrada soon returned and asked [REDACTED] to move his car. PO Mejia was able to hear this from her position and saw PO Estrada motioning for [REDACTED] to do so. [REDACTED] refused to comply. PO Mejia walked to the driver's side and ordered [REDACTED] to move his car. PO Estrada kept saying, "Move your car! Move your car! This is a lawful order." [REDACTED] said, "Give me my shit and I'll move."

[REDACTED] car was blocking the intersection, causing a buildup of traffic. He was blocking the bus lane and a bus was waiting to get through, but was unable to do so. PO Mejia requested an additional unit to the scene to serve as backup. She specifically called a 10-85 for a non-emergency, but could not recall approximately how long into the incident she did so. Central asked what the condition at the scene was and PO Mejia said a car was blocking traffic. Sgt. Tyler Ehrlein soon arrived in a vehicle. PO Mejia could not recall whether it was marked or unmarked or whether he arrived with an operator. She could not recall whether any additional officers arrived to the scene.

PO Mejia could not recall what Sgt. Ehrlein did at the scene because once he arrived, she began directing pedestrian traffic approximately one or two car length's away from [REDACTED] car because it was still blocking the intersection. She ensured that pedestrians continued moving during the course of this incident. No crowd formed and no civilians tried to interfere. The entire incident lasted approximately five to 10 minutes. [REDACTED] was arrested and transported to the stationhouse, but PO Mejia was not involved in his transport. She resumed patrol of her foot post without PO Estrada. PO Mejia could not recall whether [REDACTED] car was ever taken to the stationhouse. She instructed the investigator to ask PO Estrada about that. PO Mejia never entered [REDACTED] car, never opened any doors of the car, and never searched the car. She could not recall whether she saw any officer do any of those things.

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PO Mejia could not recall whether she saw PO Estrada have a conversation with [REDACTED] who was not arrested. She did not hear PO Estrada or any other officer use any profanity in the presence of either civilian during this incident. PO Mejia did not hear PO Estrada refer to [REDACTED] or [REDACTED] as an “asshole” or a “gringo” and she could not recall whether she heard PO Estrada tell [REDACTED] to get her “ass” on the train. PO Mejia never heard PO Estrada say she was going to be a pain in the “ass.” She heard no other officer make any of those statements. PO Mejia did not hear [REDACTED] ask PO Estrada for her name and she did not hear PO Estrada provide her name to [REDACTED]. PO Estrada’s nameplate and shield were visible during the incident.

Interview Details

February 18, 2014
201310229
Sgt. Tyler Ehrlein
8:38 a.m. 8:59 a.m.

- Sgt. Ehrlein, a white man who is 6'3" tall, weighs 255 pounds, with blonde hair and blue eyes, was 36 years old at the time of the incident.
- Sgt. Ehrlein worked from 1:48 p.m. to 10:45 p.m. as the Impact Patrol Supervisor. His operator was PO Quanah Stroman, who assigned to PBQN at the time of this incident, but has since been transferred to a different command. Sgt. Ehrlein was dressed in uniform and assigned to marked RMP [REDACTED]

Memo Book

- 4:31 p.m., Arrest off of a radio request for assistance by Post 1, [REDACTED] En route to 115th Precinct.
- 4:40 p.m., Arrive at above. Administrative.

CCRB Statement

Sgt. Tyler Ehrlein was interviewed at the CCRB on February 18, 2014 about the incident that occurred at approximately 4:31 p.m. on October 28, 2013 in the vicinity of [REDACTED] in Queens.

Sgt. Ehrlein and PO Quanah Stroman responded to a radio call for an officer needing assistance in the vicinity of [REDACTED]. PO Jacqueline Estrada had made the call and was at the scene with PO Sonia Mejia. Sgt. Ehrlein described the scene where the incident occurred as probably the largest transit hub in the area, containing six or seven bus stops, transit depots and an above ground train. The crosswalk is double the size of a typical crosswalk to accommodate a larger degree of pedestrian traffic. Upon arrival, Sgt. Ehrlein observed a parked car in the crosswalk on the eastbound side of the street, blocking the length of the entire crosswalk up to the corner of the sidewalk, where the pavement scoops down, which hindered southbound pedestrians from crossing the street. Sgt. Ehrlein did not know whether the scene caused pedestrians to gather because he was concerned with his officers' situation and he could not recall whether vehicular traffic was affected by [REDACTED] car. The area is extremely busy and a car parked in the intersection had the potential to cause many problems. Sgt. Ehrlein explained that a pedestrian was killed by a bus as they worked their way around traffic in the area a few days prior to his CCRB interview.

