

Complaint Report (CCRB)

CCRB Case No :	201412522	C/V Report Date :	Wed, 12/17/2014
Complaint Type :	CCRB	Investigator :	Leanne Fornelli
Complaint Made At :	CCRB	Ref. No	
Received Date (CCRB) :	Wed, 12/17/2014	Mode :	Call Processing System
Incident Date(s) :	Wednesday, 12/17/2014 9:10 PM		
Place of Occurrence:		Precinct:	42
Location :	Street/highway	Boro:	Bronx
Reason for Initial Contact :	Moving violation		
Charges:	Arrest - OGA		

Complainant/Victim Details

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

Name:		Type:	Victim
Address:			
Contacts:			
Gender:		Ethnicity:	
Person Assisting:		Date of Birth:	

Name:		Type:	Comp/Witness
Address:			
Contacts:			
Gender:		Ethnicity:	
Person Assisting:		Date of Birth:	

Officer(s) Named in Complaint

Rank	Officer	S/W Officer	Tax No	Race	Cmd	Allegations/Board Dispositions
POM	John Zorrilla	Subject Officer	933511	Hispanic	807	Pepper spray - (F) Exonerated
POM	John Zorrilla	Subject Officer	933511	Hispanic	807	Action - (D) Unsubstantiated
POF	Christine Barrientos	Subject Officer	950051	Hispanic	807	Physical force - (punched/kicked/kneed) - (F) Alleged Victim Uncooperative
SGT	Miguel Frias	Witness Officer	930184	Hispanic	807	
SGT	Timothy Jaycox	Witness Officer	928533	White	318	

Initial Complaint Narrative

On December 17, 2014, at approximately 8:30 a.m., § 87(2)(b) and § 87(2)(b) were driving to § 87(2)(b) mother's apartment, located on § 87(2)(b) in the Bronx. When § 87(2)(b) pulled in front of the building, an unmarked police vehicle pulled up behind § 87(2)(b) vehicle. An officer in plainclothes, PO Zorrilla, approached § 87(2)(b) and told him he had been speeding and had failed to signal when turning. PO Zorrilla was identified by name and tax ID number through a summons that § 87(2)(b) was issued during the incident. Two other officers, PO1 and PO2, were with PO Zorrilla. PO1 was described as a 5'5" tall Hispanic female in plainclothes, but with an NYPD jacket on. PO2 was described as a 6'3" tall white male in plainclothes. PO Zorrilla asked § 87(2)(b) a few more questions, and then asked § 87(2)(b) and § 87(2)(b) to step out of the vehicle so it could be searched. § 87(2)(b) asked why the vehicle had to be searched, and then PO Zorrilla sprayed pepper spray at § 87(2)(b) through the vehicle window. § 87(2)(b) was also hit with the pepper spray, and then he and § 87(2)(b) exited the vehicle. Both were placed in handcuffs, and placed under arrest. Two more police vehicles arrived on the scene, and then § 87(2)(b) and § 87(2)(b) were brought to the PSA 7 Precinct stationhouse. PO Zorrilla drove § 87(2)(b) vehicle to the stationhouse, and then officers searched the vehicle. § 87(2)(b) was released with a summons for disorderly conduct, and § 87(2)(b) was arrested. § 87(2)(b) received medical treatment at the stationhouse because the pepper spray was burning his eyes.**The following is from duplicate complaint CCRB 201412551**§ 87(2)(b) provided the following information in an email complaint: My son was getting out of his car when he was told by the cop to get back into his car. He reply, the officer Miguel Frias (a sergeant) who is a Male Hispanic about 6 feet tall, has a slim build with tax registration #930184 and shield #1309 in plain clothes from PSA7 then ask him for his license, registration and insurance card. He produced all documents. My son then ask the cop why he was being pulled over, the officer respond was (you were speeding and you also fail to signal when you made the right turn. The officer Christine Barrientos who is a Female Hispanic about 5'3 has a medium build with a pony tail with tax registration #950051 and shield #29238 in plain clothes from PSA7 then told him to get out of the car so they could check it. My son said I'm not getting out of the car for a traffic stop. Why do I have to get out the car if you say you pulling me over for speeding. They then proceeded to get him out the car, they sprayed mace in his face threw him to the ground, kicked him then arrested him. He also had a passenger in the car that they arrested him also. I asked the officer for his car keys and they refused to give me his car key. One of the officers drove his car to the precinct. When I arrived at the precinct no one will give me any information, not even the desk officer.**The following is from duplicate complaint CCRB 201412632**12/19/2014**THE ORIGIANL LOG #14-40804 WAS ASSESSED AS AN (OG). THIS IS A SPIN OFF CCRB **FADO-FORCE//FADODISCOURTESY ALLEGATION****CCRB WILL ONLY INVESTIGATE THE FADO ALLEGATIONS CONTAINED IN THIS LOG. THE NYPD WILL INVESTIGATE ALL OTHER ALLEGATIONS. THE INFORMATION PERTAINING TO THESE ALLEGATIONS AND THE SUBSEQUENT INVESTIGATION IS CONFIDENTIAL**12/17/2014 @ 2345 Hrs. Ext 2249, 911 Operator#1068 called the command/center and connected complainant § 87(2)(b) s reported the following: Complainant states her son § 87(2)(b) was with his friend § 87(2)(b) in his vehicle when he was stopped by plain clothed police officers. Complainant states the officers told him he was speeding which he disputes. Complainant States her son was dragged out of her car, maced and was kicked in the head while on the ground. Complainant states the officers searched his car for no reason. Complainant states she tried to get her son's keys and an officer said get the fuck out the way. Complainant states one officer "almost hit her with her son's car and stated "move back bitch". Complainant states she reported to PSA#7 and an ambulance was on scene treating her son for mace. Complainant states her son § 87(2)(b) was his friend § 87(2)(b) was arrested. Complainant states the officers verbally stated their badge numbers as #1309, 2292 and the name Barrington. Complainant does not believe the badge numbers and the name given is accurate. Complainant states her friend § 87(2)(b) (Unknown last name) recorded the incident and she will ask her friend for the video in the am hours.**0110 Hr. Ext 2249, I spoke with Complainant § 87(2)(b) s and Witness § 87(2)(b) who reported the following: § 87(2)(b) states she recorded the incident but the video is dark and may only be able to hear voices. § 87(2)(b) states she will forward it to the command center.**Omni check reveals: § 87(2)(b) § 87(2)(b) was arrested for § 87(2)(b) § 87(2)(b) has 6 total arrests. **Omni check reveals negative arrest results for § 87(2)(b) as of 0200 Hrs. **Mos search results: Negative results for a PO Barrington. Shield#1306 Belonging to PSA#6 PO Caraballo Tax#948743, Shield#2292 PO Medina Tax#949316 78 pct. and Det Plunkett Tax#924346 81 pct.**0152 Hrs, I spoke with Complainant § 87(2)(b) who states she is unable to send video.**0201 Hrs. Ext 2249, Sgt Johnson conferred with Insp McCarthy who recommends log be sent to CCRB.

Witness

Name of Witness:

§ 87(2)(b)

Address:

§ 87(2)(b)

Contacts:

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

Gender :

[REDACTED]

Ethnicity:

[REDACTED]

Date of Birth :

[REDACTED]
