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Danamarie Alessio

A twenty-year-old woman walked into an NYPD station and stated that she planned to kill herself. The NYPD called EMT to have her transported to a psychiatric hospital. The two police officers, Danamarie Alessio, accompanied the EMTs to the hospital, where her partner PO James Hall joined them. While the hospital was preparing the woman for admission, PO Hall asked one of the EMTs to provide the Ambulance Call Report (“ACR”) number. The EMT held up a Toughbook, a reinforced tablet, which contained the number. PO Hall, claiming he could not see it, asked the EMT to read it aloud. The EMT, who believed it was a breach of privacy to say the number aloud in a public area, refused and held up the Toughbook. Eventually, PO Alessio was able to obtain the ACR number.

Later, in the ambulance bay, PO Hall and PO Alessio approached the EMT and argued. According to the EMT and a hospital police officer who witnessed the incident, PO Hall threatened to arrest the EMT for not providing the ACR number. The conflict eventually abated, and the EMT was not arrested. He approached his FDNY lieutenant, who called PO Hall’s supervisor, and who told the EMT to “chalk it up as a bad day.” Instead, the EMT filed a complaint with the CCRB.

Four months later, while that complaint was under investigation, the same EMT was called to respond to an individual who had overdosed. When he arrived, he saw that PO Hall was the officer on the scene. Rather than attend to the person for whom the call had been made, PO Hall addressed the EMT, complaining that he had filed a complaint against him and that the EMT was “not a man.” When the patient had been taken to the ambulance, PO Alessio was present, and she too insulted the EMT for filing the initial complaint, calling him a “bitch.” The EMT provided information on the second incident to the CCRB.

During her CCRB interview, PO Alessio confirmed that there had been a conflict with the EMT about the original ACR number but stated that once she had obtained the number, she had left the hospital. PO Hall had confirmed that there was an argument in the ambulance bay but denied threatening to arrest the EMT. When shown security video footage of the confrontation in the ambulance bay with the EMT, PO Alessio declined to change her story, stating instead that she had not had any interaction in the ambulance bay. In addition, the memo book entries that PO Alessio provided at her CCRB interview did not match those that had been obtained by a document request to IAB months earlier.

The CCRB substantiated allegations that PO Hall had been discourteous, had threatened to use force against the EMT, and had threatened to arrest the EMT. It substantiated allegations that PO Alessio had been discourteous during both encounters.

It further found that PO Alessio had made a false official statement, likely when she denied entering the ambulance bay even after being shown security footage of her doing so, and it substantiated additional unspecified misconduct, likely doctoring her memo book entries before an official interview.

The NYPD disciplined PO Alessio by giving her a Command Discipline-A. She remains assigned to the Mid-town South Precinct.

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## Interview Details

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██████████ was interviewed at the CCRB on January 21, 2015.

- ██████████ was ██████████ years old at the time of the incident. He is a black male with black hair and brown eyes and is employed as an EMT ██████████.

### CCRB Testimony

On January 7, 2015, at approximately 12:45 a.m., ██████████ an EMT, was at work with his partner, ██████████ when he received a call of a voluntary EDP, meaning that the patient was not restrained by police officers, at 43<sup>rd</sup> Street and 7<sup>th</sup> Avenue in Manhattan. ██████████ and ██████████ responded to the location, entered a subway station, and then entered a police station inside the subway. ██████████ and ██████████ were initially told that there was no EDP present, and so they exited the subway station. A short time later, a police officer came out of the station and told the EMTs that there actually was an EDP in the cell area. The EMTs returned to the police building and went to the cell area. ██████████ interacted with the voluntary EDP, identified as ██████████ in the cell area. A uniformed police officer (PO1) provided ██████████ identification card to ██████████ at this time. ██████████ then escorted ██████████ outside. ██████████ and PO1 then entered the back of the ambulance. A second uniformed police officer (PO2) approached the back of the ambulance at this time. ██████████ recognized PO1 and PO2 from a previous missing person case that he responded to in his capacity as an EMT, but did not know their names. PO2 said, "I already called the parents. You're going to ██████████ We're taking over your job." ██████████ took ██████████ blood pressure and began writing in his EMS Toughbook tablet, which is a portable computer used to document EMT jobs. ██████████ then informed ██████████ that ██████████ was a voluntary EDP who wrote something in her cell phone about wanting to kill someone.

At this point, ██████████ and ██████████ transported ██████████ and PO1 to ██████████ hospital and they arrived at approximately 1:15 a.m. ██████████ and PO1 escorted ██████████ to the pediatric department. ██████████ presented ██████████ to the clerk at the pediatric department and spoke with a nurse at the pediatric department desk. ██████████ then entered a large "booth area" nearby and began documenting the incident in his Toughbook. This area was semi-closed off from the rest of the waiting area. There was a plastic partition that partially blocked the booth from the remainder of the room, but there was an opening in this partition. PO2 and ██████████ parents arrived at this time and entered the booth area along with ██████████ and PO1. A ██████████ nurse and clerk were directly outside of the booth area at a nearby reception desk.

PO2 then asked ██████████ to provide him with the ECPR number for the EMT job. ██████████ turned the Toughbook so that PO2 could see the computer screen, and ██████████ pointed at the ECPR number on the screen. PO2 said, "Read it to me." ██████████ said that he did not want to say the number out loud because it was confidential information, and he continued pointing at the number on the screen. PO2 then accused ██████████ of throwing the Toughbook at him. ██████████ did not know what PO2 meant by this comment because ██████████ did not throw the Toughbook at PO2. ██████████ did not make any movement towards PO2 with the Toughbook, and none of ██████████ actions could be interpreted as throwing the Toughbook at PO2. Neither PO1 nor any other person reacted in any way when PO2 alleged that ██████████ threw the Toughbook at him. PO2 then said, "You're a dick. I hope you die. You're a fucking loser. I hope you fucking die." ██████████ provided the ECPR number to PO2 three times by pointing at the screen of his Toughbook. ██████████ parents, the ██████████ clerk, and the ██████████ nurse were close enough to witness all of ██████████ interactions with PO2 inside the booth area. ██████████ then stood up and exited the booth area. ██████████ then left the booth area and approached the pediatric department desk. The nurse then told ██████████ that they would not admit ██████████ into the pediatric department and that she would be admitted to the adult psych ward. As ██████████ walked away, the nurse said, "Are you fucking crazy? We need to make you an EDP." ██████████ then went to the adult psych ward and finished processing his paperwork with the nurse there. ██████████ saw ██████████ and her parents at the adult psych ward at this time.

██████████ stated that officers regularly request the ECPR number from him during his calls, and the standard procedure for an EMT is to provide the number to the officer. ██████████ always points to the ECPR number in his Toughbook and shows it to any officer who requests it. He has never verbally provided the number to any officer. ██████████ displayed and pointed to the ECPR number in his Toughbook in the same way that he displays the number to every other officer who requests it.

██████████ then exited the hospital. PO1 and PO2 stood near the exit of the hospital as ██████████ exited. ██████████ exited the hospital directly behind ██████████ entered the Emergency Room ambulance bay, approached his ambulance, and attempted to open the door. ██████████ realized that he left his keys inside the ambulance and then began writing again in his

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## Interview Details

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Toughbook outside of the ambulance. PO1 then approached [REDACTED] and [REDACTED] told PO1 that he provided the ECPR number to PO2. PO1 then said, "Oh, you're not being cooperative. You're being a dick." PO2 then approached [REDACTED] with his handcuffs out and told [REDACTED] to "put your hands behind your back." [REDACTED] refused to put his hands behind his back. PO2 then told [REDACTED] that he was "obstructing" something, but [REDACTED] could not remember what PO2 claimed him to be obstructing. PO2 told [REDACTED] that he was not giving out information and said, "Put your hands behind your back. I'm locking you up for OGA." [REDACTED] never at any point refused to provide any information that PO2 requested of him. [REDACTED] told PO1 that the ECPR number was a courtesy and that he was not required to give it out. PO1 then said, "Oh, do I have to talk to you? Do you want your job?" [REDACTED] did not understand the meaning of this comment. [REDACTED] accompanied by [REDACTED] police officers, then approached [REDACTED] PO1, and PO2. The [REDACTED] officers mediated the situation by telling [REDACTED] "to go his way" and PO2 "to go his way." [REDACTED] did not see [REDACTED] in the vicinity of his interaction with PO2 in the ambulance bay until [REDACTED] approached with the [REDACTED] police officers. Two FDNY EMTs were in the vicinity of [REDACTED] argument with PO2 in the ambulance bay area, but [REDACTED] did not know their names.

PO2 then grabbed PO1 and pulled him away, and the officers entered their police car and drove away. [REDACTED] then called the fire department and spoke with a lieutenant about the incident. This lieutenant asked [REDACTED] to meet him by the Emergency Room ambulance bay. [REDACTED] told the lieutenant what happened, and the lieutenant told [REDACTED] to go back to work and that he would meet [REDACTED] at [REDACTED] hospital later. The lieutenant later spoke to [REDACTED] and said that he spoke to a police chief and stated that [REDACTED] should just "chalk it up to a bad night." [REDACTED] did not know the name of this lieutenant.

[REDACTED] demeanor was normal during the entire incident, and the level of his voice was normal at all times. He never used profanity towards at any point during the incident.

PO1: white female, in uniform, 5'4" tall, blonde hair, "nicely shaped," between 20 and 30 years old

PO2: white male, in uniform, 5'4" tall, dark hair, between 20 and 30 years old, medium build

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## Interview Details

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EMT [REDACTED] was interviewed at the CCRB on February 19, 2015.

- [REDACTED] was [REDACTED] years-old at the time of the incident. He is a black male standing 6'1" tall and weighing 228 pounds with black hair and brown eyes. [REDACTED] is an EMT [REDACTED].

### CCRB Testimony

On January 7, 2015, at approximately 12:00 a.m., [REDACTED] and his partner, [REDACTED] received a radio call of a voluntary EDP at 43<sup>rd</sup> Street and 7<sup>th</sup> Avenue in Manhattan. The EMTs responded to the location, which they discovered to be a one-story NYPD hub in the middle of Times Square. [REDACTED] observed that the officers at this station were in uniform. The EMTs approached the desk and were told that the voluntary EDP was not present inside the station. [REDACTED] and [REDACTED] then returned to their ambulance to obtain further information over the radio. A uniformed police officer (PO1) approached the EMTs while they were inside the ambulance and stated that the voluntary EDP was present inside the station. [REDACTED] had never seen PO1 prior to this encounter. PO1 explained to [REDACTED] that the EDP wanted to kill her classmates and had a plan to do so involving the use of weapons. [REDACTED] was in the back of the ambulance while [REDACTED] spoke with PO1. [REDACTED] then exited the ambulance and [REDACTED] informed [REDACTED] about the details of the case. [REDACTED] then placed the EDP, who he did not know by name, into the back of the ambulance. [REDACTED] requested that a female police officer accompany them to the hospital because the EDP was a female. Therefore, a female uniformed police officer (PO2) entered the back of the ambulance along with [REDACTED] and the patient.

