201501365
Evagelos Dimitrakakis

Detective Dimitrakakis, a narcotics detective, had purchased narcotics while undercover in the first-floor unit of a private house. The house had been divided into apartments; the owner lived in the garden-level apartment, and there were multiple units above.

Detective Dimitrakakis obtained a search warrant for the entire house, claiming that he had made multiple drug purchases in multiple rooms when, in fact, he had only purchased drugs in one unit. The owner of the building, when learning that his home had been searched, filed a CCRB complaint.

During his CCRB interview, Detective Dimitrakakis again stated that he had made purchases in multiple rooms and that it was, therefore, appropriate that the warrant be issued for the entire building.

The CCRB substantiated allegations that Detective Dimitrakakis had searched the building without authorization and found that he made a false official statement when he claimed to have purchased drugs at various locations in the building instead of in just one unit.

The NYPD tried Detective Dimitrakakis in the Administrative Prosecution Unit and compelled him to forfeit 8 vacation days. In news coverage, it was suggested that his case was one of two that the Internal Affairs Bureau confirmed involved a false statement, but there is no record that he was disciplined for the false statement. He left the NYPD in 2019, four years after this incident.

Interview Details

May 6, 2015
10:33 a m. – 10:57 a.m.

[redacted] is a black male who stands 6'3" tall and weighs 210 pounds. He has brown hair and brown eyes. At the time of the incident, [redacted] was [redacted] years old and a [redacted].

CCRB Testimony
On May 6, 2015, [redacted] was interviewed at the CCRB.

On October 10, 2014, at approximately 6 a.m., [redacted] left his apartment located in the basement of [redacted] in Brooklyn, to go to work. [redacted] works three stories below ground level and gets no cell phone service. Between 9 a m. and 9:30 a m., when [redacted] went upstairs for coffee, he received numerous messages from his neighbors, known only as [redacted] and [redacted] informing him that the police had kicked in his door and that they had a van parked on the block. [redacted] called his boss and told him that he had to leave.

[redacted] called his nephew, [redacted] who lives a block away and told him to go to his house to make sure no one walks out of his apartment with anything. After the train that [redacted] was on came out from underground, [redacted] called him and confirmed that his door was wide open but that no one went downstairs including him. [redacted] returned home at approximately 10 a.m. [redacted] was sitting outside and his tenants were in the hallway. [redacted] assured him that nobody went downstairs from that time that he arrived, which was approximately 9:30 a.m.

[redacted] is a legal two family home with a basement apartment. [redacted] owns the entire house and rents out the apartments to his tenants. The main door of the house had a damaged frame and two damaged locks which [redacted] eventually replaced. When you enter the main door of the house, there is a hallway. There is a door immediately to the right which leads to the first floor apartment where [redacted] lives. That door had a damaged lock, frame and door. He sealed the door since but has not otherwise repaired it because [redacted] has not been paying her rent. At the end of the hallway is a door leading to the basement. The lock was still on the door but the piece that holds the lock was on the floor. He has since repaired it.

Also in the main hallway, there is a staircase that leads upstairs to the second floor apartment where [redacted] lives. There are two doors leading into [redacted] apartment- one that leads to her bedroom and another that leads to her kitchen. Only the door leading into her bedroom was damaged. It appeared as if they punched a hole in the door large enough to stick their hands in and open it. The hole is still in the door because [redacted] had not been paying rent and he refused to fix it until she did. The door leading into the kitchen appeared as if it had been pried open but it was not damaged.

When [redacted] went downstairs and started looking around, he realized that approximately $200-$300 which he kept in a coffee cup in his kitchen cabinet was missing, as well as approximately 10 pieces of jewelry worth $800-$1000 that he kept in a plastic bag in another kitchen cabinet. Nothing else was missing. [redacted] saw the plastic bag outside on the ground and was 100% sure that the jewelry and money was there before he left in the morning. The door to his walk-in deep freezer was left open causing all of his meat to spoil; however, he did not notice this until it was too late. Aside from this, his apartment was not in shambles. [redacted] has a safe under his bed that was untouched. Most of his belongings were as he left them. It appeared that the officers just looked through his apartment as if they were looking for someone and not something.

On the side of the house is a gate that leads to the backyard. The lock on the gate had been cut. In the yard is a backdoor that leads to a shed and in the shed is another door that leads to the back of [redacted] basement apartment; however, [redacted] has the door to the shed set up in a way where it does not appear to lead to anything and if someone were to try to break it, they wouldn't be able to. Only [redacted] knows how to open that door from the outside. The officers did not enter his home through that way.

One of his tenants, [redacted] told him that it seemed like the police came right after he left. Based on everything he was told, he believes the officers entered between 7 a m. and 8 a m. [redacted] was informed by [redacted] that she was home along

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with her three kids and that the officers put guns in her kids' faces. No one else lives with [redacted] and as far as [redacted] knows, no one else was present in [redacted] apartment at the time of the entry.

