

201500557

Michael Mcavoy

At 3:00 pm on January 19, 2015, officers responding to a report of a gunpoint robbery in Staten Island stopped a man who was wearing clothing that was reasonably close to, but not exactly the same as, the description of the suspect in the robbery. Officers stopped the man and frisked him while he complained loudly. The officers found no weapons or contraband on the man and released him. The man then began taunting the group of officers that were across the street. Most of the officers ignored the taunts (which, again, were coming from a man who had just been stopped and searched under suspicion of a gunpoint robbery that he did not commit). Officer Mcavoy, however, crossed the street towards the building the man was standing in front of, followed him into the vestibule, punched him repeatedly, and arrested him for assaulting a police officer.

PO Mcavoy acknowledged following the man into the vestibule, but stated that the man struck him first, and that he struck back to defend himself. Video footage from inside the vestibule showed PO Mcavoy chasing the man when a woman gets between them and tries to separate them. PO Mcavoy reaches around the woman to grab the man and repeatedly punches him in the face. The man never struck PO Mcavoy.

The CCRB found that PO Mcavoy used excessive force against the man and made a false official statement when he claimed the man had struck him first.

PO Mcavoy was issued a command discipline B for this incident.

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Harry Feigen	Team: Squad #4	CCRB Case #: 201500557	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Mon, 01/19/2015 3:00 PM	Location of Incident: [REDACTED]	Precinct: 120	18 Mo. SOL 07/19/2016	EO SOL 7/19/2016	
Date/Time CV Reported Mon, 01/26/2015 1:30 PM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 01/26/2015 1:30 PM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM Michael Mcavoy	15100	§ 87(2)(b)	120 PCT
2. Officers			120 PCT
3. DTS Steven Lopez	4354	§ 87(2)(b)	120 PCT
4. SGT John Tancredi	01061	§ 87(2)(b)	INT CIS
5. An officer			120 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Gregory Howard	18811	§ 87(2)(b)	120 PCT
2. POF Christine Christensen	00192	§ 87(2)(b)	120 PCT
3. POM Christophe Eng	15563	§ 87(2)(b)	120 PCT
4. POM Eric Johnson	07704	§ 87(2)(b)	120 PCT
5. POM Joseph Innocente	14311	§ 87(2)(b)	120 PCT
6. SGT Kizzy Adonis	2263	§ 87(2)(b)	120 PCT

Officer(s)	Allegation	Investigator Recommendation
A . DTS Steven Lopez	Abuse of Authority: Near § 87(2)(b) [REDACTED] in Staten Island, Det. Steven Lopez stopped § 87(2)(b) [REDACTED].	A . § 87(2)(g) [REDACTED]
B . DTS Steven Lopez	Abuse of Authority: Near § 87(2)(b) [REDACTED] in Staten Island, Det. Steven Lopez frisked § 87(2)(b) [REDACTED].	B . § 87(2)(g) [REDACTED]
C . SGT John Tancredi	Discourtesy: Near § 87(2)(b) [REDACTED] in Staten Island, Sgt. John Tancredi spoke rudely to § 87(2)(b) [REDACTED].	C . § 87(2)(g) [REDACTED]
D . SGT John Tancredi	Abuse of Authority: Near § 87(2)(b) [REDACTED] in Staten Island, Sgt. John Tancredi threatened to arrest § 87(2)(b) [REDACTED].	D . § 87(2)(g) [REDACTED]
E . POM Michael Mcavoy	Discourtesy: Near § 87(2)(b) [REDACTED] in Staten Island, PO Michael Mcavoy spoke rudely to § 87(2)(b) [REDACTED].	E . § 87(2)(g) [REDACTED]
F . POM Michael Mcavoy	Force: Inside § 87(2)(b) [REDACTED] in Staten Island, PO Michael Mcavoy used physical force against § 87(2)(b) [REDACTED].	F . § 87(2)(g) [REDACTED]
G . Officers	Force: Inside § 87(2)(b) [REDACTED] in Staten Island, officers used physical force against § 87(2)(b) [REDACTED] and § 87(2)(b) [REDACTED].	G . § 87(2)(g) [REDACTED]