[REDACTED] and [REDACTED] then escorted the EDP to [REDACTED] hospital in Manhattan. PO2 rode in the back of the ambulance. PO1 followed the ambulance in a marked RMP, but [REDACTED] did not take note of the vehicle number or precinct assignment for the RMP. The EMTs and officers arrived at [REDACTED] hospital sometime after 12:00 a.m. The EMTs parked their ambulance inside of the [REDACTED] ambulance bay, and they entered the hospital through the ambulance bay doors. PO1 and PO2 followed the EMTs into the building and did not say anything to the EMTs at this time. The EMTs then escorted the patient through the main ER area to the Pediatrics ER department on the ground floor of [REDACTED] hospital. [REDACTED] interacted with a nurse in the Pediatrics department for approximately five to ten minutes inside of the nurse's station of the Pediatrics department, which was separated from the general waiting room. The mother and father of the voluntary EDP arrived at this time and spoke with her. PO1 and PO2 also stood nearby at this time. PO1 asked [REDACTED] for the ACR number, and [REDACTED] told PO1 to retrieve the ACR number from [REDACTED] who was responsible for documenting the job. [REDACTED] then entered a partially enclosed section of the nurse's station and sat down on a chair. This seating area was inside of the nurse's station and was closed off from the rest of the room except for an open doorway where people could enter to sit down. From this area, [REDACTED] could not see [REDACTED] or the officers, but he could clearly hear everything that was said between them. [REDACTED] heard PO1 ask [REDACTED] for the ACR number, and [REDACTED] responded, "Here it is." PO1 said, "Can you read it to me?" [REDACTED] said, "It's right here." PO1 asked for the ACR number again, and [REDACTED] again said, "It's right here." PO1 then said, "You piece of shit. You have not been good to this girl since you made patient contact. You're asshole. You're such a fucking asshole. You're such an ass. You should die." PO1's voice level was loud, and [REDACTED] voice level was quiet during this interaction. The [REDACTED] nurse, the voluntary EDP, the voluntary EDP's parents, [REDACTED] and PO2 were all within a five feet by ten feet area and could hear the argument clearly. [REDACTED] witnessed the nurse react to the argument with a shocked look on her face. The entire argument lasted no more than one minute, and it occurred slightly after 1:00 a.m.

[REDACTED] did not hear PO2 say anything to [REDACTED] while PO1 used profanity towards [REDACTED]. [REDACTED] did not know why PO1 used profanity towards [REDACTED]. [REDACTED] did not see what actions [REDACTED] took when he said, "It's right here," because [REDACTED] could not see [REDACTED] from his vantage point. [REDACTED] never heard PO1 allege that [REDACTED] threw his EMS Toughbook computer at him, and [REDACTED] stated that the Toughbook is made of metal and would cause injury if thrown at someone. [REDACTED] did not see or hear [REDACTED] provide the ACR number to PO1, but [REDACTED] later told [REDACTED] that he did provide the number to PO1.

Generally, [REDACTED] stated that it is standard procedure for EMTs to provide ACR numbers to police officers in cases involving voluntary EDPs. [REDACTED] has been on previous calls with [REDACTED] when they provided the ACR number to police officers. In some cases, the EMTs orally provided the number to the officers, and in other cases, they pointed to the number in their Toughbooks. [REDACTED] stated that both pointing at the number and providing the number orally to police officers is acceptable.

[REDACTED] then walked away from PO1 towards the adult psych ward of the hospital. [REDACTED] observed that [REDACTED] was very upset at this point. [REDACTED] then went with [REDACTED] to the adult psych ward, and PO1 and PO2 followed them for a short time. [REDACTED] asked [REDACTED] if he was OK, but [REDACTED] did not respond. PO1 asked again for the ACR number, and [REDACTED] told PO1 not to confront [REDACTED]. [REDACTED] told PO1 that he would obtain the ACR number

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## Interview Details

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and provide it to PO1 back at the officers' RMP. PO1 and PO2 then departed and ██████ assumed that they went back to their RMP.

██████ and ██████ finished processing the voluntary EDP at the adult psych ward and then returned to the ambulance bay. As the EMTs approached the hospital exit, ██████ saw PO1 and PO2 standing next to the exit doors. Two or three ██████ security guards were also present near the exit doors, but ██████ did not know their names. ██████ then exited the hospital into the ambulance bay, and PO1 and PO2 followed him. ██████ did not follow ██████ and the officers into the ambulance bay, but he heard PO1 and ██████ yelling at each other. ██████ did not know what PO1 and ██████ said to each other while they were yelling. ██████ then asked the ██████ security guards to break up the argument. The security guards exited the hospital into the ambulance bay, and ██████ followed them. ██████ saw ██████ standing in the ambulance bay, saw PO1 and PO2 enter their RMP, and then saw PO1 and PO2 leave the hospital in their RMP. ██████ did not witness any other interactions between PO1, PO2, and ██████ in the ambulance bay. The entire altercation in the ambulance bay lasted approximately one to two minutes, and it occurred sometime between 1:00 a.m. and 2:00 a.m.

Two other EMTs were inside of the ambulance bay and may have witnessed the interaction between the officers and ██████ but ██████ did not know their names or where they worked. ██████ ambulance was parked approximately five to ten feet outside of the ambulance bay on the curb, and ██████ estimated that the possible EMT witnesses stood approximately 15 feet away from the argument between ██████ and the officers. Prior to the altercation in the ambulance bay, ██████ intended to obtain the ACR number from ██████ and then provide it to PO1 and PO2. ██████ then told ██████ about the events that transpired inside the ambulance bay. ██████ said that he provided the ACR number to PO2 and that PO1 approached him from behind with his handcuffs in his hands. PO1 said, "If you don't give us the number, we're going to arrest you."

PO1: white male, brown short hair, light build, approximately 30 years old, approximately 5'7" tall, in uniform, no facial hair or glasses

PO2: white female, blonde hair, blue eyes, approximately 5'7" tall, in her 30s, slightly overweight "fluffy build," in uniform

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## Interview Details

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██████████ was interviewed at the CCRB on March 16, 2015.

• ██████████ was ████████ years old at the time of the incident. He is a male who is 5'7" tall and weighs 140 pounds. ██████████ is employed as an FDNY EMT.

### CCRB Testimony

On January 7, 2015, at approximately 1:30 a.m., ██████████ who is an EMT, and his partner, EMT ██████████ were working at ██████████ Hospital in Manhattan. ██████████ initially did not recall the incident, but upon hearing a brief description of the incident, he recalled some general information. ██████████ examined a picture of EMT ██████████ and stated that he recognized him from previous interactions in his work as an EMT. ██████████ was initially unsure if he saw ██████████ during the incident but then later recalled seeing ██████████ after a description of the incident. ██████████ saw ██████████ and two NYPD officers escort a female voluntary EDP into ██████████ hospital and walk in the direction of the ██████████ Pediatric Emergency Room. ██████████ saw ██████████ PO1, and PO2 later in the evening in the ██████████ ambulance bay lobby as they left the hospital. PO1 told ██████████ that ██████████ did not want to provide the ACR number to the officers. PO1 stated that he requested the ACR number from ██████████ who turned his portable computer so that PO1 could see the number. PO1 also informed ██████████ that he requested the number again because he could not read it, and ██████████ threw his portable computer at him. ██████████ did not witness these events occur. ██████████ did not witness any conversations between the police officers and ██████████ inside of ██████████ Hospital. ██████████ saw ██████████ inside the ambulance bay lobby at one point when ██████████ returned from the Pediatric Emergency Room, and ██████████ stated that ██████████ was talking about PO1 and PO2 under his breath angrily. However, ██████████ did not know exactly what ██████████ said, and he did not know if ██████████ used profanity at this time.

At some point, ██████████ exited ██████████ hospital with ██████████ into the ambulance bay. ██████████ observed ██████████ exit the hospital and approach an ambulance parked sideways against a fence at the far end of the ambulance bay. ██████████ stood inside of the ambulance bay approximately 20 feet away from ██████████ ██████████ stood next to his ambulance, which was facing away from the hospital towards the entrance to the ambulance bay. PO1 and PO2 then exited ██████████ hospital and approached ██████████ ██████████ did not recall exactly what PO1 and PO2 said to ██████████ PO1, PO2, and ██████████ spoke to each other with raised voices. ██████████ did not see PO1, PO2, or ██████████ during their argument near EMT Phillip's ambulance because ██████████ ambulance blocked his vision. ██████████ did not recall any actions that PO1 and PO2 took toward ██████████ during their interaction in the ambulance bay. ██████████ did not see PO1 or PO2 take their handcuffs out during the argument, and he did not hear PO1 threaten to arrest ██████████ ██████████ did not hear PO2 refer to ██████████ as a "dick" during the incident. ██████████ did not recall if PO1 or PO2 used any profanity towards ██████████ during the incident. The argument between ██████████ PO1, and PO2 lasted approximately one to two minutes.

██████████ did not know PO1 or PO2's names. ██████████ was not sure if anyone else was inside of the ambulance bay during the incident but stated that ██████████ employees may have been nearby. ██████████ did not remember if ██████████ police officers exited the hospital and observed the incident in the ambulance bay.

PO1: male officer

PO2: female officer

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## Interview Details

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EMT [REDACTED] was interviewed at the CCRB on March 19, 2015.

- [REDACTED] was [REDACTED] years-old at the time of the incident. He is a white male who is 5'9" tall and weighs 195 pounds with brown hair and green eyes.

### CCRB Testimony

On January 7, 2015, at approximately 1:30 a.m., [REDACTED] and his partner, EMT [REDACTED] were working in their capacity as FDNY EMTs at [REDACTED] hospital in Manhattan. While waiting in the ambulance bay lobby for their patient to be triaged, [REDACTED] and [REDACTED] stood approximately five to ten feet away from an interaction between EMT [REDACTED] and two NYPD officers (PO1 and PO2). PO1 and PO2 requested an ACR number from [REDACTED] three times, but [REDACTED] did not respond. [REDACTED] did not hear anything else that PO1 and PO2 said to [REDACTED] at this time, and the entire interaction in the ambulance bay lobby lasted approximately five minutes. [REDACTED] stated that he was in the vicinity of this conversation for approximately five to ten minutes. [REDACTED] initially stated that he [REDACTED] did not provide the ACR number to the officers at this time. [REDACTED] then said that he did not recall whether [REDACTED] provided the ACR number to the officers in the ambulance bay lobby. [REDACTED] then later said that [REDACTED] did not respond when PO1 and PO2 when they asked for the ACR number.

[REDACTED] stated that he witnessed [REDACTED] exit [REDACTED] hospital into the ambulance bay and walk towards his ambulance. PO1 and PO2 then exited the hospital and followed [REDACTED] [REDACTED] initially stated that [REDACTED] exited the hospital along with [REDACTED] but he then later stated that [REDACTED] exited the hospital after [REDACTED] and the officers.

When [REDACTED] exited the hospital, he entered his ambulance, which was parked approximately 100 to 150 feet away from [REDACTED] ambulance. [REDACTED] observed PO1 and PO2 approach [REDACTED] who stood next to his ambulance, and then all three of them moved to the opposite side of the ambulance so that the vehicle obstructed [REDACTED] view of the incident. The windows of [REDACTED] ambulance were rolled up, but he heard screaming coming from [REDACTED] ambulance. [REDACTED] stated that he heard PO1, PO2, and [REDACTED] speaking with raised voices, but he could not hear the exact words that they used toward each other. At some point during this argument, [REDACTED] approached the incident and entered the driver's seat of his ambulance. [REDACTED] provided conflicting statements as to the exact timing of [REDACTED] approach during the incident. [REDACTED] used his radio to call an FDNY conditions supervisor to respond to the location because he was afraid that the argument would escalate. [REDACTED] was concerned that the incident would escalate due to a negative history between EMTs from [REDACTED] Hospital and NYPD officers. The entire argument lasted approximately five minutes. PO1 and PO2 then left the hospital in an RMP.

