



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETTITIA JAMES
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
LAW ENFORCEMENT MISCONDUCT INVESTIGATIVE OFFICE

March 27, 2024

Via E-mail

Chief of Police Joseph Cecile
Syracuse Police Department
511 S. State Street
Syracuse, NY 13202

Re: Executive Law § 75(5)(b) Referral of Police Officer Thomas Hill
OAG Matter No. 1-794306327

Dear Chief Cecile,

We have reviewed your agency's Executive Law § 75(5)(b) referral of complaints involving Police Officer Thomas Hill from July 2019 to April 2023.

Based on our review, we have not made a finding of a pattern or practice of misconduct, use of excessive force, or acts of dishonesty by Officer Hill.

However, Officer Hill's conduct while responding to a domestic dispute (DR# 23-255171/23-264933) was inconsistent with the Syracuse Police Department's Domestic Violence Policy and Criminal Procedure Law § 140.10(4)(c). During this incident, Officer Cecile was the first to arrive in response to Complainant's call for service regarding a domestic dispute between herself and her child's father, Mr. Doe. In Officer Cecile's presence, Mr. Doe pushed on Complainant's face several times and grabbed and struck at her intimate areas. Complainant can be heard stating that she wants to press charges on Mr. Doe. Then Officer Hill arrived and Mr. Doe again made physical contact with Complainant while he was holding their child, grabbing her buttocks and pushing on her face. Complainant and Mr. Doe were finally separated, and after speaking to the officers separately, Mr. Doe agreed to leave. Ten days after the initial call (After Complainant and her mother submitted a complaint), Officer Hill followed up with Complainant, and she stated that Mr. Doe had returned to her home after Officers Cecile and Hill left and flicked and pinched her multiple times, resulting in bruises on her arms and legs. At that time, it appears that Officer Hill applied for a warrant for criminal trespass and second-degree harassment.

Based on our review of the BWC footage, there was probable cause to arrest Mr. Doe for forcible touching and/or second-degree harassment based on what the officers directly observed. *See* Penal Law §§ 130.52, 240.26. Both forcible touching, a misdemeanor, and second-degree harassment, a violation, are family offenses, and Complainant and Mr. Doe qualify as “members of the same family or household” because they share a child. *See* Fam. Ct. Act § 812; N.Y. Crim. Proc. Law § 530.11. Criminal Procedure Law § 140.10(4)(c) requires an arrest for misdemeanor family offenses “unless the victim requests otherwise.” No such request can be heard on the BWC footage, nor is one documented in the officers’ reports. Additionally, the Syracuse Police Department’s Domestic Violence Policy required an arrest under these circumstances. Domestic Violence Policy 311.9.

SPD materials indicate that after an internal investigation, Officer Hill was counseled regarding effective communication during domestic incidents. We recommend that Officer Hill receive additional counseling regarding Criminal Procedure Law § 140.10(4) and the department’s Domestic Violence Policy to ensure that arrests are made when required in domestic violence cases to protect the safety of victims.

We appreciate the cooperation of you and your agency.

Thank you,

Tyler Nims
Chief, Law Enforcement Misconduct Investigative Office
New York State Office of the Attorney General