CCRB INVESTIGATIVE RECOMMENDATION

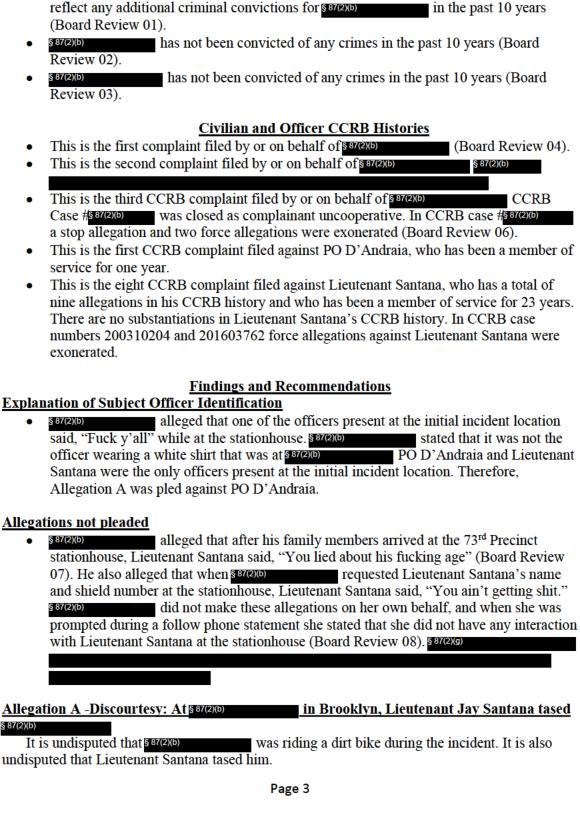
Investigator:		Team:	CCRB Case #:	7 1	Force	$\overline{\checkmark}$	Discourt.		U.S.
Wassim Abedrabbo		Squad #12	201605975	Ø.	Abuse		O.L.		Injury
Incident Date(s)		Location of Incident:	1	Pr	ecinct:	18	Mo. SOL	l F	EO SOL
Sun, 07/10/2016 10:30 PM					73		/10/2018	1	/10/2018
Date/Time CV Reported		CV Reported At:	How CV Reported:				eived at CC		10/2010
Mon, 07/11/2016 10:22 PM		CCRB					6 10:22 PN		
Moli, 07/11/2010 10:22 PM		CCRB	Call Processing System		vion, 07/1	1/201	0 10.22 I N	/1	
Complainant/Victim	Type	Home Addre	ess						
Witness(es)		Home Addre	ess						
Subject Officer(s)	Shield	TaxID	Command						
1. POM Vincent Dandraia	26819		073 PCT						
2. LT Jay Santana	00000		073 PCT						
Witness Officer(s)	Shield No	o Tax No	Cmd Name						
1. POM Paul Brown	28748		NARCBQN						
2. SGT Junkao Zhang	05082		073 PCT						
Officer(s)	Allegatio	n			Inve	stiga	tor Recor	nme	ndation
A. LT Jay Santana	Force: At Santana t	§ 87(2)(b) in B asered § 87(2)(b)	rooklyn, Lieutenant	Jay					
B. POM Vincent Dandraia	Force: At Vincent I	§ 87(2)(b) in B D'Andraia used physical	rooklyn, Police Offic force against § 87(2)(b)						
C. POM Vincent Dandraia	Force: At Vincent I	§ 87(2)(b) in B D'Andraia struck § 87(2)(b)	rooklyn, Police Office with a ca		or.				
D. LT Jay Santana		Authority: En route to use, Lieutenant Jay San with the use of force.		(b)					
E. POM Vincent Dandraia		esy: At the 73rd Precinc incent D'Andraia spoke and ^{§ 37(2)(b)}							

