



**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: Executive Law § 75(5)(b) Referral of Officer Matthew Bessen
OAG Matter No. 1-817984848

Dear Commissioner Tisch,

We have reviewed your agency's referral of Officer Matthew Bessen pursuant to Executive Law Section 75(5)(b). Based on our review, we have concluded that Officer Bessen engaged in a pattern of repeated unlawful stops, frisks, searches, and force in contravention of the federal and state constitutions and NYPD guidelines while assigned to the 75th Precinct.

Our findings are based on the following incidents:

- **CCRB Number 202107688:** On December 17, 2021, at approximately 9:50 pm, Officer Bessen was on duty at the 75th Precinct with one other NYPD officer. Together, they responded to a 911 call from Complainant 1's boyfriend (alleging that Complainant 1 had stolen his property, which included a laptop and an iPad, and stored them inside her apartment. The officers went to her apartment and Officer Bessen repeatedly knocked on her front door. When she opened it, Officer Bessen blocked her from closing it by placing his foot in the door frame. He forced entry into her apartment by pushing the door open. After both officers entered the apartment, they grabbed her and placed her in handcuffs. Both officers escorted her to a back room in her apartment and recovered her boyfriend's bag on the fire escape. While she was handcuffed inside her apartment, Officer Bessen threatened her by saying, "When you slam the door on my fingers – I don't care if your kids are here. You put myself in harm. Now I have to get a unit here to take down your door in front of your kids." Ultimately, she was not arrested or given a summons at the conclusion of the encounter.

CCRB investigated this incident and substantiated allegations of improper entry and search because the underlying circumstances did not present an emergency nor exigency that would have justified a warrantless entry into her apartment or search of her apartment. CCRB also

concluded that Officer Bessen's threats to Complainant 1 constituted an abuse of authority as it served no law enforcement purpose and amounted to an unjustified threat of property damage.

CCRB served Charges and Specifications for the substantiated allegations and, following a disciplinary hearing conducted by CCRB's Administrative Prosecutor Unit, NYPD found Officer Bessen guilty of forcible entry, search, threat to damage property allegations and imposed a forfeiture of 20 vacation days.

- **CCRB Number 202205448:** On August 4, 2022, at approximately 1:00 am, Officer Bessen was assigned to the 75th Precinct with one other NYPD officer. While driving in an unmarked vehicle, the officers followed Complainant 2, who was walking down the street at approximately 1:00 am. They stopped Complainant 2 because he was jaywalking. Officer Bessen asked for Complainant 2's identification and questioned Complainant 2 about a bulge in his pants pocket by asking, "What do you got in your pocket bro, what is that? That bulge right there?" Complainant 2 responded to him that it was his wallet. In his sworn statement, Officer Bessen told CCRB that the object looked like a "L" and was in the shape of a square. He believed it was a weapon based on how Complainant 2 touched it. CCRB investigated this incident and substantiated the allegation of improper questioning because Officer Bessen did not have a founded suspicion to question Complainant 2 about possessing a weapon in his pants pocket. CCRB found that a rectangular item in a pocket, unlike a waistband bulge, is not unexpected.

NYPD imposed Command A Discipline for the improper questioning.

- **CCRB 202310856:** On November 15, 2023, at approximately 11:30 pm, Officer Bessen was on duty at the 75th Precinct along with two other officers as part of the precinct's Public Safety Team. They followed Complainant 3 in their unmarked police van as he walked on the street. The officers asked him questions. When Complainant 3 did not respond and crossed the street, Officer Bessen and other officers stopped him for jaywalking. Officer Bessen quickly approached Complainant 3 asking for ID while simultaneously grabbing at his hands. Complainant 3 pushed Officer Bessen's hands away and stepped back. Officer Bessen grabbed his hands and asked him again for identification. He held onto Complainant 3's right sleeve with his left hand and punched Complainant 3 in the face with his right fist. Officer Bessen punched Complainant 3 again and Complainant 3 fell to the ground. Officer Bessen punched him at least two more times in quick succession while Complainant 3 lay face down on the ground. At that time, Officer Bessen and another officer were on top of his back. Officer Bessen ordered Complainant 3 to give him hands and he handcuffed him. He frisked Complainant 3 and told him, "You look like you had a gun on you." Complainant 3 was arrested for Penal Law § 195.05 (Obstruction of Governmental Administration), PL § 205.30 (Resisting Arrest), PL § 240.20(5) (Disorderly Conduct), and 34 Rules of the City of New York § 4-04(c)(3) (Jaywalking), and was transported to the precinct. While processing Complainant 3's arrest at the precinct, Officer Bessen called him an "ugly bitch" and told him "You were just crying on scene, bro. Stop. Don't act like a man now."