PO Estrada informed Sgt. Ehrlein that the driver of the car, identified via investigation as [REDACTED] refused to provide identification or move his car out of the crosswalk. Sgt. Ehrlein could not recall what PO Stroman and PO Mejia were doing during this time. He could not recall whether additional officers were ever present and did not recall Sgt. Jose Guzman being present, but acknowledged that it was possible that he was. As Sgt. Ehrlein approached [REDACTED] car on the driver's side, he could see inside, although he could not recall whether the windows were tinted. [REDACTED] and his female passenger, identified via investigation as Melissa Federico were sitting inside doing nothing. They were not making any reaching movements.

[REDACTED] window was closed. Sgt. Ehrlein ordered him to provide identification. Sgt. Ehrlein could not recall whether he ordered [REDACTED] to open his window or not, but [REDACTED] stared straight at him and said no. Sgt. Ehrlein then ordered him to exit his car approximately two times. After the second order, [REDACTED] complied and exited without assistance. Sgt. Ehrlein again ordered [REDACTED] to produce identification. [REDACTED] refused and said he would not move his car, but did not say why. Sgt. Ehrlein told PO Estrada to place [REDACTED] under arrest and she did so for disorderly conduct. [REDACTED] was not arrested. Sgt. Ehrlein ordered her to exit the car. He and PO Estrada did a "quick search" of the car to make sure there was no contraband. When asked whether [REDACTED] was in the car at the time of the search, Sgt. Ehrlein first said he did not think so and then confirmed she was not, because he would not have conducted a car search with a female inside. Aside from himself and PO Estrada, Sgt. Ehrlein did not recall any additional officers entering the car. He could not specifically recall what PO Estrada did while she was inside of it. Sgt. Ehrlein could not recall whether he or any other officer touched anything in the car.

Sgt. Ehrlein described the search as looking inside of "the immediate area" of the car, specifically in the locations where the hands of the car's occupants could go. He did not recall sitting inside of the car or anything to that effect. The front and back driver and passenger seats were checked. Sgt. Ehrlein specifically recalled searching the driver's seat of the car, but could not recall which officer searched the other seats. [REDACTED] had opened the front driver's door when he exited, which is how Sgt. Ehrlein gained entry. When asked whether the passenger seats of the car were checked by looking through windows or by

Interview Details

opening doors, Sgt. Ehrlein said the doors “would have had to be opened, yes.” According to Sgt. Ehrlein, the officers did not check underneath the seats of the car because since [REDACTED] arrest was not for a serious crime, there was no need to check the entire car. Visual inspections of the dashboard and center console areas were also conducted, although again, Sgt. Ehrlein could not recall which officer conducted these inspections. The center console consisted of a gear shifter and cup holders. There was no part of the center console that had to be opened to look into an interior compartment. Sgt. Ehrlein did not recall whether he opened the glove compartment and he did not recall whether it had already been opened. The trunk was not searched. Nothing was recovered from inside of the car. It contained no contraband.

The car was not being seized, but was being taken to the stationhouse for safekeeping and to be parked legally. This is typically done so that an arrested individual can pick it up when their DAT is approved or they are released from Central Booking, or so that someone else with a valid driver’s license can come and pick it up. [REDACTED] car was not vouchered.

The car search was conducted to ensure that there were no weapons, drugs or anything that could hurt officers inside. When asked whether there was any indication that the officers would find a weapon inside of the car prior to searching it, Sgt. Ehrlein said no and that it was just procedure to ensure the car was “clean” so that the officer who drives it does not get hurt. He further explained that the trunk was not checked, because nothing inside of the trunk could have hurt an officer. The officers were looking for anything visible, including narcotics, bottles, and anything that could “come flying” at an officer, should the car be involved in an accident. Sgt. Ehrlein noted that they looked for anything heavy “back there,” such as a bat that could hurt an officer. This is always done to ensure that the car is clear, so no one is in danger of getting hurt. PBA Rep. Anthony Borelli interjected to suggest that the officers were looking for anything of value, since they were going to leave the car and someone could break into it and steal its contents. In response, Sgt. Ehrlein confirmed that the car was transported to the stationhouse. PBA Rep. Anthony Borelli also interjected to suggest that the car was checked more for safekeeping, not for inventory purposes. Sgt. Ehrlein confirmed this and noted that the officers also had to ensure that [REDACTED] could not accuse them of stealing money from inside of it.

