

201504090
Wayne Ngor

Officer Ngor and his partner pulled over a corrections officer, allegedly because the driver's windows were tinted too darkly. After the corrections officer showed Officer Ngor his Corrections Department shield, Officer Ngor tossed the shield back into the car and did not issue a summons.

The corrections officer went to the precinct and complained about Officer Ngor. The supervisor in the precinct and Officer Ngor's partner both confirmed that the supervisor called Officer Ngor to discuss his tactics and conduct during the stop.

Less than an hour later, Officer Ngor pulled over the same person, again allegedly for having tinted windows, though at the time the man's windows were rolled all the way down. The man had video-recorded the second stop, showing his windows were down.

Officer Ngor stated in his CCRB interview that 1) the shift supervisor had not called him between the two stops, although the supervisor and his partner testified that he had, and 2) that he had stopped the car a second time because he saw the tinted windows and did not know it was the same person, even though this statement was contradicted by the video recording of the stop.

The CCRB substantiated an allegation that Officer Ngor had cursed at the victim (which Officer Ngor had conceded, stating that he had told the victim to "get the fuck out of here" because that language is a "word we use all the time.") It also found that he had made a false material statement in his CCRB interview.

The NYPD disciplined Officer Ngor with a Command Discipline B. He has since been assigned to the Critical Response Command, an anti-terrorism assignment.

Interview Details

██████████ a 5'9", 190 pound black male with black hair and brown eyes, was interviewed at the CCRB on October 1, 2015. He was ██████ years old at the time of the incident.

On May 21, 2015, ██████████ was driving home from work to his home, located at ██████████ in Brooklyn. He was alone. ██████████. He was driving a 2013 Black Honda Accord and headed southbound on ██████████. As he made a right turn to head west on ██████████ a marked RMP, behind him, flashed its sirens. ██████████ pulled over on the right side of the road, near a bus stop. The RMP stopped behind him. ██████████ turned on the light inside the passenger compartment. He was wearing a t-shirt and it was cold out, so he rolled his windows down halfway rather than all the way. He placed his hands on the steering wheel. His radio was playing quietly. There was a man with whom ██████████ was not familiar sitting at the bus stop.

PO Wayne Ngor of the 63rd Precinct approached his driver's side window. PO2 approached the passenger side and stood near the rear passenger's side window. PO Ngor asked ██████████ for his license and registration. When stopped in the past, ██████████ had always presented officers with his identification before showing them his ██████████ shield, and officers had told him that he should have shown the shield before. Instead of presenting the requested license and registration, ██████████ handed his corrections shield, which was attached to a metal chain, to PO Ngor. PO Ngor looked at it carefully but seemed not to be able to read it. ██████████ then handed PO Ngor his ██████████ work ID. PO Ngor read the work ID and then said, "You know, you fucking disrespected me." ██████████ said, "How, officer?" PO Ngor said, "You didn't roll your windows down." ██████████ immediately rolled all four windows down, all the way. PO Ngor then said, "You're still disrespecting me. Turn your radio off." ██████████ turned the radio off. ██████████ looked at PO Ngor's shield and name plate, and saw that his shield number was 12743 and that his name was PO Ngor.

PO Ngor threw ██████████ shield and work ID into the vehicle, and they flew past ██████████ face. The chain attached to the shield hit ██████████ on the left cheek. Both items fell in the foot well on the passenger's side. PO Ngor and his partner then walked away from ██████████ vehicle without receiving his license or registration. He was not issued any summons. ██████████ did not ask why he was stopped and the officers never told him.

██████████ upset about what had happened, drove to the 69th Precinct stationhouse. He arrived there at approximately 3 am. ██████████ told an officer, who identified himself as a sergeant, what had taken place at the intersection of ██████████. PO4 told him that the incident had occurred within the 63rd Precinct, not the 69th. ██████████ returned to his car and drove back to the incident location, where he saw a man sitting in the bus stop. It was the same man who had been there when ██████████ was stopped. ██████████ asked the man where the officers had gone, and the man said they went around the corner. ██████████ turned onto ██████████ and saw PO Ngor standing in front of a Seven-Eleven, next to his RMP. ██████████ saw that the number on the RMP was ██████████.

██████████ then drove to the 63rd Precinct stationhouse. He arrived there at approximately 3:15 am. He entered and asked PO3, at the desk, if he could speak with the "tour commander." PO3 saw PO4 walking near the desk, and pointed him out to ██████████. ██████████ believed PO4 was a captain. ██████████ told PO4 that he had been stopped by PO Ngor and that PO Ngor had been very disrespectful. PO4 asked ██████████ to step outside to discuss the matter, and they walked outside the stationhouse. As ██████████ discussed the incident with PO4, PO Ngor drove by the stationhouse, and ██████████ and PO Ngor made eye contact. ██████████ pointed to PO Ngor and told PO4 that he was the officer who had acted rudely. PO Ngor continued driving without stopping. PO4 told ██████████ not to worry and that he would "take care of" the situation. ██████████ then returned to his vehicle to head home.