[redacted] who lives with her boyfriend, [redacted], and her three kids, was home at the time of the entry with her kids. Mr. Moorer had just been arrested the night before the entry driving a car on [redacted] approximately 2-3 blocks away from their home. [redacted] had been renting a room out to a male and a female of [redacted] believes to be adults of Jamaican descent in their late 30s-early 40s. He did not know their names but they were also present at the time of the entry. They had been living in the apartment for approximately two months at the time of the entry and have since moved out due to the incident. [redacted] knew nothing further about them. [redacted] did not believe that anyone else was present in [redacted] apartment at the time of the entry. [redacted] informed him that she had some residue from smoking weed in her apartment and was summonsed for it. The officers called the "regular" police to come and issue her a summons. Nothing else was recovered from any of the apartments. Aside from the use of marijuana, no one living in the home uses, possesses or sells drugs or weapons.

No one lives in [redacted] apartment or was present in his apartment at the time of the entry. [redacted] told [redacted] that she kept asking the officers to produce a warrant but they never showed her one. Neither she nor [redacted] were ever shown a warrant.

[redacted] noticed two things out of the ordinary the night before the entry. A man came up to his house and asked him if he knew where he could buy weed. [redacted] friend asked him what he was talking about and chased him away. Later the same night, between 11 p m. and 12 a.m., officers woke [redacted] up and asked him if they could put a car in his yard, which they did. Later that morning, the entry occurred.

[redacted] never learned whether there was a search warrant. IAB came later the same day and told him that they would get back to him but he did not hear from them until a couple of weeks prior to this interview. [redacted] overheard that the warrant was for the people on the top floor. Some money was found in [redacted] apartment. They asked [redacted] if he knew anything about it but he told them that he did not.

[redacted] (his first name) - [redacted]

[redacted] (first name) - unknown address

[redacted]

Interview Details

June 4, 2015
10:21 a m. – 10:54 a.m.

Det. Evangelos Dimitrakakis is a white male who stands 6'0" tall and weighs 235 pounds. He has brown hair and blue eyes. At the time of the incident, he was 33 years old.

On October 10, 2014, Det. Dimitrakakis worked in plainclothes from 4:27 a.m. until 1 p.m. with the 75 field team. He was assigned as the arresting officer in an unmarked minivan.

Memo Book
At 5:30 a.m., there was a tact meeting at Narcotics Borough Brooklyn North regarding search warrant [redacted] PH. He was assigned as the arresting officer and bunker #1 with Det. Polichron as security. At 6:10 a m., there was one under arrest at [redacted] 10-96 x 1 C summons to [redacted] At 7:50 a m., summons was issued and they left the location.

CCRB Testimony
On June 4, 2015, Det. Dimitrakakis was interviewed at the CCRB.

On October 10, 2014, at approximately 5:30 a.m., Det. Dimitrakakis had a tact meeting with his field team where they discussed the assignment for each individual on the field team. § 87(2)(e) [redacted]

Prior to entering the location, they did not have much information regarding who lived there. § 87(2)(e) [redacted]

Det. Dimitrakakis conducted multiple observations at the location. He knew what the outside of the location looked like and which door led to the home. He also knew the exact cross streets. During one observation, he sat directly across the street. Inside he saw a hallway and a stairway. He stated that multiple family homes usually have two front doors or two doors directly past the front door, leading into separate living areas.

Det. Dimitrakakis also ran a utility check but all this would tell him is who gets the bill. He cannot call to ask how many floors are at the location or who they are rented out to. He did not recall the results of the utility check. They also perform computer checks in their system for additional information such as arrests made at the location and any other previous complaints for the location. The address was negative for previous narcotics complaints. The results of the utility check, his observations and the information from the CI led him to believe that the location was a private house. Det. Dimitrakakis did not recall exactly how this information was portrayed to the judge in the application; however, the information was provided and the judge granted him a warrant for the whole house. To his knowledge, the judge was aware that there were single room occupancies when he gave the warrant. Det. Dimitrakakis did not remember if he made any additional attempts to determine who was living in the home or more about the layout of the home. Det. Dimitrakakis did not notice whether there were two mailboxes. He stated that even if there

were two mailboxes it would not determine that the home was a legal two family home. Det. Dimitrakakis did not check the Department of Buildings to determine whether the home was a one or two family house.

At approximately 6:10 a.m., they entered the location via the front door with a search warrant for the whole house. Whoever was on his tact plan entered the first floor with him. Det. Polichron was his security. As bunker #1 he was the first person through the door after it was breached. He also had his gun drawn as per protocol. The other bunker assignments would also have had their firearms drawn. They walked down the hallway. In the back there was a kitchen. From the kitchen, they entered another room. In the room was a wall with a door. He entered the door and saw a female with children in the bed. Det. Dimitrakakis proceeded past them to another door, which was blocked off and locked. Being that he had his shield in his hand, he kicked the door to gain entry. His foot went into sheetrock. Whoever owned the home had put plywood and sheet rock up, modifying the home into an SRO.

