
Interview Details

3:00 p.m.

On March 21, 2012, [REDACTED] was interviewed at the CCRB. [REDACTED] is a [REDACTED]-year-old black female, 5'4" tall, 110 lbs., with brown hair and brown eyes.

CCRB Testimony

On February 29, 2012, [REDACTED] left her home located at [REDACTED] within a NYCHA development, and walked to a store located at [REDACTED] in Brooklyn. She was wearing a black North Face jacket and jeans. She was holding her cell phone in her right hand and had her keys in her right jacket pocket. She did not stop anywhere or interact with anyone on the way to the store. She bought chips, cookies, candy, and soda from the store and walked back towards her home. She was holding a black plastic bag in her left hand containing the objects she bought. She did not stop anywhere or interact with anyone on the way back.

She was walking home and cut through [REDACTED] to get to the building behind it, [REDACTED]. At approximately 1:34 a.m., [REDACTED] was behind [REDACTED] when a marked police van pulled up and PO1, described as a white male, 6'2" tall, 230 lbs., medium build, with brown hair and in uniform, exited the passenger's seat and approached [REDACTED] and asked her for her name. [REDACTED] asked why. PO1 told [REDACTED] he was looking for a female but did not provide any further description or why he was looking for a female and asked for [REDACTED] ID. [REDACTED] told PO1 that she did not have an ID on her. PO1 told [REDACTED] she could be arrested for not having ID and he would have to take her in. [REDACTED] asked if she could call her brother to bring her ID and PO1 agreed. [REDACTED] called her brother, [REDACTED] to come and bring her ID.

PO2, described as a white male, 5'4"-5'6" tall, large build, with black hair, and glasses, exited the driver's seat of the vehicle and went inside the building with PO1. [REDACTED] waited outside the door for her brother. Shortly afterwards, [REDACTED] came downstairs and gave [REDACTED] her ID and they both started to walk away. PO1 and PO2 followed them and PO1 grabbed [REDACTED] arms, pushed him against a wall, put his hands behind his back, and held him on the wall for approximately three minutes. [REDACTED] was yelling and cursing and [REDACTED] was yelling. [REDACTED] resisted by moving his arms which freed his arms from the officers. [REDACTED] older sister arrived on scene at this point and asked what was going on. The officers then said they were going to let them go and called them "punks" and walked away. The officers never wrote down any information.

3:15 p.m.

Interview Details

3:21 p.m.

On March 21, 2012, [REDACTED] was interviewed at the CCRB. [REDACTED] is a [REDACTED]-year-old black male, 5'11" tall, 160 lbs., with black hair and brown eyes.

CCRB Testimony

On February 29, 2012 at approximately 1:24 a.m., [REDACTED] was at home when he received a call from his sister, [REDACTED] informing him that she was being harassed by police officers behind [REDACTED] because she did not have an ID. [REDACTED] immediately left and went to give his sister her ID. [REDACTED] walked through [REDACTED] to get to the back of the building. There were two uniformed officers standing near the door to the back of the building where [REDACTED] was. He also turned on an audio recorder on his cell phone at this time. PO1, described as a white male, 6'2" tall, 180-200 lbs., with dark hair, asked [REDACTED] for his name. [REDACTED] ignored PO1 and walked out the door to get to his sister.

PO1 said "Are you retarded? I asked you a question." and followed him out. PO1 grabbed [REDACTED] forearms, put his hands behind his back, and pushed him against the open door. [REDACTED] resisted by yelling that the officers had no authority over him and moving his shoulders and arms from side to side. PO1 attempted to handcuff [REDACTED] PO2, described as a white male, 5'10"-5'11" tall, 180-200 lbs., with dark hair and brown eyes, just stood to the side and watched. [REDACTED] older sister, [REDACTED] came on scene at this point and asked what was going on. PO1 let go of [REDACTED] and the officers then left the scene. [REDACTED] turned off the recorder at this point. The officers did not speak to [REDACTED] or [REDACTED] while [REDACTED] was on scene. [REDACTED] noticed a marked police van in the vicinity. The three of them then went back home.

At 12:15, [REDACTED] played a recording of the incident and narrated it. The recording begins at 1:24 a.m. and ends at 1:25 a.m. on February 29, 2012. It begins when [REDACTED] entered [REDACTED] and ends after he was let go and was leaving the scene. PO1 is heard saying "who are you." The door can be heard opening as [REDACTED] ignored him. PO1 told [REDACTED] to stop and asked him if he was "retarded." There is then shouting. [REDACTED] identified the female voice as [REDACTED] his voice as the one saying "you have no authority over me" and the other male voice as PO1. PO1 is the only officer heard on the recording.

3:36 p.m.

Interview Details

10:35 a.m.

On July 20, 2012, Officer Adriatic Xhidija was interviewed at the CCRB. Officer Xhidija is a white male, age [REDACTED] 6'1" tall and 235 lbs. with brown hair and eyes.