CCRB investigated this incident and substantiated allegations of unlawful arrests. CCRB found there was no legal basis to arrest him for PL § 240.20(5) and Jaywalking. These are non-criminal offenses and Criminal Procedure Law § 150.20 bars officers from arresting civilians for such offenses. Allegations of an unlawful arrest for Complainant 3's resisting arrest and OGA arrests were substantiated because he passively refused to provide identification, which does not satisfy the element of PL § 190.05. As a result, Complainant 3 could not commit PL § 205.30 because it requires an arrest for a crime.

CCRB also substantiated allegations that Officer Bessen used unreasonable force when he punched Complainant 3 twice in the face and multiple times after Complainant 3 was face down on the ground. Officer Bessen's punches were found to be unreasonable because Complainant 3 complied with orders, showed no signs of being in possession of any weapons, and was not a flight risk because three officers had surrounded him. In addition, Officer Bessen's additional punches to Complainant 3 while he was on the ground were not reasonable because he used such force immediately before ordering Complainant 3 to give him his hands.

CCRB substantiated an allegation of offensive language based on Officer Bessen's statement to Complainant 3 while he processed his arrest. CCRB found these statements were directly referencing his gender in a stereotypical, derogatory manner, served no other purpose than to belittle and insult Complainant 3.

Finally, CCRB substantiated an allegation of bias-based policing because Officer Bessen's enforcement actions were motivated by Complainant 3's race, age, and gender. CCRB findings were supported by direct evidence and circumstantial evidence. His use of discourteous and offensive language towards Complainant 3 was noted as direct evidence of bias-based policing. CCRB noted circumstantial evidence of bias-based policing such as the sequence of events before the stop and arrest, pretextual nature of the stop for jaywalking, unlawful arrest in absence of probable cause that led to the unnecessary transport to the precinct, false claims that Complainant 3 showed pre-assault indicators and took a fighting stance, departure from customary practice of issuing summonses for jaywalking, and Officer Bessen's history of prior discriminatory conduct.

CCRB filed Charges and Specifications for the substantiated allegations, and the matter is currently pending at a hearing.

- **CCRB 202400167:** On December 23, 2023, Officer Bessen was on duty at the 75th Precinct with another officer. At approximately 4:30 pm, they observed 16-year-old Complainant 4 crossing the street from their police van. Officer Bessen asked him if he could speak to him, approached him, told him stopped for jaywalking, and questioned him about the contents of his pockets in the following manner:
 - “Look at this pocket bro [...] this thing looks crazy,”
 - “That’s fine. You’re allowed to wear gloves. The reason we’re stopping you is you walked across that red-hand signal. And some people that wear gloves, man, they do weird stuff around here. Bad stuff. Alright? So, we just want to make sure

you don't have anything on you, and you're good. You don't have anything on you?"

- "You're good? Your pockets are alright? Y'know, there's nothing in your waistband at all?"

CCRB investigated this incident and substantiated an allegation of unlawful questioning because Officer Bessen did not have a founded suspicion that Complainant 4 was in possession of a weapon and therefore had no basis to ask him about the contents of his pockets.

NYPD imposed Command A Discipline for that misconduct.

Based on CCRB's substantiated allegations discussed above, we find Officer Bessen engaged in a pattern of unlawful enforcement actions in contravention of the federal and state constitutions and NYPD guidelines. We recommend NYPD retrain him on *Debour*, particularly the necessary justifications for questioning about weapons possessions, bias-based policing, and offenses requiring a summons and an arrest pursuant to CPL § 150.20. Also, NYPD should follow its guidelines, taking into account past substantiated misconduct and imposing progressive discipline, upon any future findings of misconduct, including in the pending matter.

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
Attorney General of the State of New York

By: Simone Manigo
Assistant Attorney General
Law Enforcement Misconduct Investigative Office