No other person was in the vicinity of the argument in the ambulance bay besides [REDACTED] and [REDACTED]. However, [REDACTED] stated that [REDACTED] security guards exited [REDACTED] hospital into the ambulance bay at some point towards the end of the argument, and [REDACTED] saw them walk in the direction of the incident. [REDACTED] did not hear PO1 threaten to arrest [REDACTED] in the ambulance bay, and [REDACTED] did not see PO1 take out his handcuffs during the incident. [REDACTED] did not hear PO2 use any profanity during the incident, and [REDACTED] did not hear any police officer use profanity during the incident.

[REDACTED] did not witness any interactions between PO1, PO2, and [REDACTED] in the Pediatric section of the ER. [REDACTED] remained in the adult ER during the entire incident. [REDACTED] did not hear of anything that occurred between PO1, PO2, and [REDACTED] in the pediatric emergency room. [REDACTED] did not hear PO1 refer to [REDACTED] as a "fucking dick" or a "fucking loser," and [REDACTED] did not hear PO1 tell [REDACTED] "I hope you fucking die." [REDACTED] did not recall hearing about an incident in which [REDACTED] threw his portable computer at PO1.

[REDACTED] observed a picture of [REDACTED] and [REDACTED] and he recognized them as the EMT crew involved in the incident. [REDACTED] did not hear any profanity during the incident in the ambulance bay or the ambulance bay lobby. [REDACTED] stated that [REDACTED] appeared to be generally cooperative with PO1 and PO2 during the incident.

[REDACTED] did not know PO1 and PO2's names but stated that he thought they were from the 14<sup>th</sup> Precinct.



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## Interview Details

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██████████ was interviewed via phone on May 28, 2015.

- ██████████ was ████████ years old at the time of the incident. He is a black male who is 5'7" tall and weighs 230 pounds with black hair and brown eyes.

### CCRB Testimony

On May 28, 2015, sometime between 12:00 a.m. and 3:00 a.m., ██████████ was working in his capacity as an EMT with his partner, EMT ██████████ when he received a radio call of an individual suffering from a drug overdose at 44th Street and 8th Avenue in Manhattan. ██████████ responded to this location with ██████████. When they arrived on the scene, ██████████ exited the ambulance, and a uniformed police officer (PO1) approached him. PO1 explained that the patient, ██████████ was involved with an altercation with his girlfriend. ██████████ walked with this police officer to the ██████████ at which time he observed PO James Hall of the 14th Precinct standing nearby. ██████████ asked ██████████ about his injury, and PO Hall said, "You gave me a CCRB, and look, I made a call and you're here." PO Hall repeatedly questioned ██████████ as to why he filed a CCRB complaint against him. PO Hall asked ██████████ to "be a grown man" and speak with him about the incident. PO1 told PO Hall to leave ██████████ alone, but PO Hall did not stop speaking with ██████████ about his CCRB complaint. ██████████ did not respond to PO Hall's statements in any way. ██████████ was unsure as to whether ██████████ exited the ambulance during the incident.

██████████ escorted ██████████ who was in handcuffs, back to the ambulance along with PO1 and PO Hall. PO Hall continued to talk about the fact that ██████████ filed a CCRB complaint against him. PO Hall also said in reference to ██████████ "He's not a man. Why didn't he come and talk to me." ██████████ then entered the ambulance through the back side door and closed the door behind him. PO Danamarie Alessio of the 14th Precinct then opened the back side door of the ambulance and told ██████████ to step out of the ambulance to speak with her about her CCRB complaint. PO Alessio told ██████████ that he was a "bitch" three or four times. PO Alessio also told ██████████ that he "was not a man." PO Hall also said, "Oh, he gave me a CCRB, ██████████ responded to these comments by telling PO Alessio that he did not want to talk to her. ██████████ who was in the back of the ambulance, overheard PO Alessio and said, "She's talking to you like that? Are you serious?" ██████████ sat inside the ambulance in the driver's seat, and he was close enough to overhear PO Alessio. PO Hall then spoke on his loudspeaker and repeatedly announced ██████████ shield number. PO Hall stated that the shield number was 7404; however, ██████████ actual shield number is 7407. PO Alessio and PO Hall spoke with ██████████ with a raised voice at the side of the ambulance for approximately five to ten minutes.

Another uniformed police officer (PO2) entered the back of the ambulance as ██████████ spoke with PO Hall and PO Alessio. PO2 did not say anything to ██████████ about the interaction, and ██████████ did not say anything to PO2. PO2 rode to ██████████ Hospital in the ambulance, but ██████████ did not have any further interactions with PO2 after they arrived. A police officer in a marked police van also responded to the hospital to pick up PO2.

There were approximately five or six other police officers in uniform at the incident location. ██████████ stated that these officers stood between 10 to 20 feet away from the ambulance when PO Alessio and PO Hall spoke to him at the side door. ██████████ did not see these officers clearly, and he could not describe them. There were marked police vans parked nearby as well. ██████████ was at the incident location for approximately 25 minutes before he and ██████████ escorted ██████████ to the hospital with PO2. There were no other civilian witnesses to ██████████ knowledge.

██████████ called the FDNY conditions lieutenant to file a complaint against PO Hall and PO Alessio. ██████████ and a third uniformed police officer escorted ██████████ to ██████████ Hospital where he was treated as an EDP and admitted to the psychiatric ward. ██████████ spoke with the conditions lieutenant about the incident when he arrived at ██████████ Hospital, and he filled out a complaint report, which he provided to the CCRB.

PO1: white male, approximately 5'9" tall, black-brown hair, solid build, approximately 25-30 years old

PO2: white male, heavy set, black hair, in uniform, 5'9" tall, mid 20s or early 30s

PO3: brown curly hair, white male, 25-30 years old, approximately 5'10" tall, slim build

PO Hall: white male, brown hair, stocky build, 20 to 30 years old, approximately 5'6" tall

PO Alessio: white female, gold-brown hair tied up, athletic build, 5'4" tall, approximately 20-30 years old

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## Interview Details

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EMT [REDACTED] was interviewed at the CCRB on June 9, 2015.

- [REDACTED] was [REDACTED] years old at the time of the incident. He is a black male who is 6'1" tall and weighs 226 pounds with black hair and brown eyes.

### CCRB Testimony

On May 28, 2015, at approximately 2:00 a.m., [REDACTED] and his partner, [REDACTED] were working as EMTs when they received a call of an intoxicated male involved in a domestic violence incident at 43<sup>rd</sup> Street and 8<sup>th</sup> Avenue. [REDACTED] arrived on scene and observed the patient, identified by the investigation as [REDACTED] sitting on the sidewalk in handcuffs. [REDACTED] did not know [REDACTED] name or contact information but stated that [REDACTED] was homeless. [REDACTED] emerged from the driver's side of the ambulance upon arrival and saw [REDACTED] along with four or five marked police vehicles with approximately eight police officers. Some of these officers stood outside their RMPs while some of them remained inside. [REDACTED] emerged from the passenger's side of the ambulance at approximately the same time as [REDACTED] approached a nearby uniformed police officer (PO1) and spoke with him to obtain information about the job. [REDACTED] spoke with PO1 for a few seconds before [REDACTED] also approached the conversation behind [REDACTED] While [REDACTED] spoke with PO1, an FDNY ambulance arrived on the scene, and [REDACTED] informed them that they were no longer needed. These EMTs did not exit the ambulance and drove away after speaking briefly with [REDACTED] While [REDACTED] spoke with the FDNY EMTs, [REDACTED] observed [REDACTED] interacting with [REDACTED] approximately three or four feet away. Another uniformed police officer in uniform (PO2) stood near [REDACTED] while he tended to [REDACTED] [REDACTED] could not describe this unidentified officer because he was not specifically observing [REDACTED] at the time, and he was only able to note that this officer was present. [REDACTED] did not hear anything that was said between [REDACTED] and any officer while [REDACTED] interacted with [REDACTED] at this time.

After speaking with the FDNY EMTs, [REDACTED] observed PO2 escort [REDACTED] to the ambulance with [REDACTED] At this time, [REDACTED] heard an officer say, "Hey what's the odds that I get a Civilian Complaint Review Board letter and the same guy that filed the complaint is the guy that's here." [REDACTED] then observed this officer as he walked toward the ambulance and recognized him as the male subject officer, PO James Hall of the 14<sup>th</sup> Precinct, from [REDACTED] previous CCRB complaint from January 7, 2015. [REDACTED] was speaking with PO1 when PO Hall made this comment, but PO1 did not appear to hear PO Hall as he continued speaking with [REDACTED] At this time, [REDACTED] was inside of the back of the ambulance interacting with [REDACTED] The back door of the ambulance was open, but [REDACTED] did not recall if the side door was open at this time.

As PO Hall moved towards the ambulance, [REDACTED] told PO Hall not to speak with [REDACTED] PO Hall told [REDACTED] that he wanted to settle [REDACTED] complaint "as a man." [REDACTED] again instructed PO Hall not to speak with [REDACTED] PO Hall reached the ambulance and told [REDACTED] that he wanted to file a complaint against him for making [REDACTED] the patient involved in [REDACTED] previous CCRB incident, cry. [REDACTED] responded to PO Hall by closing and locking the side door of the ambulance. [REDACTED] then approached the ambulance and closed the back doors.

[REDACTED] entered the ambulance and sat in the driver's seat. [REDACTED] informed [REDACTED] that he called an FDNY conditions officer in order to file a complaint against PO Hall regarding the incident. While the EMTs waited for the conditions officer to arrive, [REDACTED] remained in the driver's seat of the vehicle and listened to the radio.

[REDACTED] was unaware of any further interactions between [REDACTED] and police officers, and he did not see PO Danamarie Alessio of the 14<sup>th</sup> Precinct during the incident. [REDACTED] stated that it was possible that [REDACTED] had an additional interaction with PO Alessio and PO Hall in the back of the ambulance that he did not witness. [REDACTED] stated that he is generally unaware of the happenings in the back of the ambulance while he sits in the driver's seat. [REDACTED] stated that there is a partition between the back and front of the ambulance with a small opening, which blocks most sound coming from the back. He also stated that he was not attentive to anything happening in the back of the ambulance while he waited for the FDNY conditions officer to arrive and that he was listening to the radio. [REDACTED] waited inside the ambulance in this way for approximately five to ten minutes. While waiting, [REDACTED] heard an officer announcing something over his car loudspeaker at an abnormally loud volume, but [REDACTED] could not determine the wording of this announce because it was garbled by the radio static.

When the condition's boss arrived, [REDACTED] exited the driver's seat of the ambulance and entered the back to speak with [REDACTED] [REDACTED] exited the back of the ambulance and spoke with the conditions boss. [REDACTED] did not hear this conversation, and [REDACTED] never said anything specific about his complaint to [REDACTED] [REDACTED] then drove the ambulance to [REDACTED] Hospital while [REDACTED] remained in the back with [REDACTED] and another uniformed police officer (PO3). The entire incident lasted less than 20 minutes.