There were two individuals in bed in the front SRO. Det. Dimitrakakis said, “Police, search warrant. Let me see your hands.” They complied and showed him their hands. Det. Dimitrakakis was then informed by a member of the field team that there was another door behind the front door that led into the front apartment. He watched the field team remove them from the bedroom without incident or injury.

On the first floor, there was a door leading to the basement which was unlocked. The door did not have to be breached and was not damaged. Det. Dimitrakakis went downstairs and conducted a visual search with his flashlight to make sure that no one was hiding down there, for his safety and the safety of his team. He did not recall whether another officer went downstairs with him. The search of the basement was brief and basic. There were no other closets or doorways. Det. Dimitrakakis did not touch anything.

After he made sure the basement was clear, he went upstairs to the second floor. At the top of the stairs was a door leading into a kitchen. The second floor was set up like separate rooms each with key access locks. One of the rooms was filled with male belongings including clothing and shoes. A separate field team had conducted the entry of the second floor. Det. Dimitrakakis went upstairs to see who was up there and to make sure that everything was secure and everyone was okay. There was another female with children upstairs. There was no male upstairs. They inquired about the room with male belongings but no one mentioned a male living up there. Det. Dimitrakakis did not point his weapon directly at anyone. He did not see another officer point their gun at [redacted] and her daughter.

Det. Dimitrakakis went back downstairs and they began to search each room. Once they determined that there were no narcotics, in the room where the two individuals were, they obtained their pedigree information and released them. A marijuana grinder with residue was recovered from [redacted] room. Det. Dimitrakakis conferred with his supervisor who told him to issue [redacted] a C- summons. After running a warrant check on her and confirming that she had no warrants, he issued her a summons, explained it and then they left the location.

Det. Dimitrakakis did not remember if anyone in the building asked him to see the warrant or if he showed it to anyone. He had a copy of the warrant on him. The only property that was damaged was the front door and the door on the first floor that he kicked through. He did not recall any damage to the doors on the second floor.

Det. Dimitrakakis stated that in a situation where there is a multi-family home and they want to enter both apartments, the warrant would list both apartments. He stated that a judge would not issue a warrant for a private house unless there are sales on both parts of the house. In a situation where there is a narcotic sale only on the first floor of a private house, a judge may only grant a warrant for that floor. In this case, they had multiple buys on both floors which is why the judge granted a warrant for both floors. If he had determined prior to the execution of the search warrant that this was a two family home, the judge would’ve likely given them two separate warrants.

Det. Dimitrakakis did not recall whether there was a backyard or if he went into the backyard. If there was a backyard, there would be no reason to go into it unless they saw somebody throw something in the backyard area or saw someone trying to escape in that area. Det. Dimitrakakis did notice a gate on the side of the home which was chained up. They had a rear and/or side

security and one of them may have cut the chain to gain access into the back yard but he did not recall if this happened. The warrant would give him or any other officer the authority to cut the lock to enter the backyard.

[redacted] boyfriend was not home during the execution of the search warrant. [redacted] stated that it was his marijuana grinder and that he had been arrested last night by the precinct for a fake license plate. Det. Dimitrakakis did not know if he was the person they were looking for.

Det. Dimitrakakis stated that there were two separate pre-execution plans for the first floor and second floor. He stated that he separated the teams to make it easier than listing so many people on one pre-execution plan. He had a separate team execute the entry and search of the second floor.

Det. Dimitrakakis did not recall whether he spoke to anyone who lived at the apartment prior to executing the search warrant. He did numerous observations but he did not remember the exact dates of those observations. He did not recall if he did an observation the day before the execution of the search warrant. Det. Dimitrakakis was not aware of an officer asking a tenant of the apartment if they could put a car in the backyard.

Det. Dimitrakakis was asked whose responsibility it was to determine whether a location is a private house or multi-family house. He responded, “That’s coming from the DA’s office.” He stated that they present them with information and the DA’s office determined that they want to write up and present to the judge. The question was rephrased to ask whose responsibility was it to determine on the application or affidavit that is submitted for a search warrant whether a home is a single or multi-family home. Det. Dimitrakakis stated that whatever investigation he conducts he gives to the DA’s office. The DA’s office looks at it and then draws up the warrant. The DA’s office determines the wording on the search warrant and whatever they determine is how it’s given to the judge. Det. Dimitrakakis did not know whether the DA’s office checks the information he gives them or if they just enter the information. Det. Dimitrakakis was the one who applied for this warrant and the warrant was issued to him.