██████████ had to return to the intersection where he was initially stopped in order to return home. He was headed eastbound on ██████████ and made a left turn onto ██████████ heading northeast. When he was approximately one block from the intersection of ██████████ and ██████████ he saw an RMP parked at that intersection. He believed it was likely that it was PO Ngor again, so he rolled his windows down all the way, turned his radio off, and began recording a video with his phone. As he reached the intersection, he saw that it was PO Ngor. PO Ngor pulled out from where he was parked and signaled ██████████ to pull over with his sirens. ██████████ pulled over. PO Ngor parked the RMP behind him and then approached the driver's side window. PO2 approached the passenger's side and stood near the rear passenger's window.

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PO Ngor said, "Oh, it's you again," and then asked [REDACTED] for his license and registration. [REDACTED] asked, "Why did you pull me over?" PO Ngor said, "Your windows are too dark." [REDACTED] asked, "How can you see when my windows are rolled down?" PO Ngor said, "They're too dark. Give me your license and registration." [REDACTED] provided them, and PO Ngor took [REDACTED] documentation and returned to the RMP with PO2. PO Ngor then returned to [REDACTED] vehicle and told him to roll the windows up. [REDACTED] did so, and PO Ngor tested each window with a tint meter. PO Ngor then returned to the RMP with [REDACTED] documentation and remained there for about ten minutes. [REDACTED] called the 63rd Precinct's desk and asked for PO4, the "tour commander." He placed that call at 3:49 am, which he confirmed by looking later at his phone's call history. [REDACTED] told PO4 over the phone that he had been stopped by PO Ngor again and that he believed it was a form of retaliation. PO4 said, "Okay, I'll take care of it." [REDACTED] hung up the phone. PO Ngor then returned to [REDACTED] vehicle, returned his documentation to him. PO Ngor then returned to his RMP and drove away. [REDACTED] was not issued any summons.

During his CCRB interview, [REDACTED] provided a video of the incident to the investigation.

PO1 Ngor: m/a, 5'6", slim build, uniform

PO2: m, uniform

PO3: m/w

PO4: m/w, 6'0", 220 pounds, medium build, brown hair, uniform with white shirt

Interview Details

PO Steven Varela of the 63rd Precinct, a 5'10", 190 pound Hispanic male with black hair and brown eyes, was interviewed at the CCRB on October 29th, 2015. He was 31 years old at the time of the incident.

PO Varela had not prepared any memo books entries in regards to this incident.

At approximately 3:30 am on May 21st, 2015, PO Varela and his partner, PO Wayne Ngor of the 63rd Precinct were conducting conditions patrol in sectors G and H of the 63rd Precinct. They were in RMP 5431. PO Ngor was the operator and PO Varela was the recorder. They were specifically conducting patrol for tinted windows at the intersection of [REDACTED] and [REDACTED] one of several precinct conditions at that time. PO Varela did not remember if any supervisor had given them specific instruction to patrol for that condition.

PO Varela and PO Ngor were parked at the intersection of [REDACTED] and [REDACTED] and observed [REDACTED] vehicle turning from [REDACTED] to westbound on [REDACTED]. He was driving a black late-model Honda Accord. It appeared to have "very dark" tints on its windows. PO Varela believed the legal requirement for light transmittance through a vehicle's windows was 70%, and [REDACTED] windows appeared, based on his experience, to be illegally tinted. PO Varela pointed to the vehicle and said, "That one's very dark," referring to [REDACTED] window tints. PO Ngor agreed and activated their RMP's lights behind [REDACTED] who pulled over immediately.