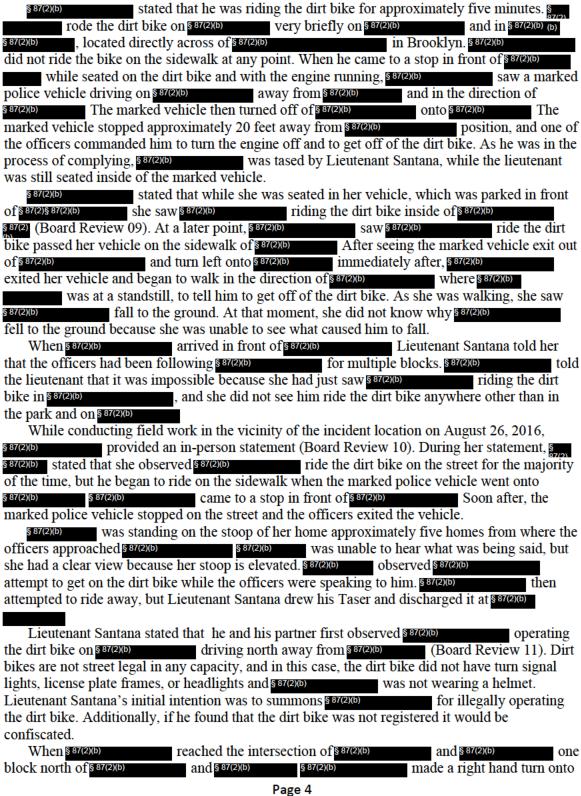
Case Summary

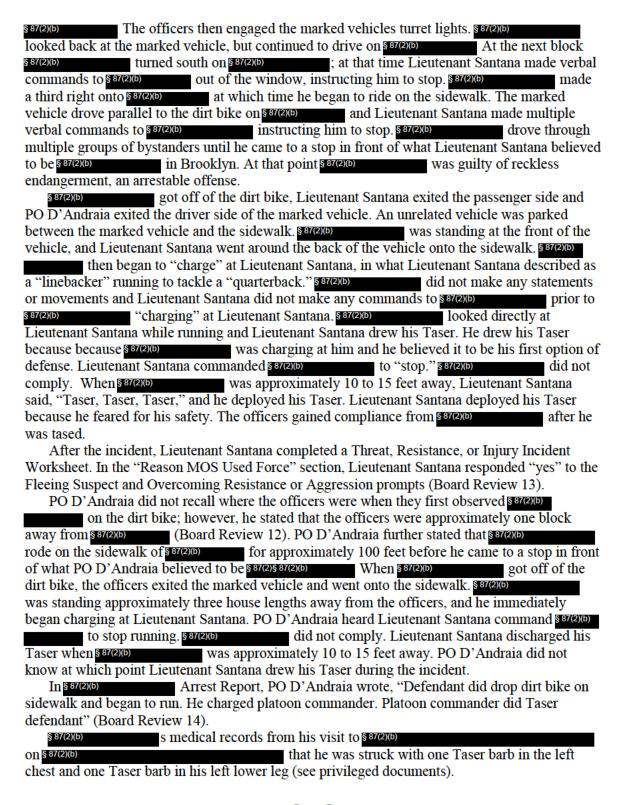
On July 11, 2016, \$87(2)(b) filed this complaint via the CCRB's Call Processing
System on the behalf of her nephew \$87(2)(b) her brother \$87(2)(b) and
herself.
On July 10, 2016, at approximately 10:30 a.m., in the vicinity of \$87(2)(b) in
Brooklyn, \$87(2)(6) was riding a dirt bike that belonged to an acquaintance. After riding
the dirt bike for about five minutes, \$87(2)(b) came to a stop in front of \$87(2)(b)
in Brooklyn. While he was seated on the bike at a standstill with the engine running,
saw a marked police vehicle driving on \$87(2)(b) in the direction of
The marked police vehicle came to a stop approximately 20 feet away from
§ 87(2)(b)
heard an officer command him to turn the engine off and to get off of the
dirt bike. As he was doing in the process of complying, \$87(2)(6) heard a "zap" and he
fell to the ground. Lieutenant Jay Santana tased \$87(2)(b) (Allegation A).
dirt bike. As he was doing in the process of complying, \$87(2)(b) heard a "zap" and he fell to the ground. Lieutenant Jay Santana tased \$87(2)(b) (Allegation A). Police Officer Vincent D'Andraia handcuffed \$87(2)(b) however, while PO doing
so PO D'Andraia allegedly hent \$87(2)(b) left ring finger back causing him pain
(Allegation B). \$87(2)(5) was then raised off of the ground and walked to the marked
police vehicle. \$87(2)(b) was placed in the back of the marked vehicle; however, PO
D'Andraia closed the door of the marked vehicle before he can place his entire leg inside and the
door closed on §87(2)(b) leg (Allegation C).
Both officers then entered the marked vehicle and PO D'Andraia began driving to the 73 rd
Precinct stationhouse.
En route to the stationhouse, \$87(2)(6) began to yell because he was in pain. In
response, Lieutenant Santana said, "Shut up or I will tase you again" (Allegation D).
Approximately five minutes after leaving the initial incident location, the marked vehicle
arrived at the 73 rd Precinct stationhouse. Minutes later, \$87(2)(b) and \$87(2)(b)
entered the stationhouse. When \$87(2)(b) family members entered, PO D'Andraia
immediately approached them and said, "I thought you said he was PO D'Andraia then
asked where the dirt bike went. \$87(2)(b) told PO D'Andraia that a different individual
took the dirt bike. PO D'Andraia allegedly responded by saying, "Fuck ya'll," (Allegation E) and
then walked away.
Lieutenant Santana then instructed four uniformed police officers to escort \$87(2)(b)
and §87(2)(b) out of the 73 rd Precinct stationhouse.
was arrested as a result of this incident.
This case went past the 90-day benchmark due to delays in scheduling both the civilians and
officers.
Mediation, Civil and Criminal Histories

- This case was not suitable for mediation.
- s87(2)(b) has filed a Notice of Claim with the NYC Comptroller's Office claiming psychological and physical distress, physical pain and suffering, damage to property, fear and other trauma, legal expenses, deprivation of liberty, and economic loss for an unspecified amount of money (Board Review 19).
- In relation to this incident, on \$87(2)(0) please pled guilty to disorderly conduct and he was ordered to three days of community service. OCA did not

