



**Office of the New York State  
Attorney General**

**Letitia James  
Attorney General**

December 18, 2025

Police Commissioner Jessica Tisch  
New York City Police Department  
One Police Plaza  
New York, New York 10038

***Via Email***

Re: Executive Law § 75(5)(b) Referral of Sergeant Godwin Ngai  
OAG Matter No. 1-794587887

Dear Commissioner Tisch,

We have reviewed your agency's Executive Law § 75(5)(b) referral of complaints involving Sergeant Godwin Ngai from May 2019 to May 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 Sgt. Ngai.

However, with regards to CCRB 202304857, we conclude that Sgt. Ngai abused his authority when he directed a subordinate officer to issue a ticket for Disorderly Conduct to the Complainant without sufficient justification. On May 30, 2023, Sgt. Ngai was with Officer Natayla Kim when they stopped the Complainant for making an illegal left turn. During stop, the Complainant disputed the basis for the stop and, after receiving the ticket, cursed at Officer Kim. When Officer Kim returned to her police vehicle, Sgt. Ngai directed her to stop the Complainant again and she was issued a second ticket for Disorderly Conduct under subsection 1, because of Complainant's purported "use of aggressive verbal obscene language and obscene gestures with intent to cause annoyance and alarm resulting in a crowd to gather." Officer Kim's body-worn camera (BWC) footage showed the Complainant remaining in her car and although she repeatedly objected to and questioned the basis of the first stop, she did not raise her voice, nor did she speak to Officer Kim in a threatening manner or cause any public disturbance. The BWC footage also belies the officers' account that the intersection was busy or that a crowd gathered. The only people on the street were the officers.

To charge the Complainant with Disorderly Conduct, there must be proof of an intent by the Complainant and a showing of public harm. Both are lacking here. "[I]solated statements using coarse language to criticize the actions of a police officer, unaccompanied by provocative acts or aggravating circumstances, will rarely afford a sufficient bases to infer the presence of the

“public harm” mens rea necessary to support a disorderly conduct charge.” *People v. Baker*, 20 N.Y.3d 354, 357; 984 N.E.2d 902, 960 N.Y.S.2d 704 (2013).

We recommend that Sgt. Ngai receive additional training on Disorderly Conduct offenses under the NYS Penal Law.

We appreciate the cooperation of you and your agency.

Thank you,

Mihea Kim  
Assistant Attorney General

Lillian Marquez  
Deputy Bureau Chief  
Law Enforcement Misconduct Investigative Office