Officer Xhidija worked a patrol assignment from 11:15 p.m. on February 28, 2012, until 7:50 a.m. on the following day. He did not recall who his partner was and did not have this information noted in his memo book. He was assigned to marked van # [REDACTED] and was dressed in uniform. He had no memo book entries regarding the incident, and the following entries for the time of the incident: At 1:00 a.m., vertical patrol at [REDACTED]. At 1:10 a.m., resumed patrol. At 1:50 a.m., Brooklyn South mobilization at Stuart Street and Avenue U.

Officer Xhidija had no recollection of the incident. At 1:50 a.m., he responded to a Level I mobilization in Marine Park at Stuart Street and Avenue U. When he arrived at the location, he learned that the mobilization was a drill. He had no interactions with any civilians during the mobilization.

Officer Xhidija did not conduct any stops on the date of the incident. If he had, they would have been noted in his memo book. Officer Xhidija was not at [REDACTED] at any time on the date of the incident. He was given a brief summary of the incident, but the details did not sound familiar to him. He did not recognize [REDACTED] and [REDACTED] when shown their photographs. When told that the roll call indicates that he worked with Officer Molaro, he stated that this was possible, but had no specific recollection. He did not recall if he was the driver or passenger of the van he was assigned to. He was played the audio recording [REDACTED] provided of the incident and did not recall having any such interaction on the date of the incident. He did not recognize any of the voices on the recording. He did not call any individual "retarded" on the date of the incident and did not hear any other officer do so.

10:45 a.m.

Interview Details

9:52 a.m.

On July 26, 2012, Officer Matthew Molaro was interviewed at the CCRB. Officer Molaro is a white male, age [REDACTED], 5'7" tall and 240 lbs. with salt-and-pepper hair and hazel eyes.

Officer Molaro was assigned to Sectors A through D with Officer Xhidija from 7:05 p.m. on February 28, 2012, until 3:40 a.m. on the following day. He was dressed in uniform and assigned to a marked van. He was the operator of the van. He had no memo book entries regarding this incident, and had the following entries for the time of the incident: At 11:40 p.m., received radio run of missing at [REDACTED]. At 12:10 a.m., family dispute at [REDACTED]. At 12:20 a.m., family dispute unfounded, two summonses issued. At 12:45 a.m., vertical patrol at [REDACTED] in regard to missing person. At 2:20 a.m., missing returned.

At 11:40 p.m. on February 28, 2012, Officers Molaro and Xhidija received a radio run regarding a female who had been reported missing from her apartment at [REDACTED]. The female was approximately [REDACTED] years old, and her mother stated that she had gone missing at approximately 11:00 p.m. The officers responded to [REDACTED] but at 12:10 a.m., were then assigned a job regarding a family dispute at [REDACTED]. Because the dispute took precedence, the officers went to [REDACTED] where they unfounded the job and issued two individuals summonses. They returned to [REDACTED] at 12:45 a.m. to look for the missing girl.

At approximately 1:30 a.m., they were in the lobby of the building when [REDACTED] entered through the rear of the building and passed through the lobby. He was smoking a cigarette and had headphones on. Officer Molaro believed Officer Xhidija spoke to [REDACTED] and either asked him if he lived in the building or if he had seen the missing girl. [REDACTED] became very loud and cursed at the officers, telling them that he did not have to talk to them. Officer Molaro asked if he lived in [REDACTED] and he said he lived in the building next door. One of the officers asked [REDACTED] for his ID to confirm his address. Officer Molaro did not believe [REDACTED] provided his ID. He continued to walk and exiting the building through the front entrance. The officers followed him and spoke with him outside the front entrance.

About two or three minutes after the officers initially spoke to [REDACTED] [REDACTED] then exited the building [REDACTED] had indicated he lived in. [REDACTED] began yelling at the officers, asking why they had stopped [REDACTED] and screaming that he had not done anything wrong. The officers had not seen or interacted with [REDACTED] prior to this point in the incident. Officer Xhidija said they were just asking [REDACTED] questions because they were looking for a missing girl. Both [REDACTED] and [REDACTED] continued to be loud and belligerent, cursing and screaming. Officer Molaro believed [REDACTED] was asked for her ID because the officers were considering issuing her a disorderly conduct summons, but was not certain of this. [REDACTED] demanded the officers' names and shield numbers, which they provided. [REDACTED] and [REDACTED] told the officers that [REDACTED] had just been arrested a few weeks before, and they were angry about that situation. The officers' interaction with the individuals lasted for three or four minutes after [REDACTED] arrived. Officer Molaro then told her and [REDACTED] to have a good night because he was more concerned about finding the missing girl.

Neither officer threatened to arrest either [REDACTED] or [REDACTED]. Officer Molaro did not believe there was any physical contact between the officers and [REDACTED] including placing him against a wall. Neither officer threatened to arrest [REDACTED] or [REDACTED]. Officer Molaro initially stated that he did not recall either himself or Officer Xhidija calling [REDACTED] "retarded." However, he was then played the recording [REDACTED] provided and stated that he recognized the interaction from this incident. He stated that he heard [REDACTED] [REDACTED] and Officer Xhidija's voices on the recording, and did not hear his own. He stated that the only officer speaking on the recording was Officer Xhidija, and specifically confirmed that the voice saying to [REDACTED] "We asked you a question. Are you retarded?" sounded like that of Officer Xhidija. No other officers were present at the scene.

10:11 a.m.