Officer(s)	Allegation	Investigator Recommendation
H . An officer	Abuse of Authority: Near § 87(2)(b) in Staten Island, an officer refused to provide his shield number to § 87(2)(b).	H . § 87(2)(g)
I . An officer	Discourtesy: Inside of the 120th Precinct stationhouse, an officer spoke rudely to § 87(2)(b).	I . § 87(2)(g)
J . POM Michael Mcavoy	Other: PO Michael McAvoy intentionally made a false official statement to the CCRB, in violation of Patrol Guide Procedure 203-08.	J . § 87(2)(g)

## Case Summary

On January 26, 2015, § 87(2)(b) filed this complaint with the CCRB on behalf of herself, her son, § 87(2)(b) and her son's friend, § 87(2)(b) by phone.

On January 19, 2015, at approximately 3:15 p.m., § 87(2)(b) was standing outside of § 87(2)(b) in Staten Island with § 87(2)(b). An unmarked police vehicle pulled up in front of them, and four police officers in plainclothes, Det. Steven Lopez, Sgt. John Tancredi, PO Christopher Eng, and PO Gregory Howard, exited and approached § 87(2)(b). § 87(2)(b) became nervous, and took a step back to flee from the officers. Det. Lopez grabbed § 87(2)(b)'s arm, and told him that he fit the description of an armed robbery suspect (**Allegation A**). Det. Lopez frisked § 87(2)(b) (**Allegation B**), despite his protests, and § 87(2)(b) told § 87(2)(b) to run upstairs and get his mother, § 87(2)(b) from inside of § 87(2)(b).

§ 87(2)(b) complained to the officers while Det. Lopez frisked him, prompting Sgt. Tancredi to say, "You want to be a dickhead? We're gonna arrest you right now and bring you to the precinct" (**Allegations C and D**). Another police vehicle pulled up, and a civilian in that car identified that § 87(2)(b) was not the robbery suspect.

§ 87(2)(b) was told to have a nice day, and he started walking towards the entrance of § 87(2)(b). At this point, approximately five police vehicles were parked outside of the building, and a large group of police officers had formed. § 87(2)(b) and § 87(2)(b) exited the building, and § 87(2)(b) started to recount to § 87(2)(b) what had happened outside of the building. PO Michael McAvoy, a uniformed officer who had arrived on the scene, started yelling at § 87(2)(b). In turn, § 87(2)(b) began to yell insults and profanities towards PO McAvoy. PO McAvoy replied, "Oh yeah? You fucking tough guy?" (**Allegation E**).

§ 87(2)(b) and § 87(2)(b) started walking back towards the entrance of the building. § 87(2)(b) and PO McAvoy continued shouting at each other as they did so. As § 87(2)(b) and § 87(2)(b) were at the doorway to the vestibule of the building, PO McAvoy ran over to them, and punched § 87(2)(b) on the left side of his head (**Allegation F**), causing § 87(2)(b) to stumble into the vestibule.

PO McAvoy followed § 87(2)(b) into the vestibule, and punched him several more times (**subsumed within Allegation F**). § 87(2)(b) entered the vestibule, and tried to push PO McAvoy away from § 87(2)(b) prompting PO McAvoy to try to restrain § 87(2)(b). § 87(2)(b) was punched approximately fifteen times inside the vestibule by approximately five to six officers, and § 87(2)(b) was punched approximately ten times by multiple officers (**Allegation G**).

§ 87(2)(b) stood directly outside of the vestibule with several neighbors and officers during this struggle. § 87(2)(b) tried to get into the vestibule, and several officers restrained her. § 87(2)(b) asked one of them for his badge number, and that officer, instead of providing the requested information, told § 87(2)(b) to calm down or she would be arrested (**Allegation H**).

§ 87(2)(b) and § 87(2)(b) were eventually handcuffed and brought out of the vestibule. They were brought to separate police vehicles, and transported to the 120<sup>th</sup> Precinct stationhouse, where both were arrested and charged with assaulting police officers. § 87(2)(b) went to the 120<sup>th</sup> Precinct stationhouse immediately after § 87(2)(b) and § 87(2)(b) were transported there. Inside, an unidentified officer told her to "Get the fuck out of the precinct" (**Allegation I**).