PO Ngor approached on the driver's side and PO Varela approached on the passenger's side. [REDACTED] passenger's side window was closed. PO Ngor said, "Open your windows," and PO Varela took that to mean that the driver's side window was also closed. However, he had not seen specifically. PO Varela shined his flashlight through the passenger's side window several seconds later and saw that [REDACTED] window was rolled down halfway. [REDACTED] was playing music loudly, and PO Ngor asked him to turn the music down. [REDACTED] complied but the music was still playing quietly. PO Ngor asked [REDACTED] for his license and registration. As PO Varela looked through the passenger's side window he saw [REDACTED] hand PO Ngor a silver shield. PO Varela did not know if the shield had a chain on it. PO Ngor then asked to see [REDACTED] corrections officer ID, and [REDACTED] handed him an ID. PO Ngor looked at the ID and shield and asked, "Why did you disrespect me?" PO Varela did not know why PO Ngor said that. He did not hear [REDACTED] response because the passenger's side window was closed and the music was still playing quietly. PO Varela did not remember if PO Ngor said anything after that. PO Ngor returned the shield and ID to [REDACTED]. He did not see how PO Ngor returned the ID to [REDACTED]. He did not know if PO Ngor handed to ID and shield to [REDACTED]. He did not see PO Ngor throw the ID and shield into the vehicle. He was on the passenger's side but did not remember if he was looking through the window or watching PO Ngor over the roof of [REDACTED] vehicle. He did not see [REDACTED] take the ID and shield from PO Ngor, as [REDACTED] was facing to his left and his back was to PO Varela. He did not see the chain on [REDACTED] shield hit him in the face and never heard [REDACTED] complain of being hit in the face by anything. PO Varela and PO Ngor then returned to their RMP. PO Varela did not hear PO Ngor use any profanity.

PO Varela did not know if [REDACTED] asked why he had been stopped or if PO Ngor ever told [REDACTED] why he had been stopped. Neither officer tested the tints on [REDACTED] windows. PO Ngor was in possession of a tint meter and PO Varela was not, and PO Ngor did not know why PO Ngor did not test the tints. He never learned.

Inside the RMP PO Ngor said that he was upset that [REDACTED] had not initially turned down his music or opened his windows when stopped. They did not discuss [REDACTED] tinted windows. PO Varela and PO Ngor then resumed patrol, remaining within a few blocks of the intersection of [REDACTED] and [REDACTED]. PO Varela did not remember specifically if they stopped at a 7-11 market after conducting that vehicle stop but stated that there was a 7-11 on [REDACTED] that he and PO Varela frequently visited in order to purchase food and use the restroom.

After the stop, PO Varela and PO Ngor conducted another vehicle stop. PO Varela did not remember where that stop took place or what the circumstances were. Afterward, PO Ngor received a phone call. PO Varela did not hear the phone conversation. PO Ngor hung up and told PO Varela that Sgt. Aitola of the 63rd Precinct, the Desk Officer for that tour, wanted them to return to the stationhouse. PO Ngor did not state if Sgt. Aitola explained why he wanted them to do so. PO Ngor and PO Varela proceeded toward the 63rd Precinct stationhouse and then PO Ngor received a phone call from Sgt. Aitola. PO Ngor told PO Varela that Sgt. Aitola instructed them to disregard his former request. PO Varela did not remember if they drove by the 63rd Precinct

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stationhouse. PO Varela did not see [REDACTED] outside of the 63rd Precinct stationhouse and never learned if PO Ngor saw [REDACTED] there.

PO Varela and PO Ngor resumed patrol, and PO Ngor received a third phone call from Sgt. Aitola via cell phone. After PO Ngor hung up the phone, he told PO Varela that Sgt. Aitola had explained that [REDACTED] visited the 63rd Precinct stationhouse to make a complaint about PO Ngor and PO Varela. PO Varela did not know if Sgt. Aitola told PO Ngor about the nature of [REDACTED] complaint and he never learned about it. PO Varela and PO Ngor did not discuss their encounter with [REDACTED] any further at that time.

PO Varela and PO Ngor then returned to the intersection of [REDACTED] and waited there for approximately five to ten minutes without conducting any stops or taking any police action. They then observed a black late-model Honda Accord with dark tinted windows crossing [REDACTED] on [REDACTED] heading northbound. The windows were rolled up PO Varela did not recognize the vehicle as [REDACTED] PO Ngor did not say anything to suggest that he recognized the vehicle as [REDACTED] PO Ngor was still the operator of the RMP, and he activated the lights and sirens behind [REDACTED] vehicle. PO Ngor made the decision to pull [REDACTED] over without having any discussion with PO Varela.

[REDACTED] pulled over. PO Ngor pulled the RMP behind him. PO Ngor and PO Varela exited the RMP, and PO Ngor approached on the driver's side while PO Varela approached on the passenger's side. When they arrived at [REDACTED] vehicle the windows were all completely rolled down, the lights inside the passenger compartment were on, and the music was off. PO Varela realized upon arriving at the vehicle's side that it was [REDACTED] who said, "You just pulled me over. Why are you pulling me over again?" PO Ngor said, "Your windows are too dark," and asked [REDACTED] for his license and registration. [REDACTED] provided his license and registration to PO Ngor. PO Ngor did not ask for [REDACTED] shield or work ID and [REDACTED] did not provide them. PO Ngor and PO Varela returned to their RMP and conducted a check which revealed that the vehicle [REDACTED] was operating belonged to him. They returned to [REDACTED] vehicle, and PO Ngor asked [REDACTED] to roll his windows up, and [REDACTED] complied. PO Ngor tested the front driver's side window, which he stated had 4% light transmittance, which was illegal. PO Ngor informed [REDACTED] that the tints were illegal as a warning and returned his license and registration to him. PO Ngor did not issue any summons to [REDACTED] PO Varela believed this was as a courtesy to [REDACTED] PO Varela also could have issued [REDACTED] a summons but did not as a courtesy to [REDACTED] because he was a [REDACTED] PO Ngor and PO Varela returned to their RMP and let [REDACTED] go on his way.