At some point, [REDACTED] asked if [REDACTED] could take custody of the car. Sgt. Ehrlein asked her to provide her driver’s license, but [REDACTED] refused to comply, so Sgt. Ehrlein said she would not be allowed to take custody of the car and told her that she could take the train or the bus home. [REDACTED] was quite angry with [REDACTED] but not with the officers, because he left her with no means of getting home. Sgt. Ehrlein instructed one of the officers, he could not recall who, to drive [REDACTED] car back to the stationhouse to be kept for safekeeping until [REDACTED] could provide identification.

Sgt. Ehrlein did not recall whether he heard PO Estrada interacting with [REDACTED] at the scene. He did not hear PO Estrada or any other officer refer to [REDACTED] as an “asshole” and did not recall hearing her refer to him as a “gringo.” Sgt. Ehrlein did not recall whether he heard PO Estrada interacting with [REDACTED] at the scene. He did not recall whether he heard PO Estrada or any other officer instruct [REDACTED] to get her “ass” on the train or whether he heard PO Estrada or any other officer say that they would be a pain in the “ass.” Sgt. Ehrlein did not recall any officer, including PO Estrada, using profanity during the course of this incident. Sgt. Ehrlein did not recall whether he heard [REDACTED] ask PO Estrada for her name or whether PO Estrada provided her name to [REDACTED]. He did not recall [REDACTED] requesting any officer for their name or shield number.

[REDACTED] was transported to the stationhouse in an unidentified vehicle. PO Estrada and PO Mejia were assigned to foot posts and Sgt. Ehrlein’s car did not have a cage, so he would not have conducted the transport, but did not know who did. At the stationhouse, Sgt. Ehrlein prepared [REDACTED] command log entry, but he could not recall whether he verified any of [REDACTED] arrest paperwork because he was the only supervisor working on the day of this incident any may not have been at the stationhouse. PO Estrada was [REDACTED] arresting officer.

Upon reviewing their CCRB photos, Sgt. Ehrlein said that [REDACTED] looked familiar and he did not recognize [REDACTED]

Sgt. Ehrlein wished to add to the record that PO Estrada has only been in the United States for [REDACTED] and has an accent. He explained that she often has a hard time enunciating words, “so that could have a lot to do with why there was a misunderstanding with the way she was talking to people.”

Interview Details

March 12, 2014
201310229
PO Quanah Stroman
9:30 a.m. 9:44 a.m.

- PO Stroman, a black woman who is 5'7'' tall, weighs 185 pounds, with black hair and brown eyes, was 38 years old at the time of the incident.
- PO Stroman worked from 2:30 p.m. to 10:35 p.m. as Sgt. Tyler Ehrlein's operator. She was dressed in uniform and assigned to marked RMP [REDACTED]

Memo Book

- PO Stroman had no memo book entries in regard to this incident. Her memo book notes her assignment as Sgt. Tyler Ehrlein's operator.

CCRB Statement

PO Quanah Stroman was interviewed at the CCRB on March 12, 2014 about the incident that occurred at approximately 4:31 p.m. on October 28, 2013 in the vicinity of [REDACTED] in Queens.

PO Jacqueline Estrada radioed a request for assistance, which PO Stroman and Sgt. Tyler Ehrlein responded to. Upon their arrival, PO Sonia Mejia and additional unidentified officers were already present. Sgt. Jose Guzman arrived to the scene at some point. PO Stroman believed it was prior to her arrival, but was unsure of this. She did not wish to review the 115th Precinct tour 3 roll call because she did not believe it would help refresh her memory in regard to which additional officers were present at the scene. PO Stroman does not know PO Arthur Cenci, PO Caitlin McNamara, PO Brian Creighton, PO Anthony Botta, PO Shawn Hayes, PO Brett Schantz or PO David Preston. She did not believe PO Danielle Krut was present. PO Stroman did not recall any plainclothed officers being present and was unsure of whether the additional officers at the scene had arrived on foot or in marked or unmarked vehicles.

[REDACTED] and [REDACTED], both identified via investigation, were inside of a car located on the south side of the street, facing east. PO Stroman could not recall where the car was positioned, including whether it was in the pedestrian cross walk. While still inside his car, [REDACTED] tried to explain to Sgt. Ehrlein what had transpired at the scene prior to his arrival. PO Stroman, whose job that day was to drive Sgt. Ehrlein, acted as a police presence by standing there, but did nothing else there. She could not hear this conversation between [REDACTED] and Sgt. Ehrlein because it was loud at the location, due to the above ground subway stop overhead. In addition, due to the busy nature of the location, this scene caused a crowd of more than 10 individuals to gather, although no one tried to interfere. PO Estrada stood around as [REDACTED] spoke with Sgt. Ehrlein.