### Mediation, Civil, and Criminal Histories

This case was not suitable for mediation, due to § 87(2)(b) and § 87(2)(b)'s arrests. § 87(2)(b) and § 87(2)(b)'s criminal cases related to this incident are both still open. Both have their next court date on § 87(2)(b) (01 Board Review and 02 Board Review) § 87(2)(b) § 87(2)(b) § 87(2)(b)'s attorney filed a notice of claim in regards to this incident (03 Board Review).

### Civilian and Officer CCRB Histories

§ 87(2)(b) It is the first complaint for § 87(2)(b) (05 Board Review) and § 87(2)(b) (06 Board Review).

PO McAvoy has been a member of service for seven years. Three allegations of physical force have been made against him in previous complaints. He has no substantiated allegations (07 Board Review). Det. Lopez has been a member of service for eight years. A vehicle search allegation was substantiated against him in a previous complaint, § 87(2)(g) (08 Board Review). Sgt. Tancredi has been a member of service for fifteen years. A refusal to provide name and shield number allegation was substantiated against him in a previous complaint, § 87(2)(g) (09 Board Review).

### Findings and Recommendations

#### Explanation of Subject Officer Identification

§ 87(2)(b) stated that several officers were trying to calm her down when she asked one of them for his shield number (10 Board Review). The video footage from outside of the building shows that multiple uniformed officers who generally match the description provided by § 87(2)(b) (white male, 5'8" tall, uniform) were on the scene at the time of allegation (11 Board Review). PO Johnson identified himself as being outside of the building at the time of the allegation, but he did not recall interacting with § 87(2)(b) and denied the allegation (12 Board Review). PO Howard was also outside of the building at this time, but he denied witnessing the allegation as well, and could not identify which officers interacted with § 87(2)(b) (13 Board Review). PO McAvoy, PO Eng, Det. Lopez, PO Christensen, and Sgt. Tancredi were all inside of the vestibule at the time of the allegation, and thus could not identify any officers who interacted with § 87(2)(b) outside of the building. Given the large number of officers who were on the scene, the absence of documentation detailing every single officer who was present, the large number of officers who could match § 87(2)(b) general description, the inability of the officers to identify the subject officer, and the lack of audio on the video footage,

the investigation was unable to determine which officer is the subject of **Allegation H**. Therefore, it is pleaded against an officer of the 120<sup>th</sup> Precinct.

§ 87(2)(b) could not recall if, when she later went to the 120<sup>th</sup> Precinct stationhouse, it was PO McAvoy who told her to “Get the fuck out of the precinct,” or a second, unidentified officer. § 87(2)(b) was supposedly present when an officer made this comment, but he did not mention any such conversation between an officer and § 87(2)(b) while in the stationhouse. PO McAvoy denied having any conversation with § 87(2)(b) at the stationhouse (14 Board Review), and the desk sergeant on that date, Sgt. Kizzy Adonis, did not recall § 87(2)(b) coming into the stationhouse, nor did she recall any officer telling her to “get the fuck out” (15 Board Review). PO Johnson was inside of the stationhouse processing § 87(2)(b) and § 87(2)(b) s arrest reports around the time § 87(2)(b) went to the stationhouse, but he did not recall seeing § 87(2)(b) inside of the stationhouse. PO Christensen saw § 87(2)(b) inside of the 120<sup>th</sup> Precinct stationhouse when she returned from § 87(2)(b) but she did not see § 87(2)(b) speak with any officers, nor could she recall if PO McAvoy was in the stationhouse at that time (16 Board Review). Given the uncertainty in § 87(2)(b) own statement regarding which officer made the remark, and the lack of corroboration from § 87(2)(b) or any officers who were inside of the stationhouse at that time, the investigation was unable to determine which officer is the subject of **Allegation I**. Therefore, the allegation is pleaded against an officer from the 120<sup>th</sup> Precinct.

#### **Allegations not pleaded**

- A threat of arrest was not pleaded in regards to the statement made to § 87(2)(b). At the time, she was attempting to get inside of the vestibule of § 87(2)(b) and interfere with officers who were making a lawful arrest under chaotic circumstances. § 87(2)(g)
- A retaliatory arrest was not pleaded in regards to § 87(2)(b) s arrest. While PO McAvoy could have used discretion and allowed § 87(2)(b) to go back inside of § 87(2)(b) § 87(2)(b) had engaged in disorderly conduct by yelling profanities at the group of officers while a crowd of civilians formed around him moments before PO McAvoy approached and arrested § 87(2)(b).