PO Varela learned when he returned to the 63rd Precinct later that night that [REDACTED] had called the desk and informed Sgt. Aitola of the second vehicle stop. PO Ngor was present when Sgt. Aitola told them this. PO Varela told Sgt. Aitola that he did not recognize [REDACTED] vehicle when they stopped him a second time.

During his CCRB interview PO Varela was shown a video of the incident, recorded by [REDACTED] during the second vehicle stop. The video was labeled 201504090_201501001_1054_DM.mp4 and was linked to IA # 24 of the digital case file. The video showed that the RMP's lights were activated and then [REDACTED] rolled his four windows down. PO Ngor approached the vehicle and told [REDACTED] that his windows were too dark. [REDACTED] asked PO Ngor how he could see the tints when the windows were rolled down. PO Varela stated during his interview that he and PO Ngor were able to see the vehicle's windows before the activated the RMP's lights and before [REDACTED] rolled the windows down.

Interview Details

PO Wayne Ngor, a 5'5", 135 pound Asian male with black hair and brown eyes, was interviewed at the CCRB on October 30, 2015. He was 41 years old at the time of the incident.

PO Ngor had prepared the following memo book entries in regards to this incident

*0230 Car stop on [REDACTED] and [REDACTED] [REDACTED] Excessive tinted all 4 windows and windshield
0238 91 Courtesy to CO & warned*

At approximately 2:30 am on May 21, 2015, PO Ngor was conducting conditions enforcement with PO Steven Varela in RMP 5431. They were parked facing northbound on [REDACTED]. They were conducting enforcement for shooting that had occurred in the area. They were not conducting enforcement specifically for tinted windows. PO Ngor believed that tinted windows were often an indication of criminality. However, he had not had any conversation with any supervisor regarding tinted windows. PO Ngor and PO Varela observed [REDACTED] vehicle with very darkly tinted windows travelling southbound on [REDACTED]. PO Ngor recalled that [REDACTED] drove a dark four-door sedan with dark tinted windows. He did not remember the make or the model. When asked during his CCRB interview what conversation preceded the vehicle stop, PO Ngor testified that he said to PO Varela, "Damn, those windows are *dark*. You cannot see shi—nothing." PO Varela agreed that they should stop the vehicle. PO Ngor, the operator of the RMP, made a U-turn to follow [REDACTED]. He activated the RMP's lights and sirens and pulled [REDACTED] over. PO Ngor approached the driver's side and PO Varela approached the passenger's side. [REDACTED] was playing music loudly and his windows were all rolled up, except for the front driver's side window, which was rolled down approximately three to four inches. The tints were so dark that it was difficult to see into the vehicle, which made PO Ngor fear for his safety.