[REDACTED] did not hear any officer use profanity during the incident. [REDACTED] did not hear PO Alessio or any other officer refer to [REDACTED] as a "bitch" or a "pussy" during the incident. Some civilians were in the vicinity of the incident as

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## Interview Details

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they walked along the sidewalk, but they did not stop to observe the incident and were merely passing by. According to [REDACTED] [REDACTED] girlfriend was not present during the incident.

PO1: stripes on shoulder in uniform, white male, muscular build, short salt and pepper hair, approximately 6'3" or 6'4" tall, approximately 40 or 50 years old

PO2: unknown

PO Hall: identified by [REDACTED] as the same subject officer from [REDACTED] prior complaint, white male, brown hair, 5'10" tall, in uniform, in his 30s or 40s, stocky build

PO3: white male, early 30s, approximately 6'1" tall, brown or black hair, short hair, slender build

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## Interview Details

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- PO Ryan Lathrop was 37 years old at the time of the incident. He is a American Indian male who is 6'0" tall and 215 pounds with blond hair and blue eyes.
- PO Lathrop worked from 7:30 p.m. on May 27, 2015, until 4:05 a.m. on May 28, 2015. He worked as the Sergeant's Operator with Sgt. Scott Burton, was dressed in uniform, and was assigned to a marked RMP, # [REDACTED]

### Memo Book

At 2:05 a.m. on May 28, 2015, PO Lathrop responded to West 43<sup>rd</sup> Street and 8<sup>th</sup> Avenue in Manhattan pursuant to a call for a pick-up of an emotionally disturbed person. PO Lathrop filled out an AIDED report for the incident, and the EDP was transported to [REDACTED] Hospital.

### CCRB Testimony

PO Lathrop was interviewed at the CCRB on June 24, 2015. On May 28, 2015, at approximately 2:00 a.m., PO Lathrop and his partner, Sgt. Burton, responded to West 48<sup>th</sup> Street and 8<sup>th</sup> Avenue in Manhattan for a pick-up of an emotionally disturbed person. Upon his arrival at West 48<sup>th</sup> Street and 8<sup>th</sup> Avenue, PO Lathrop observed a male and a female involved in an altercation on a public sidewalk. PO Lathrop and Sgt. Burton approached these individuals, and after interacting with them, PO Lathrop determined that they were intoxicated and homeless. Based on this information, PO Lathrop made the determination to classify the male individual, identified by the investigation as [REDACTED] as an emotionally disturbed person. PO Lathrop then instructed the female individual and her friend to move away from the incident location. PO Lathrop then placed [REDACTED] in restraints and handcuffs.

PO Lathrop called for an ambulance and an ambulance operated by EMT [REDACTED] and EMT [REDACTED] responded to the incident location. PO McNeely and PO McCarthy of the Patrol Borough Manhattan South also responded to the incident location at some point after PO Lathrop called for the ambulance. In addition, unidentified officers from the 14<sup>th</sup> Precinct responded to the incident location as well. PO Lathrop did not initially recall which officers from the 14<sup>th</sup> Precinct arrived, but upon observing PO Hall and PO Alessio's MOS photos, PO Lathrop recognized them as being among the officers from the 14<sup>th</sup> Precinct who were present during the incident. PO Lathrop stated that Sgt. Molinini was not present during the incident. PO Lathrop stated that more than five officers were present during the incident. PO Lathrop did not recall any interactions between [REDACTED] and any other officer besides himself during the incident.

PO Lathrop observed a picture of [REDACTED] during his interview and confirmed that he interacted with [REDACTED] during the incident. PO Lathrop also observed a picture of [REDACTED] but he did not recall interacting with him during the incident. PO Lathrop spoke with [REDACTED] when he and [REDACTED] first arrived on the scene, and he explained the details of the situation to [REDACTED]. PO Lathrop was unsure whether any other officer interacted with [REDACTED] while he spoke with him initially outside of the ambulance. PO Lathrop then escorted [REDACTED] and [REDACTED] to the back of the ambulance and closed the doors of the ambulance behind them. PO Lathrop stated that he primarily interacted with [REDACTED] in the back of the ambulance and that he did not hear or otherwise witness other interactions between any officer and [REDACTED] during this time. However, PO Lathrop stated that he heard other people talking at this time, but he did not hear the content of these conversations. PO Lathrop remained in the back of the ambulance for one to two minutes, and PO Lathrop did not know where [REDACTED] was at this time.

PO Lathrop did not witness any interactions between [REDACTED] and PO Hall during the incident, and he did not witness any interactions between [REDACTED] and PO Alessio during the incident. PO Lathrop did not recall any officer on the scene approaching [REDACTED] and complaining to him about the fact that [REDACTED] filed a previous CCRB complaint against him. PO Lathrop did not recall any conversation between PO Hall and [REDACTED] in which PO Hall told [REDACTED] to be a man and speak with him about the CCRB complaint he filed against him. PO Lathrop did not hear PO Alessio refer to [REDACTED] as a bitch during the incident, and he did not hear PO Alessio say, "You're a pussy. You won't come off the truck." PO Lathrop did not hear PO Hall or PO Alessio use any profanity during the incident, and he did not hear any other officer do so. PO Lathrop also did not recall any officer make offensive remarks towards [REDACTED] during the incident.

After PO Lathrop tended to [REDACTED] PO McCarthy rode in the ambulance with the EMTs to [REDACTED] Hospital. PO Lathrop did not accompany the [REDACTED] and [REDACTED] to [REDACTED] Hospital. PO Lathrop was present at the incident location for approximately five minutes.

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## Interview Details

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- *PO Christopher McNeely was 26 years old at the time of the incident. He is a white male who is 6'0" tall and weighs 175 pounds with brown hair and blue eyes.*
- *PO McNeely worked from 7:36 p.m. on May 27, 2015, until 4:05 a.m. on May 28, 2015. He worked as an impact officer with PO Denis McCarthy, was dressed in uniform, and was assigned to marked van with RMP # [REDACTED]*

### Memo Book

At 2:25 a.m., PO McNeely's memo book was scratched by Sgt. Scott Burton.

### CCRB Testimony

PO McNeely was interviewed at the CCRB on July 10, 2015. PO McNeely did not clearly recall the incident, and he did not recall where Sgt. Burton scratched his memo book on the date of the incident. PO McNeely also did not recall anything that occurred during the time that Sgt. Burton scratched his memo book. Upon being informed that the complainant in this case was an EMT, PO McNeely stated that he heard officers reference [REDACTED] complaint on prior occasions and that the subject of the complaint was PO Alessio. PO McNeely did not recall witnessing any incident involving [REDACTED] and PO Alessio. PO McNeely observed a picture of [REDACTED] during his interview, and he stated that he recognized him. However, PO McNeely did not recognize [REDACTED] specifically from the incident, and he did not recall interacting with [REDACTED] PO McNeely also recognized [REDACTED] but he did not specifically recall him from the incident. PO McNeely did not recall any incident in which PO Lathrop and Sgt. Burton responded to the incident location in response to a call of an emotionally disturbed person, but he stated that this may have occurred.

PO McNeely stated that PO McCarthy may have ridden in the ambulance with [REDACTED] to [REDACTED] Hospital during the incident. He believed that this occurred during the incident because he recalled hearing about EMT Phillip's complaint from other officers on the same date that he and PO McCarthy transported an ambulance to [REDACTED] PO McNeely did not specifically recall the date that this sequence of events occurred, but he stated that it may have occurred on the date of the incident.

PO McNeely did not recall seeing PO Alessio on the date of the incident, and he did not recall whether she interacted with [REDACTED] during the incident. PO McNeely recognized PO Alessio and PO Hall after observing their MOS photos during his interview. PO McNeely did not recall any interaction involving PO Hall speaking to [REDACTED] about his CCRB complaint and telling him that he "was not a man." PO McNeely did not recall the incident after he was informed of [REDACTED] allegation that PO Hall announced his EMT shield number over his RMP loudspeaker multiple times. PO McNeely did not recall the incident after hearing [REDACTED] allegation that PO Alessio spoke with him about his CCRB complaint and referred to him as a bitch at the side ambulance door. PO McNeely did not hear PO Alessio refer to [REDACTED] as a "bitch" during the incident, and he did not hear PO Alessio refer to [REDACTED] as a "pussy" during the incident. PO McNeely did not hear PO Hall or PO Alessio use any profanity during the incident, and he did not hear any other officer use profanity during the incident. PO McNeely did not hear PO Hall or PO Alessio make any offensive remarks during the incident.

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## Interview Details

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██████████ was interviewed at the CCRB on July 27, 2015.

- ██████████ was ████████ years old at the time of the incident. He is a black male who is 5'8" tall and weighs 175 pounds with black hair and brown eyes.

### CCRB Testimony

On January 7, 2015, at approximately 2:00 a.m., ██████████ was working inside of the ██████████ Hospital ambulance bay lobby ██████████. As a ██████████ police officer, ██████████ is generally assigned to patrol different posts throughout the hospital. ██████████ was assigned to a post inside of the ambulance bay lobby during the incident, and he was responsible for patrolling the nearby emergency room departments, including the pediatric ward, urgent care center, emergency ward, discharge center, CPEP, and child's CPEP areas.

██████████ did not initially recall the incident. However, ██████████ recalled the incident after being informed that the complainant was an EMT and being shown a picture of ██████████. ██████████ recognized ██████████ from his picture and specifically recalled him being involved in an altercation with two NYPD officers, who were identified by the investigation as PO Hall and PO Alessio.

██████████ did not recall seeing ██████████ and the officers enter the hospital. ██████████ stated that he saw ██████████ and the officers in the hallway at approximately 1:45 a.m. while conducting patrol duties. ██████████ explained that there are three hallways leading from the ambulance bay lobby. The first hallway opens to the right upon entering the ambulance bay lobby and leads to the pediatric ER and the urgent care center. The second hallway opens directly ahead upon entering the ambulance bay lobby and leads to the CPEP ward. ██████████ saw ██████████, PO Alessio, and PO Hall, and ██████████ standing either at the entrance to the pediatric emergency room. ██████████ initially stated that he may have seen the officers at the entrance to the CPEP ward, but he then recalled that he actually saw them at the entrance to the pediatric ward. PO Alessio and PO Hall appeared agitated at this time, but ██████████ did not find this to be particularly abnormal for an NYPD officer dealing with an emotionally disturbed person. The officers spoke with each other and stated that they wanted to obtain an ACR number so that they could leave the hospital. ██████████ was in the vicinity of this conversation for approximately 30-40 seconds as he walked by on patrol, and he used his identification card to swipe ██████████ and the officers into the pediatric ward.

After approximately 30 minutes, ██████████ encountered the officers again at the entrance to the ██████████ ambulance bay lobby. PO Burgos stated that other ██████████ police officers were present at this time. PO Alessio and PO Hall appeared agitated at this time. PO Alessio said, "This is bullshit. I don't understand why he can't just give us the ACR number." ██████████ was unsure whether PO Alessio made this comment word for word, but he stated that PO Alessio did use the word "bullshit" during this conversation. PO Hall also made various comments about how the officers could not leave the hospital without the ACR number and that she found the situation to be "ridiculous." In the midst of this conversation, ██████████ walked into the ambulance bay lobby and encountered the officers. At this point, the officers became "belligerent" and spoke with raised voices while motioning with their hands. PO Burgos did not recall whether the officers used any profanity at this time, and he did not recall any specific words or phrases that they uttered. ██████████ also spoke to the officers with a raised voice and possessed an agitated demeanor. PO Burgos did not see ██████████ behave uncooperatively toward the officers at any point. ██████████ exited the hospital into the ambulance bay at this time, and the officers followed him. ██████████ walked into the ambulance bay lobby after ██████████ and the officers exited the lobby. ██████████ asked about ██████████ whereabouts, and ██████████ informed him that ██████████ was outside.