**Allegation A – Abuse of Authority: Near § 87(2)(b) in Staten Island, Det. Steven Lopez stopped § 87(2)(b)**

**Allegation B – Abuse of Authority: Near § 87(2)(b) in Staten Island, Det. Steven Lopez frisked § 87(2)(b)**

The following facts are undisputed. A robbery at gunpoint in front of § 87(2)(b) was reported over radio communication at 2:56 p.m. on January 19, 2015. At 3:04 p.m., the suspect was described as a § 87(2)(b) wearing black pants and a grey hoodie, and was said to be heading on foot towards the Verrazano Narrows Bridge on Narrows Road North (17 Board Review). At 3:15 p.m., Sgt. Tancredi, Det. Lopez, PO Howard, and PO Eng, who were driving through the area at the time, observed § 87(2)(b) in front of § 87(2)(b)

§ 87(2)(b) a location two blocks north and four blocks east of § 87(2)(b) (18 Board Review). § 87(2)(b) is a § 87(2)(b) on the date of the incident, and was wearing grey pants and a black hooded sweatshirt. Upon observing § 87(2)(b) the officers all agreed that he fit the description they had received. They exited their vehicle and approached § 87(2)(b) who nervously took several steps backwards away from the officers. The officers then questioned § 87(2)(b) about where he was coming from, and told him that he fit the description of an armed robbery suspect in the area. Det. Lopez then frisked § 87(2)(b).

Police officers have reasonable suspicion to detain an individual if that person generally matches the description of a suspect, the individual is in close proximity to the site of the crime, and a short amount of time has elapsed between the commission of the crime and the officers' observation of the individual. People v. Bennett, 37A.D.3d 483 (2nd Dept.-2007) (19 Board Review). Furthermore, when responding to a report of a violent crime in which the perpetrator is described as being armed, police officers, upon lawfully stopping an individual in relation to the report, can frisk said individual for weapons without having to articulate an independent belief that the individual is armed (e.g. observation of bulges, furtive movements, ect.). People v. Torres, 239 A.D.2d 154 (2<sup>nd</sup> Dept. – 1997); People v. Mack, 26 N.Y. 2d 311 (1970). (20 Board Review).

Although § 87(2)(b)'s clothing did not exactly match what had been reported to the officers, the colors—grey and black—were correct, as was the fact that he was wearing a hooded sweatshirt. § 87(2)(b) also looks older than 18, and could easily pass for a 24 year-old (21 Board Review). Given that § 87(2)(b)'s race, age, and height all closely matched those given for the suspect, and that the type and color of his attire was sufficiently consistent with that of the suspect, § 87(2)(b)'s appearance was reasonably close to the suspect's description. Additionally, § 87(2)(b) was within a few blocks of the location of the crime, and was in the general direction that the suspect had been said to be fleeing. Lastly, only twenty minutes had elapsed between the initial report of the robbery and the officers' observation of § 87(2)(b).

§ 87(2)(g)

**Allegation C – Discourtesy: Near § 87(2)(b) in Staten Island, Sgt. John Tancredi spoke rudely to § 87(2)(b)**

**Allegation D – Abuse of Authority: Near § 87(2)(b) in Staten Island, Sgt. John Tancredi threatened to arrest § 87(2)(b)**

It is undisputed that § 87(2)(b) was angry and swearing at the officers during the stop, especially following Det. Lopez' frisk of § 87(2)(b). It is in dispute, however, whether Sgt. Tancredi made any statements in response to § 87(2)(b)'s comments.

§ 87(2)(b) alleged that Sgt. Tancredi stated, "You want to be a dickhead? We'll arrest you right now and take you to the precinct." § 87(2)(b)'s girlfriend, § 87(2)(b) was within earshot of the conversation, but did not cooperate with the investigation to provide a statement. Sgt. Tancredi denied making the alleged statements (22 Board Review). PO Howard and PO Eng

denied hearing Sgt. Tancredi make the alleged statement (23 Board Review), and Det. Lopez did not recall hearing Sgt. Tancredi make the alleged statement (24 Board Review).

