



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

**Letitia James
Attorney General**

April 2, 2026

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

Via Email

Re: Letter regarding Executive Law § 75(5)(b) Referral of Officer Kevin Vega
OAG Matter No. 1-817982988

Dear Commissioner Tisch,

We have reviewed your agency's referral of Officer Kevin Vega pursuant to Executive Law Section 75(5)(b). Based on our review, we conclude that Officer Vega engaged in a pattern of unjustified stops, frisks, and searches.

Our findings are based on the following incidents, all of which occurred while Officer Vega was assigned to the Staten Island Community Response Team.

- **CCRB Case No. 201908683:** Complainant 1 alleged that on October 1, 2019, Officer Vega and another officer forcibly removed her to a hospital for evaluation without lawful justification following a 911 call reporting that she was yelling at neighbors. Under Patrol Guide Procedure 221-13, officers may take a civilian into protective custody when they reasonably believe that the civilian is apparently mentally ill or emotionally disturbed and is conducting themselves in a manner likely to result in serious injury to themselves at others. Although the 911 dispatcher had categorized the complainant as an emotionally disturbed person (EDP), the officers had prior familiarity with the complainant in a forcible removal context, and a neighbor told officers that the complainant had been walking in the street, there was insufficient evidence to establish that on October 1, 2019, the complainant's conduct was likely to result in serious injury to herself or others. Body-worn camera footage (BWC) showed the complainant speaking and arguing with officers, but did not capture her taking physically threatening actions or making verbal threats against herself or others. CCRB substantiated the allegation of forcible removal to a hospital as an Abuse of Authority; this substantiated forcible removal constitutes misconduct under Executive Law § 75(5)(b). NYPD did not issue any formal discipline related to this matter.

- **CCRB Case No. 202400576:** Complainant 2 alleged that on December 5, 2023, Officer Vega and two other officers initiated a traffic stop of his vehicle and conducted a frisk and search of his person without lawful justification. The officers testified that they observed the complainant disobey a stop sign, then reach underneath the driver's seat, perhaps to conceal or access a weapon, after they pulled him over. Officer Vega asked the complainant if he was armed, frisked the complainant, and searched the complainant's jacket pocket. Officers may not ask the occupants of a lawfully stopped vehicle if they possess weapons without founded suspicion for the inquiry; officers may not frisk an individual without reasonable belief that they are armed and dangerous. *People v. Garcia*, 20 N.Y.3d 317, 322 (2012); *People v. DeBour*, 40 N.Y.2d 210, 223 (1976). Founded suspicion of criminal activity arises when there is present indication of criminality based on observable conduct or reliable hearsay information. NYPD Patrol Guide Procedure at 212-11. CCRB found that the officers' observations were insufficient to create a reasonable belief that the complainant was armed, and Officer Vega lacked founded suspicion of criminality to justify his questioning of the complainant. CCRB further found that Officer Vega lacked justification for the frisk and search of the complainant and did not follow NYPD procedure by clearly informing the complainant that he must consent to the frisk and search. NYPD Patrol Guide Operations Order at 50. The improper questioning, frisk, and search by PO Vega constitute misconduct under Executive Law § 75(5)(b). NYPD imposed Command Discipline B in connection with this incident.

- **CCRB Case No. 202400956:** Complainant 3 alleged that on January 17, 2024, Officer Vega and another officer stopped his vehicle, removed him from the car, and searched his jacket pockets without lawful justification. BWC footage showed Officer Vega asking the complainant if he had any weapons, and requesting consent to search the complainant after he replied in the negative. CCRB found that both the question and the search were unlawful. Officer Vega testified that he had observed the complainant dip his right shoulder downward, which indicated that he was trying to conceal "something;" after the complainant stepped out of the vehicle, Officer Vega testified that he observed a cylindrical bulge in the complainant's jacket pocket that resembled a pocketknife. Officer Vega then requested permission to search the complainant and, though he received no consent, searched the complainant's pockets without frisking them first. Contrary to Officer Vega's assertion, his BWC showed no bulge in the complainant's jacket pocket. CCRB substantiated two allegations of abuse of authority, finding that the complainant dipping his shoulder did not clearly indicate criminality and that Officer Vega lacked founded suspicion to ask if he was armed, and that Officer Vega had failed to frisk the allegedly suspicious area of the complainant's jacket prior to entering the complainant's pocket. The substantiated improper questioning and search by Officer Vega constitute misconduct under Executive Law § 75(5)(b). NYPD imposed Command Discipline B and Officer Vega forfeited one vacation day in connection with this incident.