Interview Details

June 1, 2015
2:12 p.m. – 2:33 p.m.

[redacted] *is a black female who stands 5'6" tall and weighs 180 pounds. She has green hair and brown eyes. At the time of the incident, she was* [redacted] *years old and employed at* [redacted].

CCRB Testimony
On June 1, 2015, Dominque Robinson was interviewed at the CCRB.

On October 9, 2014, at approximately 6:30 p m., [redacted] boyfriend [redacted], was arrested for driving with a temporary license plate. There were no additional charges. Following this, [redacted] sensed that she and her house were being watched. She could not explain what exactly made her feel like this.

[redacted] went to sleep in her first floor, three-bedroom apartment located at [redacted] in Brooklyn. At approximately 5:30 a.m., [redacted] heard a boom at the door. She had been sleeping next to her [redacted] year old daughter, [redacted] when approximately 12 officers with shields and "squat gear" rushed into her home. PO2 pointed his gun at her and her daughter's face. [redacted] was wearing a t-shirt and panties. The officers told her not to move and to put her hands up. She complied.

[redacted] cried hysterically and asked them why they were there. They told her not to say anything and not to move. They looked around her apartment and went upstairs to the second floor. [redacted] asked them what they were there for and if they had a warrant. She was making a general statement to all of the officers present. They ignored her. [redacted] one year old daughter and three year old daughter were in a separate bedroom. [redacted] asked the officers if she could go get her kids. They told her that they could not let her leave right now.

After everything settled down, they searched her bedroom. They kicked down her drawers and her dresser. They threw her clothes around and flipped her couch over. The officers did not search any of the other rooms in her apartment. They only looked around the other rooms. [redacted] asked them what they were looking for. They told her that they heard that there were drugs being sold out of the building. [redacted] denied this.

The officers asked her who lived with her. [redacted] informed them that in addition to her and her kids she had two roommates known to her only as [redacted] and [redacted] who had been living there for approximately one month. They were both home at the time. The officers asked [redacted] for her name, her boyfriend's name and her kids' names. Her boyfriend also stayed with her occasionally. [redacted] provided everyone's names.

[redacted] bedroom is connected to the hallway, allowing her to hear everything that happened in the hallway. She heard a voice in the hallway asking if there was a warrant. [redacted] assumed that the person was on the phone because no one responded back to the person. She did not hear anything else that was said.

[redacted] asked the officers again if they had a search warrant but they continued to ignore her. The officers found a weed clipper on her dresser in her bedroom. As she sat on her couch, they questioned her about the weed clipper they found. They asked her if she smoked and if her boyfriend sold drugs. [redacted] admitted that her boyfriend smokes but stated that he did not sell drugs. The officers' ran [redacted] name to see if he had any warrants. She told them that he did not have any. The officers told [redacted] to get her kids dressed because they needed to take her down to the precinct. She asked them what they were arresting her for. The officers went over the radio and asked someone to come from the precinct to issue her a summons. The officers looked in her refrigerator and stated that she looked like a good mother. [redacted] informed them that she had to go to work. The officers decided not to take her to the precinct and PO1 issued her a summons for the weed clipper. The summons was later dismissed.

[redacted] asked them how she was supposed to get her door fixed. They told her that her super would pay for it. [redacted] was never shown a warrant. No one was arrested. [redacted] was released later that day at approximately 1 p.m. [redacted]

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[redacted] roommates no longer live with her. She has no contact information for them and does not know where they moved. There was no one else in her apartment at the time of the entry.

[redacted] apartment has three bedrooms. Her bedroom window has a view of the front of the house. The second floor apartment where [redacted] lives also has three bedrooms. [redacted] lives with her kids. Her boyfriend would also spend nights there occasionally. [redacted] did not know his name. [redacted] and her kids were home at the time. [redacted] did not know if anyone else was in [redacted] apartment at the time of the entry. [redacted] their super, lives in the basement. [redacted] heard officers enter both [redacted] and [redacted] apartments. [redacted] described the building as a three-family home but stated that you would never know that someone was living in the basement from the outside. All of the tenants were home except for [redacted] who left early that morning at approximately 5 a m.

There are three doors leading into [redacted] apartment. The officers damaged all three doors. [redacted] only uses the door that leads into her kitchen as an entry into her apartment. The other two doors were blocked off. [redacted] roommates' door and her kids' bedroom door were also damaged. As a result, her kids no longer have a door to their bedroom. As far as [redacted] knows, no one, including her roommates, sold drugs out of her home. She did not know whether anyone in the other apartments sold drugs.

PO1: white male, 5'8" tall, heavy build, approximately 34 years old, plainclothes. She could recognize him from a picture.

PO2: Dark black hair, black eyes, white male, tall, he was wearing a squad uniform, 31 years old.