§ 87(2)(g)

**Allegation E – Discourtesy: Near § 87(2)(b) in Staten Island, PO Michael McAvoy spoke rudely to § 87(2)(b)**

It is undisputed that, after the stop of § 87(2)(b) had concluded, § 87(2)(b) remained outside of § 87(2)(b) and yelled profanities and insults at the group of officers that had formed there. § 87(2)(b) was standing with § 87(2)(b) outside of the building at this time.

§ 87(2)(b) alleged that he yelled, “Suck my dick,” to PO McAvoy, to which PO McAvoy responded, “Oh yeah? You fucking tough guy?” § 87(2)(b) stated that PO McAvoy’s response, however, was only, “What tough guy? What?” All of the officers questioned about this statement either denied or did not recall whether PO McAvoy made the statement. This part of the incident was not captured on video, and regardless, the video that is available has no audio component.

§ 87(2)(g)

**Allegation F – Force: Inside § 87(2)(b) in Staten Island, PO Michael McAvoy used physical force against § 87(2)(b)**

The following is undisputed. § 87(2)(b) stood outside of § 87(2)(b) with § 87(2)(b) and several neighbors for approximately thirty seconds. During that time, § 87(2)(b) was yelling profanities at the group of officers outside of the building. The officers were telling everyone to go back inside of the building. § 87(2)(b) and the other civilians started walking back towards the entrance of § 87(2)(b) and the group of officers walked behind them at a distance. Just as § 87(2)(b) was about to enter the vestibule of the building, PO McAvoy ran from the rear of the group of officers towards § 87(2)(b) and PO McAvoy all stumbled into the vestibule together. The video footage which corresponds to this part of the incident begins at the 15:15 mark (25 Board Review).

The video footage from inside of the vestibule of the building shows the following (26 Board Review). At 1:07, PO McAvoy enters the vestibule, and appears to be trying to grab § 87(2)(b) (the male in a black sweatshirt and grey pants). § 87(2)(b) (the female wearing a green shirt and green pants) is positioned between the two, and trying to push them apart. Three other civilians are also inside of the vestibule. At 1:08, PO McAvoy’s hand is at the side of § 87(2)(b) s

head, but it is unclear whether PO McAvoy is attempting to grab § 87(2)(b) or is punching him in the head. § 87(2)(b) is still attempting to push her way between the two. § 87(2)(b) appears to be backing away from PO McAvoy at this time, and attempting to push him away, although § 87(2)(b)'s arms and hands are blocked by the camera angle.

At 1:09, PO McAvoy punches § 87(2)(b) in the right side of his head with a closed fist, as § 87(2)(b) is still struggling to get between § 87(2)(b) and the officer. As a result, § 87(2)(b) stumbles into a corner of the vestibule, and continues to hold out his arms to try to push PO McAvoy away. § 87(2)(b) is still pushing her way between the two at this time, and PO McAvoy appears to punch § 87(2)(b) two more times. These second punches are at 1:12 and 1:13, although it is difficult to see from the footage where PO McAvoy's punches land on § 87(2)(b). This footage generally corroborates the accounts given by § 87(2)(b) and § 87(2)(b) as they alleged that PO McAvoy punched § 87(2)(b) over § 87(2)(b) in the side of § 87(2)(b)'s head.

According to the NYPD Patrol Guide, officers must use the minimum force necessary to overcome resistance when effecting an arrest (27 Board Review).

§ 87(2)(g)

[REDACTED]

The inside of the vestibule was clearly a chaotic scene, and both § 87(2)(b) and § 87(2)(b) were pushing PO McAvoy away. PO McAvoy's response, however, to punch § 87(2)(b) in the side of the head, and to punch him approximately two more times afterwards, § 87(2)(g)

[REDACTED]

§ 87(2)(g)

[REDACTED]

**Allegation G – Force: Inside § 87(2)(b) in Staten Island, officers used physical force against § 87(2)(b) and § 87(2)(b)**

The video footage from inside of the vestibule of § 87(2)(b) shows at 1:13 that, when PO McAvoy had § 87(2)(b) in the corner of the room, § 87(2)(b) (the black male in the red

sweatshirt, and no hat on) grabbed PO McAvoy's torso and placed himself between PO McAvoy and § 87(2)(b) PO McAvoy, PO Eng, and PO Christensen then all grab § 87(2)(b) and a struggle ensues in which the group stumbles into the other corner of the vestibule. The group of officers all struggle to restrain § 87(2)(b) by grabbing his body and arms, and pushing him into the corner of the room, where they hold him. § 87(2)(b) becomes more compliant, is placed in handcuffs, and brought out of the building.