To be heard over the music, PO Ngor yelled, "Sir, please roll down your windows. I need to see what's going on inside your vehicle." [REDACTED] did not move. PO Ngor looked through the small opening in the window and saw that [REDACTED] was holding a silver shield in his right hand. PO Ngor could not read any writing on the shield. [REDACTED] was looking upward through the windshield, away from PO Ngor and did not make eye contact with PO Ngor. PO Ngor repeated, "Please roll down all four of your windows, including the back. I cannot see anything." Again, PO Ngor feared for his safety due to the dark tinted windows because he did not know who many people were in the vehicle, what they were doing, or if he was in danger. PO Ngor was yelling in order to be heard over the music, and a civilian sitting a bus stop on the other side of [REDACTED] vehicle looked at him. [REDACTED] rolled down the windows, and PO Ngor said, "Why are you playing loud music? And don't you know that when an officer stops you, you roll down all of your windows? It's dark and I cannot see what's going on inside the vehicle here. Do you have your driver's license?" [REDACTED] handed PO Ngor his [REDACTED] officer ID and shield. PO Ngor did not remember if the shield had a chain attached to it. PO Ngor said, "I need your driver's license as well." [REDACTED] then handed PO Ngor his driver's license and rolled the front driver's side window down halfway. PO Ngor looked at the license and ID and then said, "Why are you so uncooperative? When I pull you over, roll down all of your windows and lower the music so we can have a conversation and I can know what's going on." [REDACTED] told PO Ngor that he had family in the NYPD and PO Ngor told him that he understood, but [REDACTED] behavior was "out of control" and that his family would not be happy with the way he was behaving toward PO Ngor. PO Ngor told [REDACTED] that he was "rude" and "disrespectful." PO Ngor dropped [REDACTED] IDs and shield through the front driver's side window and said, "Get out of here." The shield and IDs landed on [REDACTED] lap, and nothing hit [REDACTED] in the face. PO Ngor did not remember the shield having a chain and did not remember [REDACTED] complaining of a chain hitting him in the face or anywhere else. PO Ngor did not attempt to hand them to [REDACTED]. [REDACTED] said that PO Ngor was disrespectful for doing so. PO Ngor did not respond and walked away from [REDACTED] vehicle, noting the license plate number for a memo book entry as he did so. He did not issue [REDACTED] any summons. He did not use his tint meter because he planned not to give [REDACTED] a summons. PO Ngor and PO Varela then returned to their RMP where PO Ngor wrote a memo book entry and then resumed patrol. PO Ngor did not see where [REDACTED] went. The interaction lasted approximately ten minutes. PO Ngor did not remember specifically if PO Varela used his flashlight during the stop.

PO Ngor did not remember if he said, "You fucking disrespected me." However, he told [REDACTED] "Get the fuck out of here." When asked what his motivation for using profanity was, he said it was "normal motivation because it's a word we use all the time." He did not use any profanity other than the word "fuck." When asked if [REDACTED] ever complained about the manner in which PO Ngor returned the shield to him, he said, "Not at the scene." When asked to clarify if this response meant

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that [REDACTED] made a complaint at some later time, he stated that he did not know about any such complaint made at the stationhouse.

When PO Ngor and PO Varela returned to their RMP, PO Ngor told PO Varela that he had found [REDACTED] to be very rude and disrespectful. They then resumed patrol, driving around within a few blocks of the initial stop. At some point shortly afterward they stopped to use a rest room. PO Ngor did not remember specifically where they stopped or if it was at a 7-Eleven. He stated that there was a 7-Eleven location at the intersection of [REDACTED] and [REDACTED] which he and PO Varela visited to purchase food and use the rest room.

PO Ngor did not remember specifically if he drove the RMP to the vicinity of the 63rd Precinct stationhouse, which was approximately one mile from the intersection of [REDACTED] and [REDACTED]. The stationhouse did fall within the boundaries of sectors G and H, which he and PO Varela were patrolling. PO Ngor did not make any trip specifically to the 63rd Precinct stationhouse or its vicinity. After stopping [REDACTED] he never received a phone call from Sgt. Aitola or Lt. Drantsev summoning him and PO Varela to the 63rd Precinct stationhouse. PO Ngor did not learn at that time that [REDACTED] visited the 63rd Precinct stationhouse to make a complaint. PO Ngor stated during his CCRB interview that he usually communicated with his superiors via cell phone and sometimes texted them. He did not communicate with Lt. Drantsev or Sgt. Aitola at all during that time. He did not know if PO Varela did and did not learn at any time that PO Varela had. PO Ngor did not remember exactly how long he and PO Varela drove around on patrol but estimated it was approximately a half hour. He did not remember if they conducted any vehicle stops, responded to any radio communications, or spoke with any officers during that time.

Approximately thirty minutes after the first stop, PO Ngor and PO Varela were parked on the south side of [REDACTED] between [REDACTED] and [REDACTED]. PO Ngor was the operator, and the RMP faced eastbound. The officers watched cars drive by in both directions. They had returned there because even at 3:00 am it was a busy area with a steady flow of traffic. PO Ngor saw a vehicle with very darkly tinted windows pass the RMP, travelling eastbound on [REDACTED]. The vehicle passed from the rear and was travelling approximately 45 miles per hour, which PO Ngor determined by a visual estimate. The speed limit on the street was 25 miles per hour. PO Ngor did not know how fast exactly, however, because he did not have a radar gun for measuring speed. He did not see the license plate number of the vehicle or recognize it as [REDACTED] vehicle at that time. He did not suspect that it might have been [REDACTED] vehicle. The vehicle was approximately fifty feet away.