██████████ stated that there are doors at the exit to the ambulance bay and a separate set of sliding glass doors segmenting the ambulance bay lobby into two sections. ██████████ stood in the section of the lobby between the two sets of doors, and he stated that the door leading to the ambulance bay was open. ██████████ stated that he could clearly see into the ambulance bay and that nothing obstructed his view. ██████████ and the officers walked approximately 90 feet away from the hospital to his ambulance. ██████████ ambulance was parked parallel to the hospital so that the driver's side faced the hospital and the passenger's side faced away from the hospital. ██████████ walked around the ambulance to the passenger's side, and the officers followed him. ██████████ told the officers to "get away" from him. At this point, PO Hall said with a raised voice, "I'm going to fuck you up. This is fucking ridiculous." ██████████ stated that the voices were raised loud enough that he could hear almost everything that was said. ██████████ initially spoke to the officers in a quieter voice, saying "get back" and "get away." ██████████ voice became louder as the officers continued to interact with him, and he said, "Leave me alone," at one point in the argument. ██████████ initially stated that ██████████ said, "Leave me the fuck alone." He then stated that he did not recall specifically whether ██████████ used profanity and said that ██████████ may have said, "leave me the hell alone." PO Hall also told ██████████ that he was going to "beat him up" during this argument, and he said, "If you don't give me the number, I'm going to beat your ass. I'm fucking tired of this bullshit.""

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## Interview Details

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At this point, [REDACTED] attempted to get into the vehicle and PO Hall either swung the door open or pushed it closed. [REDACTED] then heard either PO Hall or PO Alessio tell [REDACTED] that he could be arrested for something. [REDACTED] initially believed that PO Alessio made this comment, but he then stated that he could not specifically recall because multiple parties were yelling. [REDACTED] did not specifically recall the charge that PO Hall cited but said that it was something synonymous with being uncooperative with officers. [REDACTED] then recalled that the charge was for "obstruction" when he was specifically asked during his interview. [REDACTED] did not see either officer holding their handcuffs during the argument.

[REDACTED] exited the hospital into the ambulance bay at this time and approached the officers because he feared that the altercation might escalate to physical force. The argument had been ongoing to at least five minutes before [REDACTED] approached.

[REDACTED] did not hear either of the officers refer to [REDACTED] as a "dick," and he did not hear either officer tell [REDACTED] to put his hands behind his back as though he would be placed under arrest. However, [REDACTED] also stated that he did not hear the entire argument because the voice levels of the disputants vacillated between quiet and very loud at various points. [REDACTED] approached the officers and [REDACTED] as PO Alessio pulled PO Hall away from [REDACTED]. [REDACTED] then stepped in between the officer and [REDACTED]. The officers then walked away from the ambulance at this time. [REDACTED] said that the officers entered the hospital presumably to obtain the ACR number from [REDACTED] or another hospital employee. They then left the hospital. [REDACTED] and [REDACTED] remained at the hospital for a short time before departing. [REDACTED] complained to [REDACTED] that he believed that PO Hall was going to assault him, and PO Burgos told [REDACTED] that he intervened for this reason. [REDACTED] did not hear PO Alessio use any profanity during the argument.

[REDACTED] did not recall seeing [REDACTED] refuse to provide the ACR number to the officers. [REDACTED] believed that [REDACTED] provided the ACR number to the officers prior to the argument in the ambulance bay. [REDACTED] believed this to be the case because it is generally the procedure that officers will obtain the ACR number as soon as a patient is processed. [REDACTED] did not see [REDACTED] provide the ACR number to the officers. [REDACTED] stated that EMTs will sometimes provide the ACR number to officers by pointing at their portable computers instead of providing it verbally.

[REDACTED] did not hear PO Hall tell [REDACTED] "You're a dick. I hope you die. You're a fucking loser. I hope you fucking die" in the pediatric emergency room. [REDACTED] was unaware of any interaction or problem that occurred in the pediatric emergency room. [REDACTED] heard yelling from the pediatric emergency room shortly after the officers and [REDACTED] entered. [REDACTED] stood approximately 40 feet away from the entrance to the pediatric emergency room in the ambulance bay lobby, and he stated that the door was closed. However, [REDACTED] stated that it is possible to hear sounds from the pediatric emergency room from where he stood because sound echoes in the ambulance. He also stated that the door of the pediatric ward is not completely sealed and contains openings on the bottom and the side. [REDACTED] could not tell who was screaming. He stated that more than one person was screaming, and he stated that the voices sounded like two males.

[REDACTED] observed the video footage of the incident beginning at the 1:48:48 mark. [REDACTED] identified himself in the video at the 1:50:13 mark standing near the sliding glass door inside of the ambulance bay lobby. [REDACTED] viewed the video from the 1:50:13 mark until the 1:50:35 mark, and [REDACTED] identified this period of time as the moment when the officers were expressing frustration over the delay in obtaining the ACR. [REDACTED] continued to view the video until the 1:51:00 mark and he identified [REDACTED] as entering the picture. At the 1:51:25 mark, [REDACTED] identified [REDACTED] as being present. At the 1:51:02 mark, [REDACTED] identified PO Alessio and PO Hall as behaving "belligerently." At the 1:51:06 mark, [REDACTED] stated that PO Alessio was speaking with [REDACTED] and said, "This is fucking ridiculous. I've been waiting for the ACR for 10-15 minutes." PO Alessio's voice was raised and she was talking about [REDACTED] not [REDACTED] during this tirade. At the 1:51:10-1:51:12 mark, [REDACTED] told the officers that he would obtain the ACR number from [REDACTED] and provide it to the officers. In response, PO Alessio said that she was going to retrieve the ACR number herself. At the 1:51:33 mark, a nurse exited the hospital into the ambulance bay, but [REDACTED] did not know her name. At the 1:52:19 mark, [REDACTED] is seen explaining the situation to [REDACTED]. At the 1:52:34 mark, PO Carter walks into the picture.

[REDACTED] stated that [REDACTED] told the officers that he showed them the ACR number on his portable computer, and he showed the tablet to one of the officers immediately prior to exiting the hospital. Upon reviewing the video footage, [REDACTED] did not see this occur at this time. [REDACTED] stated definitively that he saw [REDACTED] display the portable computer at some point during the night, but he did not recall when or where this interaction occurred. Mr. Philips displayed that screen of the tablet for a few seconds, which [REDACTED] estimated should have been long enough for the officers to obtain the ACR number. [REDACTED] told the officers that he was showing them the tablet and that they could either document the ACR number or not. [REDACTED] stated that officers can also obtain the ACR number from a clerk in the triage area or a nurse in the pediatrics area as opposed to an EMT.

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## Interview Details

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██████████ did not have any relationship with ██████████ and ██████████ prior to the incident. Other than what he described above, ██████████ did not hear the officers threaten to arrest any civilian or use profanity toward any civilian. He did not hear the officers make any other offensive remarks.



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## Interview Details

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██████████ was interviewed at the CCRB on July 30, 2015.

- ██████████ was interviewed at the CCRB on July 30, 2015. ██████████ was ████████ years old at the time of the incident. He is a black male who is 5'10" tall and weighs 245 pounds with black hair and brown eyes.

### CCRB Testimony

On January 7, 2015, at approximately 2:00 a.m., ██████████ was working as a ██████████ for ██████████ hospital. ██████████ worked only a few hours on the date of the incident because he was assigned to relief duties at a post inside of the ██████████ ambulance bay lobby. ██████████ duties involved standing at the set post inside of the ambulance bay lobby in relief of the officer on duty when said officer was not present. ██████████ was not responsible for patrolling any area of the hospital and manned a stationary post. From his post, ██████████ was able to see outside into the ambulance bay and inside the lobby into the triage area.

██████████ did not initially recall any interactions between civilians and police officers on the date of the incident. Upon observing a picture of ██████████ and being informed that he was an EMT, ██████████ recalled some parts of the incident. ██████████ heard an argument outside in the ambulance bay, and ██████████ exited into the ambulance bay to investigate the disturbance. ██████████ did not initially know that police officers were involved in the altercation. ██████████ did not initially know what the argument was about, but ██████████ later informed him that it was somehow related to ██████████ alleged poor job performance. ██████████ could not see the interaction from his post because two ambulances partially obstructed his view, but he could clearly hear the argument. He estimated that the disputants stood the distance from the end zone to the ten yard line (60 feet) away from his post.

██████████ heard yelling and heard the disputants using profanity. The disputants were yelling almost at the top of their lungs because ██████████ could hear the argument over the sound of vehicle engines in the ambulance bay. ██████████ did not specifically recall the content of this argument, but he was almost certain that the word "fuck" was used in some context. ██████████ heard three voices involved in the argument and he stated that all three voices used profanity. ██████████ feared that a physical fight might ensue between the disputants due to the aggressive tone of voice and the type of words used in the argument. ██████████ was "almost certain" that someone threatened to use physical force during the argument, but he did not recall the exact wording of this threat. ██████████ initially did not recall hearing any officer threaten to arrest ██████████ or mention that he could be arrested for obstructing government administration. ██████████ did not recall hearing any officer instruct ██████████ to put his hands behind his back, and he did not see any officer holding his handcuffs.

██████████ entered the ambulance bay lobby after the altercation, and ██████████ heard him complaining that the officers referred to him as a "dick." ██████████ did not initially recall hearing any officer refer to ██████████ as a "dick" during the argument, but he did recall PO Alessio making this statement after observing the video footage of the incident. ██████████ did not hear any argument between ██████████ and the officers inside the hospital, and he did not see ██████████ or the officers inside of the hospital at any point. However, upon being informed that PO Hall allegedly told ██████████ "You're a dick. I hope you die. You're a fucking loser. I hope you fucking die" inside the hospital, ██████████ recalled hearing similar statements used outside the hospital in the ambulance bay. ██████████ specifically recalled hearing one of the officers say, "I wish you would die" and refer to ██████████ as a "loser."

██████████ recognized ██████████ after observing a picture of him during his interview. ██████████ initially did not recall interacting with the officers. ██████████ then specifically recalled hearing ██████████ say that he would retrieve the ACR number from ██████████ and provide it to the officers. ██████████ did not recall whether the officers were present at this time.

██████████ viewed the video footage of the incident beginning at the 1:50:00 mark, and the video footage refreshed many aspects of ██████████ recollection of the incident. He recognized ██████████ as being present in the video. ██████████ recognized PO Alessio upon seeing her face on the video, and he confirmed that she was outside during the altercation between the officers and ██████████. At the 1:51:20 mark, ██████████ recognized PO Hall as being involved in the altercation with ██████████. ██████████ recalled looking outside into the ambulance bay and observing Mr. Hall's face being red as though he had been yelling. ██████████ initially did not know whether PO Hall was one of the officers involved in the altercation, but he did not recall seeing any other officer outside. At the 1:51:23 mark, ██████████ recognized himself in the video.