- **CCRB Case No. 202405820:** Complainant 4 alleged that on May 27, 2024, Officer Vega and other officers stopped him, grabbed his crossbody bag, pushed him, and searched the bag without lawful justification. Officer Vega claimed that when he had initially made eye contact with the complainant, the complainant gripped his cross-body bag and

Officer Vega observed what appeared to be the handle of a firearm protruding from the bag. Officer Vega could not recall whether the item was on the left or right side of the bag and then clarified that the item was not sticking out of the bag, but he saw the outline of what resembled a firearm handle through the bag. Officer Vega could not describe the object's dimensions or state what potential firearm he believed he had observed. Officer Vega stated that the complainant grabbed the bag while blading his body away from officers. Three officers approached the complainant, and one officer grabbed the bag. The complainant said not to touch him and Officer Vega grabbed the complainant's hand to control it while the other officer searched the bag. CCRB found it "difficult" to credit Officer Vega's claimed observations and found that Officer Vega lacked reasonable suspicion to stop the complainant. The substantiated improper stop constitutes misconduct under Executive Law § 75(5)(b). NYPD imposed Command Discipline A in connection with this incident.

- **CCRB Case No. 202407385:** Complainant 5 alleged that on July 23, 2024, PO Vega and another officer stopped and frisked him without lawful justification. Officer Vega's stop report stated that the complainant made eye contact with officers as they drove past him, then moved his bag to his back, turning away from the officers and looking repeatedly at the vehicle. In his stop report, Officer Vega described the bag as being "the same shape, size, [and] weight of the handle of a firearm." During his testimony to CCRB, Officer Vega stated that he saw an L-shaped bulge resembling the handle of a firearm in the complainant's bag but could not explain why he had not mentioned this bulge in the stop report and did not purport to see the shape of a gun's barrel. CCRB did not credit the stated observation of an L-shaped bulge or inference that it indicated possession of a firearm handle, and found that the officers lacked the requisite suspicion to question, let alone stop or frisk, the complainant or his belongings. CCRB substantiated the allegations of improper stop and frisk by Officer Vega; this constitutes misconduct under Executive Law § 75(5)(b). NYPD has yet to formally discipline Officer Vega for this incident.

Based on the above incidents, we conclude Officer Vega engaged in a pattern of misconduct related to unlawful stops, frisks, and searches.

NYPD did not issue any formal discipline related to CCRB 201908683, and disciplinary charges are still pending for CCRB 202407385. We recommend Officer Vega's repeated misconduct should be considered an aggravating factor pursuant to the NYPD's Disciplinary System Penalty Guidelines (the "Discipline Matrix"). New York City Police Department Disciplinary System Penalty Guidelines at 10) ("The presence or reasonable availability of knowledge, training and experience of the member of the service involved that is germane to the incident," "the role of the member of the service in the particular event," and "any negative employment history including prior discipline or performance deficiencies"). Officer Vega committed four incidents of misconduct related to searches and seizures in fewer than eight months, and progressive discipline appears warranted per the Discipline Matrix. In addition to discipline, to prevent future misconduct, NYPD should develop a plan for addressing Officer Vega's repeated misconduct that includes monitoring and training to ensure his compliance with the Fourth Amendment. Because several of the above incidents also resulted in sustained misconduct findings related to unlawful searches and seizures by other officers on the Staten

Island Community Response Team, NYPD should develop a plan for ensuring that officer members of the SI CRT clarify their understanding of the Fourth Amendment and related NYPD guidelines.

Pursuant to Executive Law § 75(5)(c), please provide a written response within 90 days as to NYPD's response to these recommended remedial actions.

Thank you,

LETITIA JAMES
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