

Complaint Report (CCRB)

CCRB Case No :	200805840	C/V Report Date :	Wed, 04/23/2008
Complaint Type :	CCRB	Investigator :	Robyn Howell
Complaint Made At :	CCRB	Ref. No	
Received Date (CCRB) :	Wed, 04/23/2008	Mode :	On-line website
Incident Date(s) :	Fri, 04/18/2008 9:00 PM		
Place of Occurrence:	[REDACTED]	Precinct:	48
Location :	Street/highway	Boro:	Bronx
Reason for Initial Contact :	Other		
Charges:	Summons - other violation/crime		

Complainant/Victim Details

Name:	[REDACTED]	Type:	Comp/Victim
Address:	[REDACTED]		
Contacts:	[REDACTED]	[REDACTED]	
	[REDACTED]	[REDACTED]	
	[REDACTED]		
Gender:	[REDACTED]	Ethnicity:	[REDACTED]
Person Assisting:		Date of Birth:	[REDACTED]

Officer(s) Named in Complaint

Rank	Officer	S/W Officer	Tax No	Race	Cmd	Allegations/Board Dispositions
POM	Dennis Palinkas	Subject Officer	[REDACTED]	White	048	Gesture - (D) Unfounded
POM	Miguel Frias	Subject Officer	[REDACTED]	Hispanic	048	Vehicle stop - (A) Unsubstantiated
POM	Miguel Frias	Subject Officer	[REDACTED]	Hispanic	048	Action - (D) Unsubstantiated

Initial Complaint Narrative

story: I was driving up [REDACTED] towards [REDACTED] i had the green light as im passing the light officer frias was driving he was on [REDACTED] his street had the red light he was turning into [REDACTED] no lights or sirens on but as he was turning hes driving towards my car so i swerved to my right to avoid him from hitting my car then back to my left the way i was original going through out of that my reaction while i was swerving to my right i mumbled under my breathe stupid ass i didnt yell at him, didnt say it directly to him like i mention just mumbled under my breathe in my car apparently he read my lips i was standing at the red light on [REDACTED] . i look in my rear view mirror i see him making a u-turn he pulls up by the side of my car and already him having an additude starts shouting what you said i replied you need to be more careful and watch where your going he shouts at me and says again what did u say to me again i replied you need to be more careful and watch where your going then he shouts pull over at this point i feel my nerves going and was scared so i did on the corner of [REDACTED] he now comes out his patrol car and ask me for my papers i ask what are you pulling me over for he avoids my quetion and says just give me your papers so i got my papers out and handed them over. they returned to their patrol car they were talking and i was feeling nervous already jitterey just had a very bad feeling like he was out to get me as i was looking through my driver side mirror i see them looking at my license and laughing which i took very offensive because [REDACTED] so i called my friend which she lived down the block from where i was pulled over to keep me company because i was afraid to be alone. i started to look through my driver side mirror again while i was waiting on my friend the 2nd officer relizes im looking at them so he puts up his middle finger towards his face places it on his chin then going around the mouth and nose area i was really hurt and offended at this point. the officers come out their patrol car frias comes up to my window and with an additude says here now you have an summons for a [REDACTED] so i took the summons and handed it over to my friend so i can start driving as i get to the corner of [REDACTED] and stop at the stop sign i turn to make my left turning onto [REDACTED] not even getting to the next light on [REDACTED] and [REDACTED] officer frias turns on his lights and pulls me over again now im sayin to myself and my friend what is he pulling me over for now what did i do i told her im really feeling and believing hes out to get me my friend says to me it seems like it he harrasing you now for no reason my friend decides to call 911 as she talking to an sargent on the phone officer frias comes up to my window and shouts for my papers again i asked what are you pulling me over for now again he askes for my papers and again i ask what are you pulling me over for and again he askes for my papers so i just give him my papers again he walks away my friend passes me the phone i start speakin with the sargent hes asking me to explain to him what was goin on so i do now officer frias comes back up to my car while im still speaking to the sargent on the phone throws at me the second summons and tells me i have 24hrs to go to court or hes going to put out a warrent for my arrest so i say to him ok i have a sargent on the phone with me right now he looks at me and walks away so i continue to speak with the sargent he gives me the complaint number and tells me to stay where im at hes sending over a supervisor i say ok i will wait and hang up the phone i look in my mirror the cops were still behind me i figured he was waiting for me to take off again i now tell my friend i really feel like hes waiting so he can stop me again i feel like he wants to arrest me she says to me wow it really looks like it not to move and wait i then say to her im not moving cause their sending a supervisor anyway so i have to wait guess the officer relizes im not moving so they take off. i now wait for like aprx 20 min so i tell my friend im just going to head to the precient i try and turn on my car it wouldnt start so i had to wait anyway the supervisor shows up i got out and explained what happened he clears me on what the 24hr ment and the warrent and also explain to me what to do so i understood what he explained to me he looked at the warrents hes like all you have to do is get the brakes fix and come to the precient to get it dismissed i told him thats fine thats not a problem my point of the fact is what was the real reason of him pulling me over to begin with wasnt to ask me if i was ok after having to swerve because of him he seemed more upset and with additude because of what i mumbled under my breathe which was not said directly to him he had no reason and what was the reason for the second time of pulling me over for no reason while explaining this to the supervisor my nerves were still shaking my heart was pounding had tears rolling down my face supervisor told me to calm down and relax and dont let it ruin my night im like how can it not he was acting like he really wanted to arrest me like he was out to get me he then told me again dont let it ruin my night so i tell him thats it so nothings guna happen to the officer he then tells me well what do u wanna do take it further i said yes he cant get away with treating people like that god only knows how many more people hes treated that way and got away with it. he then explains that im gonna be back and forth to court and that it may take months i told him fine i'll do it if i have too cause he cant get away with treating people like that. supervisor then takes off next morning i go and get the brakes done take it to the precient speak with a female officer dela cruz show her my summons once she looks at it she say ohh damm i said what do you mean what wrong she then states theres alot of errors on this summons i said really whats wrong she says no badge no name no precient i said ok good to know she see my summons and thought i had 3 i told her he gave me 3 papers but only 2 summons she read the 2nd one and said dis con i said he gave me a disorderly conduct summons when i did nothin wrong and he was the one harrasing me she ask what do u mean what happen i explain the situation she was like wow i ask if she knew the officers name on the summons she couldnt so another officer read and said oh that frias the 4-12 guy she says oh frias and kind of made a face which to me her face said it all about him guess she found the situation messed up that i had to go through that ,that she didnt even check my brake reciept or go out and check to see if i did fix my brakes she just sign the paper to get it dismissed which showed me she really felt bad that she even apologized to me and told me sorry i had to go through that last night i told her thank you and walked out. since then i still feel very offended, my nerves still feel in shock havent really been conctrating now when i drive i feel like im watching through every mirror and i shouldnt have to feel this way its not a way of living i had to call my doctor to see if i can try and talk to some one or give me something to relax my nerves or help me somehow. I thank for taking the time to read my side of this incident and really take this into consideration again i thank you. [REDACTED]

Witness

Name of Witness:

[REDACTED]

Address:

[REDACTED]

Contacts:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Gender :

[REDACTED]

Ethnicity:

[REDACTED]

Date of Birth :

[REDACTED]