At the 1:53:10 mark, ██████████ stated that he walked to the door of the ambulance bay and observed PO Hall's red face. He also observed PO Alessio attempting to separate PO Hall from ██████████. ██████████ recalled at this time that both officers were using profanity and making all of the comments that he previously mentioned. ██████████ stated that ██████████ was also using profanity at this time. ██████████ recalled that PO Alessio referred to ██████████ as a "dick" at this time. ██████████ appeared to be reacting to the officers' comments toward him, saying things like "no, you are a dick." ██████████ did not recall PO Alessio using any other profanity toward ██████████. ██████████ observed ██████████ step between the disputants,

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## Interview Details

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and he also saw a third individual in blue clothes intervene as well. [REDACTED] was not sure if this third individual was an NYPD officer but stated that he believed that all three of the officers entered the vehicle.

After observing this section of the video, [REDACTED] said that the officers appeared to be the aggressors in the confrontation and that [REDACTED] did not appear to be taking any action to physically intimidate the officers. [REDACTED] stated that PO Hall was being verbally combative toward [REDACTED] and attempting to move closer to [REDACTED]. [REDACTED] stated that [REDACTED] actions appeared to be in response to PO Hall's aggressive behavior. [REDACTED] stated that PO Hall told [REDACTED] that he was going to arrest him, but [REDACTED] did not recall PO Hall's exact words. [REDACTED] responded by saying, "if you want to arrest me you can come over here and try to arrest me" while gesturing with his hands in front of his face. [REDACTED] hand gestures did not appear to be combative in any way to [REDACTED]. [REDACTED] said that the officers could possibly obtain the ACR number from a clerk inside of the ambulance bay as opposed to only from the EMT.

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## Interview Details

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Sgt. Scott Burton was interviewed at the CCRB on July 29, 2015.

- Sgt. Burton was 40 years old at the time of the incident. Sgt. Burton is a white male who is 6'0" tall and weighs 220 pounds with brown hair and green eyes.
- Sgt. Burton worked from 7:20 p.m. on May 27, 2015, until 4:17 a.m. on May 28, 2015. He worked as the Impact Supervisor with PO Lathrop, was dressed in uniform, and was assigned to a marked RMP, # [REDACTED]

### Memo Book

At 2:00 a.m., Sgt. Burton responded to a pick-up of an emotionally disturbed person at 43<sup>rd</sup> Street and 8<sup>th</sup> Avenue. At 2:10 a.m., the emotionally disturbed person was transported to [REDACTED] hospital.

### CCRB Testimony

On May 28, 2015, at approximately 2:00 a.m., Sgt. Burton and PO Lathrop observed an emotionally disturbed person, identified by the investigation as [REDACTED] at 43<sup>rd</sup> Street and 8<sup>th</sup> Avenue in Manhattan. [REDACTED] appeared to be a danger to other civilians. He was yelling and screaming, and he was running back and forth along the street. [REDACTED] also screamed directly at the officers when they approached him. Sgt. Burton and PO Lathrop restrained [REDACTED] using handcuffs, and they called for EMS to respond to the scene. Sgt. Burton did not recall whether other officers responded to the scene prior to the arrival of EMS.

An ambulance arrived at the location approximately 5-10 minutes later, and PO McNeely and PO McCarthy arrived on the scene at this time as well. Sgt. Burton did not recall the EMTs who responded at this time. Sgt. Burton did not recognize [REDACTED] or [REDACTED] after observing pictures of them during his interview. Sgt. Burton stated that he did not interact with the EMTs during the incident in any way. Sgt. Burton instructed PO McNeely and PO McCarthy to escort [REDACTED] into the ambulance. Sgt. Burton did not know of any actions that PO Lathrop took during the incident. PO McCarthy and PO McNeely then escorted the ambulance to the hospital after approximately 5-10 minutes. Sgt. Burton stated that no other officers beside PO McNeely and PO McCarthy responded to the incident. Sgt. Burton initially did not recall whether officers from the 14<sup>th</sup> Precinct were present during the incident. He then said that PO Hall and PO Alessio were present during the incident. Sgt. Burton saw PO Hall and PO Alessio when [REDACTED] was handcuffed and the EMTs had arrived on the scene. Sgt. Burton did not know what actions PO Hall and PO Alessio took while on the scene, and he did not see them interact with [REDACTED] or [REDACTED]. Sgt. Burton stated that he did not speak with PO Hall or PO Alessio during the incident. Sgt. Burton did not know whether Sgt. Ho or PO Ricco were present during the incident.

Sgt. Burton did not see [REDACTED] interact with any other officer besides PO McNeely and PO McCarthy. Sgt. Burton did not know if he saw [REDACTED] enter the ambulance. Sgt. Burton did not see [REDACTED] interact with any police officer, and Sgt. Burton denied interacting with [REDACTED] in any way during the incident. Sgt. Burton did not recall which officers rode in the ambulance to [REDACTED] hospital.

Sgt. Burton stated that he had no knowledge of any prior CCRB complaint filed by [REDACTED] against PO Hall and PO Alessio. Sgt. Burton did not hear PO Hall speak with [REDACTED] about his prior CCRB complaint and tell him that he was "not a man." Sgt. Burton did not hear [REDACTED] prior CCRB complaint referenced at any point during the incident. Sgt. Burton did not see any interaction between PO Alessio and [REDACTED] at the side door of the ambulance. Sgt. Burton did not hear PO Alessio refer to [REDACTED] as a "bitch" or a "pussy." Sgt. Burton did not hear PO Hall or PO Alessio use any profanity during the incident, and he did not hear any other officer use any profanity during the incident. Sgt. Burton did not hear PO Hall or PO Alessio make any offensive remarks during the incident, and he did not hear any other officer do so. Sgt. Burton did not hear any officer refer to gender at any point during the incident.

Sgt. Burton did not hear PO Hall announce [REDACTED] shield number over a car radio during the incident. Sgt. Burton did not have any knowledge of a complaint filed by [REDACTED] against PO Hall and PO Alessio with an FDNY conditions supervisor.

Sgt. Burton stated that he was not present at [REDACTED] Hospital on January 7, 2015.

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## Interview Details

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PO James Hall was interviewed at the CCRB on August 4, 2015.

- PO Hall was 28 years old at the time of the incident. He is a white male who is 5'8" tall and weighs 175 pounds with brown hair and hazel eyes.
- PO Hall worked from 11:15 p.m. until 7:50 a.m. on January 7, 2015, and May 28, 2015. PO Hall worked with PO Danamarie Alessio on both incident dates. On January 7, 2015, PO Hall and PO Alessio were assigned to the 14<sup>th</sup> Precinct substation at 43<sup>rd</sup> Street and 7<sup>th</sup> Avenue in Manhattan and worked on foot. On May 28, 2015, PO Hall and PO Alessio were assigned to a Precinct Special Post at 43<sup>rd</sup> Street and 8<sup>th</sup> Avenue, were dressed in uniform, and were assigned to a marked RMP, # [REDACTED]

### Memo Book

On January 7, 2015, at 12:30 a.m., PO Hall received a pick-up of a 20 year old suicidal female named Evelyn Morales. [REDACTED] mother and father were notified of that she would be removed to [REDACTED] hospital. At 1:00 a.m., PO Hall escorted the ambulance to the hospital. At 1:15 a.m., PO Hall met [REDACTED] parents and debriefed them of the situation. [REDACTED] was transferred to pediatrics. At 1:45 a.m., [REDACTED] was moved to the psych ward for evaluation. PO Hall was awaiting the ACR number for the job which [REDACTED] refused to provide to police. At 2:15 a.m., PO Hall prepared an aided report for the incident with ACR # [REDACTED]

On May 27, 2015, at 11:39 p.m., PO Hall was assigned to a mark RMP, # [REDACTED] with PO Alessio. At 3:10 a.m. on May 28, 2015, PO Hall responded to an assault in progress at West 32<sup>nd</sup> Street and 5<sup>th</sup> Avenue in Manhattan.

### CCRB Testimony

On January 7, 2015, at approximately 12:30 a.m., [REDACTED] walked into the 14<sup>th</sup> Precinct Times Square substation at 43<sup>rd</sup> Street and 7<sup>th</sup> Avenue in Manhattan and revealed to PO Hall and PO Alessio that she was contemplating suicide. PO Hall and PO Alessio classified [REDACTED] as an emotionally disturbed person due to her expressed suicidal thoughts. The officers called for an ambulance to remove [REDACTED] to [REDACTED] hospital for psychological evaluation. [REDACTED] and [REDACTED] responded to the substation to escort [REDACTED] to the hospital. At that time, PO Hall informed the EMTs that [REDACTED] should be escorted to [REDACTED] hospital, and [REDACTED] agreed with this assessment. [REDACTED] wanted to escort [REDACTED] to [REDACTED] Hospital. PO Hall stated that he had never escorted a patient to [REDACTED] Hospital who was suicidal. [REDACTED] had a "horrendous attitude" after agreeing to escort [REDACTED] to [REDACTED] Hospital, and he behaved in an "animalistic" fashion toward [REDACTED] and the officers. PO Hall characterized [REDACTED] behavior as such because he was unhappy with going to [REDACTED] hospital. [REDACTED] told PO Hall that [REDACTED] wanted to go to [REDACTED] because his tour was about to end, and he was a [REDACTED] hospital EMT. [REDACTED] was placed in the ambulance. [REDACTED] cried and did not want to enter the ambulance alone with [REDACTED]. PO Hall stated that [REDACTED] voice was raised when communicating with him and [REDACTED] and [REDACTED] at point told [REDACTED] to "stop crying." PO Hall could not remember any other facets of [REDACTED] behavior during the incident that struck him as being problematic. PO Alessio entered the ambulance at this time and rode with the EMTs to [REDACTED] hospital while PO Hall followed in a separate police vehicle. Sgt. Perez was present at the substation during these interactions.

At approximately 1:35 a.m., the officers and EMTs arrived at [REDACTED] hospital, and they escorted [REDACTED] to the pediatric emergency room. [REDACTED] refused to enter the hospital without the officers present due to [REDACTED] attitude. PO Hall told [REDACTED] that he was behaving unprofessionally prior to entering the hospital, and he then followed the EMTs and [REDACTED] into the pediatric emergency room. [REDACTED] parents arrived at the hospital while the officers and EMTs were inside of the pediatric department, and PO Hall informed them of the situation. PO Hall approached [REDACTED] after this conversation and asked him for the ambulance call report number for the job. PO Hall and [REDACTED] were present in the pediatric department for approximately 10 minutes prior to speaking about the ACR number. PO Hall asked for the ACR number approximately three or four times, but [REDACTED] did not respond in any way. [REDACTED] pointed at the ACR number on his portable computer screen then said, "Get it yourself; it's right there." PO Hall could not read the ACR number on the screen because the numbers were too small, and PO Hall did not attempt to move closer to the screen so as to read the number. PO Hall told [REDACTED] that he could not see the ACR number, and he asked [REDACTED] to verbally provide the number to him. [REDACTED] refused to provide the number to PO Hall verbally. [REDACTED] again told PO Hall to obtain the ACR number from the screen of the portable computer. PO Alessio was standing near PO Hall during this conversation.