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All parties, but \$87(2)(0) Thus, the investigation has determined that \$87(2)(0) did operate the dirt bike on the sidewalk. Additionally, \$87(2)(0) stated that Lieutenant Santana told her the officers followed \$87(2)(0) for "blocks" while at the incident location, that she witnessed \$87(2)(0) riding on the sidewalk with the marked vehicle immediately behind, and that she saw \$87(2)(0) fall to the ground a short time after she began walking towards the exact location of the interaction, corroborating Lieutenant Santana's account on the timing of events that lead to him discharging his Taser at and hitting \$87(2)(0) Therefore, the investigation is crediting Lieutenant Santana's account that \$87(2)(0) was attempting to avoid arrest by refusing orders to stop the dirt bike and that he ran directly at Lieutenant Santana when in front of \$87(2)(0) Patrol Guide Procedure 212-117 A Conducted Energy Device (CED) should only be used against persons who are actively physically resisting, exhibiting active physical aggression, or to prevent individuals from physically injuring themselves or other person(s) actually present (Board Review 18).
(BOATG REVIEW 18). § 87(2)(g)
2 or (=)(ā)
Allegation B – Force: At 887(2)(b) in Brooklyn, Police Officer Vincent D'Andraia
used physical force against §87(2)(b)
s medical records from his visit to \$\frac{87(2)(0)}{2}\$ s medical records from his visit to \$\frac{87(2)(0)}{2}\$ s medical records from his visit to \$\frac{87(2)(0)}{2}\$ stated that he reported the following, after being tased he fell to his left side causing an impact to his hand that resulted in pain to his left ring finger. During his CCRB interview on August 17, 2016, \$\frac{87(2)(0)}{2}\$ stated that as PO D'Andraia was handcuffing him, PO D'Andraia bent his left ring finger back causing pain. In the Notice of Claim, filed by \$\frac{87(2)(0)}{2}\$ on September 16, 2016, it is noted that the claim was filed partially because the officers caused "injury to claimant's finger by forcefully twisting his hands behind his back after he was handcuffed." \$\frac{87(2)(0)}{2}\$ stated that she saw PO D'Andraia pick \$\frac{87(2)(0)}{2}\$ up off of the ground, and place him into the back of the marked police vehicle. As PO D'Andraia was in the process of doing so, she heard \$\frac{87(2)(0)}{2}\$ sustained the injury to his finger. PO D'Andraia stated that he and Lieutenant Santana placed \$\frac{87(2)(0)}{2}\$ made any statements to him during the handcuffing process. PO D'Andraia did not hear \$\frac{87(2)(0)}{2}\$ make any statements regarding any injuries to or pain in his fingers or hand. Lieutenant Santana stated that after \$\frac{87(2)(0)}{2}\$ make any stated that he felt pain in his leg. Lieutenant Santana did not recall learning at any point that PO D'Andraia bent \$\frac{87(2)(0)}{2}\$

Lieutenant Santana said, "Shut up or I will tase you again." There was not any additional

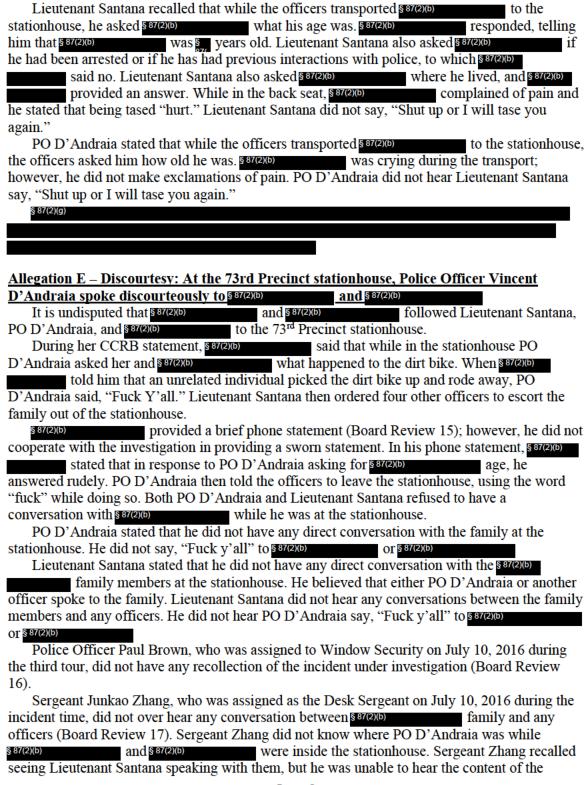
CCRB Case # 201605975

was unable to answer, and instead he continued to yell in pain. In response,

en route to the stationhouse afterward.

conversation between the officers and §87(2)(b)

§ 87(2)(g)



conversation because they were standing at the front of the stationhouse and he was at the back. Sergeant Zhang did not hear PO D'Andraia use profanity while he was standing at the command desk during his tour.

g 01 (2)(g)			
01-12			
Squad: 12			
Investigator:			
-	Signature	Print	Date
Squad Leader: _			
	Signature	Title/Print	Date

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