PO Ngor said, "Wow, those tints are dark." PO Varela did not say anything and there was no further conversation about whether they would stop the vehicle. PO Ngor did not suspect [REDACTED] of any crime other than his tinted windows. PO Ngor activated his lights and sirens to stop the vehicle. [REDACTED] pulled over right away and PO Ngor stopped the RMP directly behind. PO Ngor still did not know that it was [REDACTED]. PO Ngor exited the RMP and approached the vehicle's driver's side while PO Varela approached the passenger's side. When PO Ngor reached the vehicle all of the windows were rolled down, and he saw that it was [REDACTED] a second time. [REDACTED] music was playing softly. PO Ngor said, "You again." PO Ngor then explained to [REDACTED] that he was stopped for his dark tints. [REDACTED] had both his hands on the steering wheel and looked at PO Ngor. PO Ngor then told [REDACTED] that the way he was behaving was very polite and was the way he was supposed to behave during a vehicle stop. He asked for [REDACTED] driver's license, which [REDACTED] provided, and then returned with PO Varela to the RMP.

Inside the RMP, PO Ngor called the stationhouse for someone to perform a license check for [REDACTED] vehicle. Lt. Drantsev came to the phone and said, "You pulled the same guy over again?" PO Ngor said, "How did you know we pulled this guy over before?" Lt. Drantsev said, "He came to the stationhouse." PO Ngor and Lt. Drantsev did not have any further conversation about [REDACTED] or his visit to the stationhouse. PO Varela was inside the RMP and PO Ngor believed that PO Varela was aware of his conversation with Lt. Drantsev, although he did not remember if he and PO Varela had any conversation about the phone call. The license plate check revealed that [REDACTED] was the owner of the vehicle. PO Ngor did not remember who performed the check or told him the result.

He then exited the RMP and returned to [REDACTED] vehicle. He used his tint meter to check [REDACTED] front and rear driver's and passenger's side windows, which all had either 3% or 4% light transmittance, which he told [REDACTED]. The legal minimum was 70%, which he also explained to [REDACTED]. He then returned [REDACTED] license to him and let [REDACTED] go without issuing him a summons. He did not wish to issue [REDACTED] a summons for the tints as a

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courtesy to him and did not consider issuing [REDACTED] a summons for speeding because he did not have a radar gun with which to verify that [REDACTED] had been speeding. [REDACTED] did not make any complaint about PO Ngor's behavior during the second vehicle stop, whether about his behavior at that time or during the previous stop. After [REDACTED] drove away, PO Ngor said to PO Varela, "What are the odds of pulling over the same guy over again? What a day."

Later, PO Ngor and PO Varela returned to the 63rd Precinct stationhouse for their meal. PO Ngor did not recall how much later it was. Lt. Drantsev approached PO Ngor and asked what had taken place between him and [REDACTED]. PO Ngor explained to Lt. Drantsev that [REDACTED] had very dark tinted windows, played loud music, refused to roll down his windows, and was generally noncompliant. Lt. Drantsev told PO Ngor that [REDACTED] had visited the stationhouse to file a complaint. When asked if he and Lt. Drantsev had any conversation about the second vehicle stop, PO Ngor said that Lt. Drantsev asked, "Why did you do the second stop?" When asked what his response at that time was, PO Ngor stated that Lt. Drantsev never asked why he had conducted a second vehicle stop, and stated that Lt. Drantsev only asked what had happened. He explained to Lt. Drantsev that he saw a vehicle with dark tinted windows and pulled it over, and that it happened to be [REDACTED]. PO Ngor did not remember if Lt. Drantsev asked whether he knew it was [REDACTED] before pulling him over a second time or if they had any conversation about whether he knew it was [REDACTED]. Lt. Drantsev asked if he had written [REDACTED] a summons and PO Ngor told him that he had not. PO Ngor did not remember ever speaking with Sgt. Aitola about any interaction with [REDACTED] and believed he would remember such a conversation because Sgt. Aitola was his direct supervisor. PO Ngor did not remember if Lt. Drantsev ever told him about the specific nature of [REDACTED] complaint, but Lt. Drantsev asked if he ever disrespected [REDACTED] or was rude to him, and PO Ngor told Lt. Drantsev that he was not and that [REDACTED] had been rude in the first place.

During his interview PO Ngor was shown a video recorded during the second vehicle stop, in which [REDACTED] stated that prior to the officers activating their lights and sirens, they were directly behind him. The video did not show the relative location of the RMP before the lights and sirens were activated. PO Ngor did not believe he was directly behind [REDACTED] but stated he was not certain of whether he was at a stop or moving when he saw [REDACTED] vehicle prior to the second stop. PO Ngor maintained that despite what [REDACTED] stated in the video, the RMP was not directly behind [REDACTED] vehicle.

Interview Details

Sgt. Christopher Aitola of the 63rd Precinct, a 5'9", 220 pound white male with brown hair and brown eyes, was interviewed at the CCRB on November 6, 2015. He was 41 years old at the time of the incident.