PO Hall did not recall whether he said anything else to [REDACTED] during this conversation, but he stated that he did not use any profanity when speaking with [REDACTED] at this time. PO Hall denied saying, "You're a dick. I hope you die. You're a fucking loser. I hope you fucking die." PO Hall denied using the word "fuck" in any context during this exchange, and PO Hall denied referring to [REDACTED] as a "dick" in any context. PO Hall never told [REDACTED] that he "hoped he would die," and he

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## Interview Details

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did not refer to him as a “loser” at any point. PO Hall denied making any of these comments or using any of the words at any other point during the incident.

After this conversation, [REDACTED] walked away from PO Hall and exited the pediatric department entirely. PO Hall and PO Alessio followed [REDACTED]. PO Hall and PO Alessio allowed [REDACTED] to walk away from them. They approached [REDACTED] and asked him to obtain the ACR number. [REDACTED] called [REDACTED] on his cellphone, but he told the officers that he could not retrieve the number from PO Hall. PO Hall also saw [REDACTED] verbally refuse to provide the number to [REDACTED] in person on another occasion. After approximately 15 or 20 minutes, PO Hall found [REDACTED] outside of the hospital near his ambulance. PO Hall did not see [REDACTED] leave the hospital, and he did not follow [REDACTED] out of the hospital. PO Hall found [REDACTED] while searching for him to retrieve the ACR number. PO Hall stated that he passed [REDACTED] “a couple of times” in the hallway during this search, but [REDACTED] ignored the officers.

PO Hall approached [REDACTED] in the ambulance bay and asked him for the ACR number again. PO Hall did not recall how many times he asked for the number. He told [REDACTED] that he was obstructing governmental administration by refusing to provide the ACR number. At this time, [REDACTED] provided his portable computer to PO Hall, and PO Hall read the number from the screen. This interaction lasted approximately one to two minutes. PO Hall did not think that he raised his voice at any time when speaking with [REDACTED].

PO Hall did not tell [REDACTED] that he was going to arrest him for obstructing governmental administration. PO Hall denied telling [REDACTED] to place his hands behind his back or stating that he was “going to lock [REDACTED] up for OGA.” PO Hall denied having his handcuffs out at any point during the incident. PO Hall never told [REDACTED] that he could be arrested if he did not provide the ACR number. PO Hall did not know whether PO Alessio told [REDACTED] that he could be arrested. PO Hall did not know whether PO Alessio told [REDACTED] that she was going to arrest him, and PO Hall did not hear PO Alessio make such a statement. Neither PO Hall nor PO Alessio threatened to arrest [REDACTED] at any point during the incident.

PO Hall did not say anything to [REDACTED] besides instructing him to provide the ACR number to the officers. PO Hall denied using any profanity toward [REDACTED] in the ambulance bay, and he stated that his partner did not use any profanity at this time either. PO Hall did not hear PO Alessio say that [REDACTED] was “being a dick.” PO Hall did not hear PO Alessio refer to [REDACTED] as a “dick” at any point during the incident. PO Hall never used the word “bullshit” in [REDACTED] presence. PO Hall never told [REDACTED] that he was a loser, and PO Alessio never made this comment. Neither PO Hall nor PO Alessio used the word “fuck” in the ambulance bay area.

Neither PO Hall nor PO Alessio threatened to use any kind of physical force against [REDACTED]. PO Hall denied saying that to [REDACTED] that he was “going to fuck him up.” PO Hall never said that he was going to beat [REDACTED] up at any point. PO Hall never told [REDACTED] that he was “going to beat his ass.” PO Hall never used any kind of language resembling these comments during the incident. Neither PO Hall nor PO Alessio physically intimidated [REDACTED] in any way.

PO Hall did not recall whether [REDACTED] used the word “dick” during the incident, and he did not think that [REDACTED] ever used profanity toward PO Hall or PO Alessio. [REDACTED] was agitated while in the ambulance bay, and he stepped toward PO Hall at one point. PO Hall did not move toward [REDACTED] at any point during this interaction, but he also did not move away when [REDACTED] moved toward him.

PO Hall and PO Alessio left the hospital shortly after obtaining the ACR number, and PO Hall did not interact with [REDACTED] again on this date. PO Hall needed the ACR number in order to complete the AIDED report worksheet, which is required paperwork for emotionally disturbed person cases. PO Hall stated that officers are instructed to always obtain the ACR number. PO Hall stated that there is no other place in the hospital where officers can obtain the ACR number besides the attending EMS worker. PO Hall did not know how the ACR number was generated, but he stated that the number is stored on the EMT’s laptop.

PO Hall stated that no other officer responded to [REDACTED] hospital at any point during the incident. [REDACTED] apologized for [REDACTED] behavior on several occasions throughout the incident, beginning with the EMTs’ arrival at the substation.

On May 28, 2015, at approximately 2:00 a.m., PO Hall was assigned to a Precinct special post on West 43<sup>rd</sup> Street between 8<sup>th</sup> Avenue and 9<sup>th</sup> Avenue in Manhattan. PO Hall was working with PO Alessio during the incident. PO Hall stated that “nothing” happened at the alleged time of the incident, and he did not remember where he was at this time. PO Hall stated that he was in the vicinity of the incident location during the time of the incident because he post is near the incident location of West 44<sup>th</sup> Street and 8<sup>th</sup> Avenue. PO Hall did not remember whether he was on the corner of 44<sup>th</sup> Street and 8<sup>th</sup> Avenue during the incident. PO Hall stated that he did not interact with any other officers in the vicinity of the incident location at the time of the incident, and he did not interact with [REDACTED] at the incident location during the time of the incident. PO Hall denied interacting with [REDACTED] at any point on May 28, 2015. PO Hall did not recall the incident after hearing that Sgt. Burton and PO Lathrop detained an emotionally disturbed person and called for an ambulance at the incident location. PO Hall denied speaking with [REDACTED] about his prior CCRB complaint from January 7, 2015, during the incident. PO Hall stated that he has

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## Interview Details

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not spoken with [REDACTED] since January 7, 2015. PO Hall denied telling [REDACTED] that he was “not a man” for filing a CCRB complaint against him. Hearing these allegations did not refresh PO Hall’s recollection of being present during the incident.

PO Hall stated that PO Alessio did not refer to [REDACTED] as a “bitch” in his presence, and he had no knowledge of whether PO Alessio made these comments when he was not present. PO Hall did not know whether PO Alessio referred to [REDACTED] as a “pussy.” PO Hall did not know whether PO Alessio made any other offensive comments toward [REDACTED] during the incident.

PO Hall was unaware of any other officer having a problem with [REDACTED]

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## Interview Details

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PO Danamarie Alessio was interviewed at the CCRB on August 4, 2015.

- PO Alessio was 26 years old at the time of the incident. She is a white female who is 5'5" tall and weighs 150 pounds with brown hair and blue eyes.
- PO Alessio worked from 11:15 p.m. on January 6, 2015, until 7:50 a.m. on January 7, 2015, and May 28, 2015. PO Alessio was dressed in uniform and worked with PO Hall on both incident dates. On January 7, 2015, PO Alessio was assigned to the 14<sup>th</sup> Precinct Times Square substation on West 43<sup>rd</sup> Street and 7<sup>th</sup> Avenue in Manhattan, and she worked on foot. On May 28, 2015, PO Alessio was assigned to a Precinct Special Post on West 43<sup>rd</sup> Street and was assigned to a marked RMP, # [REDACTED]

### Memo Book

On January 7, 2015, at 12:30 a.m., PO Alessio received a pickup of a suicidal female. At 12:45 a.m., the female's parents were notified that she would be removed to [REDACTED] hospital. At 1:00 a.m., PO Alessio escorted the ambulance to [REDACTED] hospital. At 1:45 a.m., PO Alessio responded to [REDACTED] CPEP for evaluation, and she awaited the ACR number which EMS [REDACTED], refused to provide to her and PO Hall. At 2:15 a.m., PO Alessio prepared an AIDED report for the incident using ACR # [REDACTED]

On May 28, 2015, at 11:39 p.m., PO Alessio was assigned to RMP # [REDACTED] with PO Hall. At 2:05 a.m., PO Alessio was reassigned to a Lennox Hill precinct post. PO Alessio provided a fabricated memo book entry during her CCRB interview, which did not list these entries. However, PO Alessio's memo book entry provided by IAB did list these entries.

### CCRB Testimony

On January 7, 2015, at 12:30 a.m., a young female, who was identified by the investigation as Evelyn Morales, entered the substation and PO Alessio and PO Hall determined that she was an emotionally disturbed person. The officers called for an ambulance and decided to bring [REDACTED] to [REDACTED] hospital. [REDACTED] and [REDACTED] responded to the substation, and [REDACTED] gave the officers a "hard time" about bringing the patient to [REDACTED]. PO Hall and [REDACTED] argued about whether [REDACTED] should be taken to [REDACTED]. [REDACTED] ultimately agreed to bring [REDACTED] to [REDACTED] hospital, and PO Alessio rode with [REDACTED] in the ambulance while PO Hall followed in a police vehicle. During the ambulance ride, [REDACTED] spoke with [REDACTED] with a "rude" and "nasty" tone, causing her to become upset. PO Alessio did not recall any specific comments that [REDACTED] made during this ambulance ride.

Upon arriving at [REDACTED] hospital, the officers and EMTs escorted [REDACTED] into the pediatric center for evaluation. [REDACTED] parents arrived at this time. PO Hall approached [REDACTED] and asked him for the ambulance call report number for the job. PO Hall asked for the ACR number at least three times, but [REDACTED] refused to provide it to him by ignoring PO Hall's requests. [REDACTED] then placed his portable computer forcefully on a nearby table and told PO Hall to obtain the number from the computer himself. [REDACTED] was sitting at the table, and PO Hall stood near him. PO Hall told [REDACTED] that he could not read the ACR number, and he asked [REDACTED] to read the number to him. PO Hall made no effort to move closer to the screen in order to read the ACR number. The computer remained on the table in this manner for a few seconds, and [REDACTED] then took the computer and exited the room into the hallway. This entire interaction lasted approximately five to ten minutes. PO Alessio observed all of the interactions between [REDACTED] and PO Hall, and she was close enough to hear the entire conversation between them.

PO Hall did not say anything to [REDACTED] besides to ask him for the ACR number. PO Hall did not use any profanity toward [REDACTED] during this conversation. PO Alessio stated that PO Hall did not tell [REDACTED] "You're a dick. I hope you die. You're a fucking loser. I hope you fucking die." PO Hall did not use the word "dick" or "fuck" in any context. PO Hall never referred to [REDACTED] as a "loser" at any point.

[REDACTED] exited the pediatric department into the hallway, and PO Alessio did not see him again during the incident. PO Alessio and PO Hall obtained the ACR number from [REDACTED] in the hallway immediately outside of the pediatric department. [REDACTED] apologized for [REDACTED] behavior and stated that he would retrieve the ACR number from him. [REDACTED] then followed [REDACTED] down the hallway, and he returned to the officers a short time later at which time he provided the ACR number to them. The officers needed the ACR number because it is used to generate the required police documentation for emotionally disturbed person cases. PO Alessio stated that there is no other way to obtain the ACR number other than by obtaining it from the attending EMS worker.

PO Alessio stated that she saw [REDACTED] in the ambulance bay as she and PO Hall left the hospital. PO Alessio did not say anything to [REDACTED] in the ambulance bay, and she did not have any interaction with him at this time. PO Alessio denied referring to [REDACTED] as a "dick" in the ambulance bay. PO Alessio never used the word "bullshit" in [REDACTED] presence

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## Interview Details

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during the incident, and PO Hall did not do so. Neither PO Hall nor PO Alessio used the word “fuck” in the ambulance bay toward [REDACTED].