During this same period, § 87(2)(b) is initially in the corner of the vestibule behind § 87(2)(b) and is outside of the camera's field of vision. All of the officers in that area of the room are struggling to restrain § 87(2)(b) as described above at that time, however, and no officers make any motions consistent with throwing punches in § 87(2)(b)'s direction. § 87(2)(b) moves out of the corner as § 87(2)(b) and the group of officers stumble into the opposite corner of the vestibule. Three officers grab § 87(2)(b) by the body and push him into another corner of the vestibule, as he tries to walk to the corner where § 87(2)(b) is struggling with PO McAvoy, PO Eng, and PO Christensen. At 1:40, § 87(2)(b) pushes his way out of the officers' grasp, and is pinned in a different corner by several officers. § 87(2)(b) continues to try to push officers away and move out of the officers' grasps until PO Howard enters the vestibule at 2:10, at which point § 87(2)(b) is placed in handcuffs, and then brought out of the building.

§ 87(2)(b) alleged that, after § 87(2)(b) grabbed PO McAvoy and tried to push him away from § 87(2)(b) PO McAvoy punched § 87(2)(b) in the jaw. He alleged that § 87(2)(b) was subsequently punched approximately ten to fifteen times in total by multiple officers during the ensuing struggle, although he could not say which officers punched § 87(2)(b) besides PO McAvoy, nor could he say where these subsequent punches landed on § 87(2)(b). § 87(2)(b) alleged that he was also punched approximately fifteen times in total by five to six officers inside of the vestibule. § 87(2)(b) refused to give a statement to the CCRB, and § 87(2)(b) could not describe any force used against § 87(2)(b) or § 87(2)(b). The officers who were inside of the vestibule all claimed that the only force used against § 87(2)(b) or § 87(2)(b) was grabbing their arms to restrain them so they could be placed in handcuffs.

As the video footage does not show the punches alleged by § 87(2)(b) with the exception of the ones covered in the previous allegation, and is generally consistent with the officers' statements, the investigation determined by a preponderance of the evidence that the force used by the officers inside of the vestibule consisted of grabbing and pushing § 87(2)(b) and § 87(2)(b) in an effort to corner and restrain them so they could be handcuffed. Both individuals resisted by pushing the officers away, and generally struggling with their bodies to escape the officers' grasp.

§ 87(2)(g)

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**Allegation H – Abuse of Authority: Near § 87(2)(b) in Staten Island, an officer refused to provide his shield number to § 87(2)(b)**

**Allegation I – Discourtesy: Inside of the 120<sup>th</sup> Precinct stationhouse, an officer spoke rudely to § 87(2)(b)**

§ 87(2)(g)

**Allegation J – Other: PO Michael McAvoy intentionally made a false official statement to the CCRB, in violation of Patrol Guide Procedure 203-08.**

As discussed in **Allegation F**, the investigation determined that PO McAvoy’s allegation that § 87(2)(b) punched him in the face upon first entering the vestibule of § 87(2)(b) causing PO McAvoy to slam his head against the wall of the vestibule, was false. PO McAvoy was shown the section of video footage corresponding to this part of the incident twice during his CCRB interview. Upon viewing the video which clearly contradicted his statement, PO McAvoy would only say that he was trying to “get to” § 87(2)(b) that four other civilians were in the room at the time, and the odds were against him. He refused to retract his false statement in any capacity.

PO McAvoy also stated that the force of the punch and the subsequent slamming of his head into the wall caused him to sustain a concussion. § 87(2)(g)

§ 87(2)(g)

According to section 203-08 of the NYPD Patrol Guide, officers are prohibited from intentionally making false official statements to the CCRB (30 Board Review).

§ 87(2)(g)

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Team: \_\_\_\_\_

Investigator: \_\_\_\_\_  
Signature                      Print                      Date

Supervisor: \_\_\_\_\_  
Title/Signature              Print                      Date

Reviewer: \_\_\_\_\_  
Title/Signature              Print                      Date

Reviewer: \_\_\_\_\_  
Title/Signature              Print                      Date