Sgt. Aitola had prepared the following memo book entries for this tour:

*5/21/15 2305 x 0802
Assign – 63 Desk 12 x 8
2305 PFD
2310 On desk
0802 EOT*

Sgt. Aitola had not prepared any memo book entries in regards to this incident.

On the morning of May 21, 2015, Sgt. Aitola worked as Desk Officer of the 63rd Precinct stationhouse. Sgt. Aitola did not know what incident was being referred to. He was told that [REDACTED] was stopped by PO Ngor and PO Varela on May 21, 2015, and that [REDACTED] stated he visited the stationhouse to complain. He was told that [REDACTED] had at least one conversation with an officer at the stationhouse. Sgt. Aitola did not remember any of this taking place. He did not recognize a photo of [REDACTED] and did not recall any interaction with him.

Sgt. Aitola did not recall any individual visiting the stationhouse on May 21, 2015 to complain about a vehicle stop. He did not remember any interaction with any individual who stated they were a [REDACTED] officer. He did not remember any individual requesting to speak with the 63 Precinct's Commanding Officer. He believed the Commanding Officer at that time was Captain Burke. Sgt. Aitola was not aware of any interaction between Captain Burke and any civilian on May 21, 2015. Sgt. Aitola did not recall Lt. Drantsev speaking with a civilian in regards to a complaint. Sgt. Aitola was not aware that any civilian had complained about PO Ngor on May 21, 2015.

Sgt. Aitola did not recall having any phone conversation with PO Ngor on May 21, 2015. Sgt. Aitola did not recall any conversation with PO Ngor about PO Ngor's conduct. He did not witness any officers having a conversation about PO Ngor's conduct. He never learned about any incident involving [REDACTED] and PO Ngor before the day of his CCRB interview. Neither PO Ngor nor PO Varela ever told Sgt. Aitola about making a vehicle stop or two vehicle stops with the same individual. Sgt. Aitola stated that he sometimes communicated with officers in the field with his cell phone and sometimes used the desk phone, especially if officers called the desk phone themselves. Sgt. Aitola did not recall any telephone conversation with PO Ngor on May 21, 2015. Sgt. Aitola did not recall notifying PO Ngor that an individual had visited the stationhouse to complain about him. Sgt. Aitola did not remember PO Ngor visiting the stationhouse for any reason during his tour on May 21, 2015.

Sgt. Aitola stated that if a civilian entered the stationhouse to make a formal complaint or requesting to speak with a supervisor, it could be handled one of two ways. The civilian could make a formal written complaint, or they could be given a phone number at which they could make a complaint on their own. It would be the desk officer's responsibility to take their complaint or to provide them with a phone number. Sgt. Aitola believed that another supervisor might become involved or have a conversation with a civilian depending on the severity of the allegations. Sgt. Aitola stated that if an individual visited the stationhouse to make a complaint there, he would usually make an entry in the command log and note their contact information there. However, if he only gave them a phone number or if they did not file a formal complaint, he would not make an entry.

Sgt. Aitola was shown a copy of the command log for tour 1 of the 63rd Precinct on May 21, 2015. He stated that the entry at 23:10, "Sgt. Aitola to desk," was in his handwriting. He stated that all of the entries between then and 00:30 were also in his handwriting. He stated that at 00:30, when he conducted a stationhouse inspection, that inspection constituted a five to ten minute inspection of the vicinity of the desk, including the cell area. He would not have been away from the desk for more than five to ten minutes, although he did not specifically recall that inspection. Sgt. Aitola stated that the following entry, at 02:35, was also in his handwriting, and that the entry after that, at 04:00, was also in his handwriting. He believed based on the command log that he did not leave the desk for any extended period of time between 2:35 am and 4:00 am. If he had left, another officer would have to take over on the desk and there would be an entry.

Interview Details

Lt. Valery Drantsev of the 63rd Precinct, a 5'11", 215 pound white male with a bald head and blue eyes, was interviewed at the CCRB on December 10, 2015. He was 37 years old at the time of the incident.

Lt. Drantsev had not prepared any memo book entries in regards to this incident.