Sgt. Ehrlein instructed PO Estrada to arrest [REDACTED] the driver of the vehicle, for a reason unknown to PO Stroman. PO Stroman noted that whatever led to Sgt. Ehrlein's decision occurred prior to their arrival and that she believed [REDACTED] was arrested for disorderly conduct. PO Estrada placed [REDACTED] under arrest. PO Stroman did not hear PO Estrada conversing with [REDACTED] and did not hear PO Estrada or any other officer refer to him as an "asshole," a "fucking asshole," or a "gringo." PO Stroman heard no officer conversing with [REDACTED] who was not arrested, although PO Stroman did not know why. She did not hear PO Estrada or any other officer instruct [REDACTED] to get her "ass" on the train or tell her that she would be a "pain in the ass." PO Stroman heard no officer use profanity at the scene. She did not hear [REDACTED] ask for PO Estrada's name and did not hear PO Estrada provide [REDACTED] with that information. PO Stroman did not recall whether [REDACTED] was asked to produce identification at the scene. [REDACTED] car was transported back to the stationhouse by an unidentified officer, not PO Stroman or Sgt. Ehrlein. PO Stroman did not recall the car being searched at the scene. She saw no officer enter the car and she did not do so. She did not recall searching the glove compartment of the car and did not search the trunk.

Interview Details

April 8, 2014

201310229

Sgt. Jose Guzman

9:42 a.m. 9:53 a.m.

- *Sgt. Guzman, a Hispanic man who is 5'5" tall, weighs 170 pounds, with black hair and brown eyes, was 30 years old at the time of the incident.*
- *Sgt. Guzman worked from 1 p.m. to 9:57 p.m. as the Business Conditions sergeant. He was responsible for ensuring vendors were properly licensed and that stores did not have problems with each other. Sgt. Guzman worked alone, was dressed in uniform and was assigned to unmarked RMP [REDACTED] a black sedan.*

Memo Book

- Sgt. Guzman had no memo book entries in regard to this incident.

CCRB Statement

Sgt. Jose Guzman was interviewed at the CCRB on April 8, 2014 about the incident that occurred at approximately 4:31 p.m. on October 28, 2013 in the vicinity of [REDACTED] in Queens.

At the time of this incident, Sgt. Guzman was exiting the 115th Precinct stationhouse when he heard a radio call by PO Jacqueline Estrada, who was requesting several units to the vicinity of [REDACTED] in regard to a disorderly man who was blocking traffic and refusing to move his vehicle. The call was not referred to by PO Estrada as a "10-85," but she did request several units, which made the request be considered a "10-85." Sgt. Guzman headed to the location. Upon his arrival, several unidentified officers, approximately six, who had arrived in approximately three or four marked vehicles, were already there. PO Guzman does not know PO Sonia Mejia or PO Quanah Stroman. One of the vehicles was directly behind the car that was blocking traffic and one was directly to the right of the car that was blocking traffic. Since there was no room for Sgt. Guzman to park his car at the scene, he had to park across the street and approach on foot.

Sgt. Guzman approached PO Estrada and asked if she was okay, but PO Estrada did not respond. She was speaking with her sergeant, Sgt. Tyler Ehrlein, and the driver of the vehicle that was still blocking traffic, identified via investigation as [REDACTED]. [REDACTED] was still seated in the driver's seat, but Sgt. Guzman could not recall whether anyone else was inside the car. He did not recognize [REDACTED] upon reviewing her CCRB photo. Sgt. Guzman believed the other officers there were likely directing traffic, which was backed up since [REDACTED] car was blocking the entire intersection. This incident took place in a very commercial area. There is a man train station and bus depot nearby, as well as many businesses. Pedestrian traffic was identified as "incredible." Sgt. Guzman identified this as likely one of the busiest areas within the confines of the 115th Precinct.

Sgt. Guzman could not recall the conversation that was taking place between PO Estrada, Sgt. Ehrlein and [REDACTED] but he believed PO Estrada was explaining what was going on to Sgt. Ehrlein. Sgt. Guzman, who had been ignored, realized that the scene was under control and there was no need for him to be there. He reentered his car and left the scene after having been present for approximately two minutes. He later heard over the radio that an arrest was made in regard to this incident.

Sgt. Guzman had no interactions with [REDACTED] or [REDACTED]. He did not hear PO Estrada use any profanity at the scene. Sgt. Guzman heard no civilian ask PO Estrada for her name and he did not hear PO Estrada provide her name to any civilian there. [REDACTED] car never moved while Sgt. Guzman was at the scene and he did not know what happened to it. Sgt. Guzman saw no officer enter [REDACTED] car and did not do so himself.