PO Alessio did not see PO Hall accuse [REDACTED] of obstructing governmental administration and threaten to arrest him in the ambulance bay. PO Alessio heard PO Hall tell [REDACTED] that he was obstructing governmental administration inside of the hospital in the hallway, and PO Hall told [REDACTED] to “please move” as a way of indicating to him that he needed to provide the ACR number to the officers. PO Hall did not say that he was going to arrest [REDACTED] for this charge. PO Alessio did not hear PO Hall tell [REDACTED] “Put your hands behind your back. I’m locking you up for OGA.” PO Alessio never told [REDACTED] that he could be arrested for any of his actions during the incident. Neither PO Alessio nor PO Hall threatened to arrest [REDACTED] during the incident.

PO Alessio stated that PO Hall never threatened to use physical force against [REDACTED] during the incident. PO Alessio did not hear PO Hall say “I’m going to fuck you up” to [REDACTED]. PO Alessio did not hear PO Hall tell [REDACTED] that he was going to beat him up. PO Alessio did not hear PO Hall tell [REDACTED] that he was going to “beat his ass.” PO Alessio did not hear PO Hall use any language as a way to threaten [REDACTED] with the use of force. PO Alessio stated that no incident occurred in which she was forced to restrain PO Hall while he approached [REDACTED] in a physically threatening manner. [REDACTED] did not use any profanity during the incident.

PO Alessio viewed the video footage of the incident beginning at the 1:50:53 second mark of the recording until the 1:51:28 mark. The video did not refresh PO Alessio’s recollection of whether any incident occurred in the ambulance bay between the officers and [REDACTED]. PO Alessio stated that the officers possessed the ACR number during the sequence shown in the video. At the 1:51:04 mark, PO Alessio did not know why she appeared to be agitated on the video. She confirmed that she had the ACR number at this time, and she stated that she exited the hospital, walked directly to her car, and left the scene. Neither PO Alessio nor PO Hall interacted with [REDACTED] at this time. No other officers responded to the scene.

On May 28, 2015, at approximately 2:00 a.m., PO Alessio was assigned to a post at 43<sup>rd</sup> Street and 8<sup>th</sup> Avenue with PO Hall. PO Alessio and PO Hall were in the middle of the block on 43<sup>rd</sup> Street between 8<sup>th</sup> and 9<sup>th</sup> Avenue when a 911 call came over the radio for an AIDED case at 43<sup>rd</sup> Street and 8<sup>th</sup> Avenue. PO Alessio and PO Hall responded to the incident location to check on the officers who responded to this job. PO Alessio saw that the officers were in control of the situation, and she went into a nearby hotel to use the restroom. PO Alessio returned to the street and saw [REDACTED] attending to the emotionally disturbed person, who was identified by the investigation as [REDACTED]. PO Alessio had recently been notified of her CCRB interview, and she approached [REDACTED] to speak with him about his reasons for his CCRB complaint from the incident on January 7, 2015. PO Alessio did not feel as though she was disrespectful to [REDACTED] during the incident on January 7, 2015. [REDACTED] was standing inside of the ambulance, and PO Alessio approached him at the side door. PO Alessio told [REDACTED] that she thought he was “very unprofessional,” and she walked away. PO Alessio did not say anything else to [REDACTED] and he did not respond to this comment in any way. PO Alessio stated that PO Hall was not present during this exchange. PO Hall was inside of the officers’ vehicle during this interaction.

PO Alessio denied referring to [REDACTED] as a “bitch” or a “pussy” during this interaction. PO Alessio denied using any offensive comments toward [REDACTED]. PO Alessio stated that PO Hall did not approach [REDACTED] and speak with him about his CCRB complaint. PO Hall never told PO Alessio that he had approached [REDACTED] at any point while PO Alessio was using the restroom. PO Hall was inside of the officers’ van when PO Alessio went to the restroom, and he was inside of the van when she returned to the street. The van was parked in the same spot when PO Alessio left to use the restroom as when she returned to the street.

There were approximately five impact officers present during the incident. There were no officers present from the 14<sup>th</sup> Precinct. None of these officers were in the vicinity of PO Alessio’s conversation with [REDACTED].



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## Interview Details

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██████████ was interviewed at the CCRB on August 11, 2015.

- ██████████ was ██████████ years old at the time of the incident. ██████████ is white female who is 5'5" tall and weighs 160 pounds with black hair and brown eyes. She is employed as ██████████ at ██████████ Hospital in Manhattan.

### CCRB Testimony

On January 7, 2015, at approximately 2:00 a.m., ██████████ was working as ██████████ at ██████████ Hospital. ██████████ worked in the ██████████ emergency room either in the ambulance bay, the medical walk-ins area, or on a medical team conducting bedside care operations. She stated that she did not work in the pediatric emergency room at any point during the incident, and she stated that she was not present in the pediatric emergency room during the incident. If ██████████ was on medical walk-ins, she would not have seen any NYPD officers due to the nature of this job. If she was on a medical team, then she could have interacted with officers briefly once they dropped off a patient for her care. She stated that her duties would involve interacting with emotionally disturbed patients.

She did not recall any specific interactions between police officers and civilians on the date of the incident. ██████████ was not familiar with ██████████ and she did not recognize his picture after observing it during her interview. ██████████ also did not recognize ██████████ after observing his picture. ██████████ did not recall any incident between police officers and ██████████ in which they argued about the issuance of the ACR number for a patient classified as an emotionally disturbed person. ██████████ did not recall hearing any officer tell ██████████ "You're a dick. I hope you die. You're a fucking loser. I hope you fucking die."

██████████ did not hear any officer tell ██████████ that he would be "locked up for obstructing government administration" or that he would be arrested for "obstructing" something. ██████████ did not hear any officer refer to ██████████ as a "dick." ██████████ did not hear any officer tell ██████████ that he or she was going to "fuck him up," "beat him up," or "beat his ass." ██████████ did not hear any officer tell ██████████ that he or she was "fucking tired of this bullshit."

██████████ never became aware of any incident occurring of the nature described above, and no one informed her that such an incident occurred. ██████████ did not recall hearing any loud noises in the parking lot from inside the hospital.

██████████ observed the video footage of the incident beginning at the 1:50:48 mark of the video and ending at the 1:51:23 mark. The video did not refresh ██████████ recollection of the incident. ██████████ did not recognize PO Hall, PO Alessio, ██████████ or ██████████. ██████████ did not recall what PO Alessio said during the video when she was gesturing with her hands. ██████████ recognized herself at the 1:50:50 second mark as sitting in a chair inside of the ambulance bay and speaking with another nurse.

██████████ did not hear any officer threaten to arrest ██████████. Mr. Interrante never heard any officer threaten to use physical force against ██████████. Mr. Interrante never heard any officer use any profanity or offensive language against ██████████. ██████████ did not recall any interactions between PO Hall, PO Alessio, and ██████████ during the incident.

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## Interview Details

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PO Denis McCarthy was interviewed at the CCRB on August 13, 2015.

- PO McCarthy was 28 years old at the time of the incident. He is a white male who is 6'0" tall and weighs 200 pounds with brown hair and hazel eyes.
- PO McCarthy worked from 7:30 p.m. on May 27, 2015, until 4:05 a.m. on May 28, 2015. PO McCarthy worked a precinct impact assignment with PO McNeely, was dressed in uniform, and was assigned to a marked RMP, # [REDACTED]

### Memo Book

At 2:05 a.m., Sgt. Burton scratched PO McCarthy's memo book. At 3:30 a.m., PO McCarthy reported to his command (10-2).

### CCRB Testimony

On May 28, 2015, at approximately 2:00 a.m., PO McCarthy and PO McNeely responded to a request for additional officers (10-85) by Sgt. Burton at West 44<sup>th</sup> Street and 8<sup>th</sup> Avenue in Manhattan. PO McCarthy arrived on the scene and discovered that Sgt. Burton had detained an emotionally disturbed person, who was identified by the investigation as [REDACTED]. [REDACTED] was in handcuffs when PO McCarthy arrived. PO McCarthy saw Sgt. Burton, PO Lathrop, PO Alessio, and PO Hall on the scene when he arrived. PO McCarthy could not recall whether he saw PO Alessio and PO Hall immediately upon arriving on the scene. PO Alessio and PO Hall's RMP was parked in front of the ambulance, and PO Alessio and PO Hall stood outside of the vehicle approximately 10-15 feet away from the ambulance. PO McCarthy did not see PO Alessio and PO Hall move closer to the ambulance at any point, and he did not interact with them during the incident.

[REDACTED] and [REDACTED] arrived in an ambulance to escort [REDACTED] to the hospital shortly after PO McCarthy arrived on the scene. PO McCarthy recognized [REDACTED] picture when he observed in during his interview, and he stated that [REDACTED] was one of the EMTs who arrived on the scene. PO McCarthy recalled that [REDACTED] carried out various duties related to processing [REDACTED] paperwork. PO McCarthy spoke with Sgt. Burton, who told him to escort the ambulance to the hospital. PO McCarthy escorted [REDACTED] to the back of the ambulance where [REDACTED] waited. PO McCarthy then entered the back of the ambulance with [REDACTED].

PO McCarthy did not witness any interactions between [REDACTED] and any other officer, and he did not witness any interactions between [REDACTED] PO Hall, and PO Alessio. PO McCarthy never saw PO Hall or PO Alessio approach the ambulance at any point. PO McCarthy remained inside of the ambulance for approximately 15 minutes until the EMTs left the scene for the hospital. [REDACTED] was not inside the ambulance for this entire time period, and he switched placed with [REDACTED] who was driving the ambulance, at one point prior to leaving for the hospital. PO McCarthy did not hear anything that occurred outside of the ambulance, and he only hear [REDACTED] speak with [REDACTED] inside of the ambulance. PO McCarthy did not hear any other officer speak with [REDACTED] at the back of the ambulance.

PO McCarthy was unaware of any incident in which PO Hall approached [REDACTED] and spoke with him about his CCRB complaint. PO McCarthy did not hear any conversation between PO Hall, PO Alessio, and [REDACTED] at the side of the ambulance. PO McCarthy did not hear PO Alessio refer to [REDACTED] as a bitch or a pussy. PO McCarthy did not hear PO Hall or PO Alessio say anything to [REDACTED].

[REDACTED] appeared to be agitated during the incident, but PO McCarthy did not know why he was agitated. [REDACTED] and [REDACTED] spoke with each other and appeared to be in a disagreement about something. PO McCarthy did not pay attention to this conversation. PO McCarthy saw this interaction when [REDACTED] and [REDACTED] switched positions in the ambulance. PO McCarthy did not see an FDNY conditions supervisors respond to the scene, but he stated that he did wait in the ambulance for an extended period of time after [REDACTED] paperwork had been processed by the EMTs. PO McCarthy did not know of any reason related to the processing of [REDACTED] paperwork as to why the EMTs waited on the scene. PO McCarthy did not hear PO Hall announce [REDACTED] shield number over his car loudspeaker, and he did not remember hearing any noise from any vehicle that sounded abnormal.

PO McCarthy was unaware of any other conflict between [REDACTED] and the NYPD. He was not present at [REDACTED] Hospital on January 7, 2015.