On May 21, 2015, at approximately 3:00 am, Lt. Drantsev was at the 63rd Precinct stationhouse. He was working as the 63rd Precinct's Platoon Commander. [REDACTED] entered the stationhouse and approached Lt. Drantsev. [REDACTED] said that he was a [REDACTED] officer and had been pulled over at [REDACTED] and [REDACTED] in Brooklyn, NY. Lt. Drantsev did not initially remember what violation [REDACTED] had been stopped for, but when asked if the violation was tinted windows, he stated that was correct. [REDACTED] stated to Lt. Drantsev that, as a member of law enforcement, he did not like how the conversation had gone with the officer who stopped him. [REDACTED] described the officer as an Asian male, and Lt. Drantsev knew that it was PO Ngor, as there were no other Asian male officers on duty at that time. Lt. Drantsev did not remember who PO Ngor's partner was at that time. He did not remember if it was PO Varela. Lt. Drantsev did not recall the details of [REDACTED] complaint regarding PO Ngor's behavior. Lt. Drantsev did not recall if he learned how recently the stop had taken place. [REDACTED] felt that PO Ngor should have shown him more courtesy and should have let him go as soon as he identified himself as a [REDACTED] officer. Lt. Drantsev did not remember if [REDACTED] had any complaint about a specific discourteous action. He did not recall [REDACTED] mention of his [REDACTED] shield and did not remember [REDACTED] alleging that PO Ngor had thrown the shield into his vehicle. Lt. Drantsev spoke with [REDACTED] for approximately ten minutes. Lt. Drantsev told [REDACTED] that he would talk to his officers, and [REDACTED] departed from the stationhouse.

As soon as [REDACTED] departed from the stationhouse, Lt. Drantsev then used his cell phone to call PO Ngor. He asked PO Ngor about the circumstances of the stop and what had taken place. PO Ngor stated that he had pulled over [REDACTED] who had identified himself as a [REDACTED] officer, and that [REDACTED] was rude to him. PO Ngor did not specify how [REDACTED] had been rude. Lt. Drantsev informed PO Ngor that [REDACTED] had visited the stationhouse to complain about the incident, and that was how Lt. Drantsev had learned about the vehicle stop. Lt. Drantsev did not have any further discussion with PO Ngor at that time. PO Ngor did not inform him of when the vehicle stop had taken place. The conversation lasted a few minutes. Lt. Drantsev did not know where PO Ngor was at the time of that phone conversation. He did not speak with PO Ngor's partner.

Lt. Drantsev did not hear anything from PO Ngor or [REDACTED] for approximately one hour, and then he received a phone call from [REDACTED] at the stationhouse. [REDACTED] told Lt. Drantsev over the phone that he had been pulled over again by PO Ngor. [REDACTED] did not provide the location of the second stop. [REDACTED] stated that he was in the middle of the stop when he called. Lt. Drantsev did not recall any further conversation with [REDACTED] at that time. He told [REDACTED] to wait.

Lt. Drantsev immediately called PO Ngor's cell phone. Lt. Drantsev asked PO Ngor whom they had just pulled over. PO Ngor said that they had pulled over the same individual whom they had pulled over earlier that night—[REDACTED] and were in the middle of the stop. PO Ngor explained to Lt. Drantsev that he had identified [REDACTED] during the second stop when he visited [REDACTED] vehicle. However, Lt. Drantsev did not know where PO Ngor was specifically when they spoke on the phone—whether in the RMP, near [REDACTED] vehicle, or otherwise. Lt. Drantsev asked PO Ngor to explain what led to the second stop, and PO Ngor explained that it was for the same violation as the first stop. PO Ngor stated they he and his partner were going to issue [REDACTED] a summons. Lt. Drantsev told PO Ngor that he should not issue [REDACTED] a summons, as they had warned and admonished [REDACTED] during the first stop. Lt. Drantsev believed that if the officers felt they should issue [REDACTED] a summons, then that should have taken place during the first stop. PO Ngor told Lt. Drantsev that he would not issue [REDACTED] a summons and the conversation ended. Lt. Drantsev did not have any interaction with [REDACTED] afterward.

When PO Ngor and his partner's tours ended and they returned to the stationhouse, Lt. Drantsev spoke to them near the desk. He told PO Ngor that if he was going to issue a summons for a violation, it should have been done during the first stop. If he decided to use his discretion and not issue a summons during the first stop, there was no reason to issue a summons during the second stop. Lt. Drantsev was under the impression that PO Ngor had pulled [REDACTED] over a second time because he observed tinted windows, which was a traffic violation, and had not targeted him specifically. Lt. Drantsev did not have any conversation

Interview Details

with PO Ngor or his partner about whether they had targeted [REDACTED] specifically. He did not ask if they knew it was [REDACTED] before stopping him a second time. To his knowledge they did not know that it was [REDACTED] before stopping him a second time.

[REDACTED] was not issued any summons in regards to this incident. Lt. Drantsev did not have any further interaction with [REDACTED] after the incident took place. Lt. Drantsev never had any conversation with Sgt. Aitola regarding the incident and to his knowledge Sgt. Aitola was never involved in the incident. He did not know if Sgt. Aitola ever interacted with [REDACTED] or spoke to PO Ngor or his partner in regards to the incident.