



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

**Letitia James
Attorney General**

May 13, 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 Michael Farone
OAG Matter No. 1-817983768
Tax ID No. 967501

Dear Commissioner Tisch,

The Office of the New York State Attorney General has reviewed your agency's referral of Officer Michael Farone pursuant to Executive Law § 75(5)(b). Based on our review, we have concluded that Officer Farone engaged in a pattern of unjustified uses of force and unlawful frisks and searches while assigned to the 60th Precinct in Brooklyn.

Our findings are based on the following incidents:

- **CCRB # 202301455:** On February 18, 2023, Officer Farone and Officer Paul Fraschilla approached Complainant 1 in his parked car because the car lacked a rear license plate. Complainant 1 refused to provide ID and a heated discussion ensued. The officers decided not to issue a summons. Complainant 1 then told the officers good night. Officer Fraschilla told the Complainant good night and turned to walk away. The CCRB concluded that a reasonable person would feel free to leave at this point, ending the lawful stop. As Complainant 1 was walking away, Officer Farone said to Complainant 1, "Why don't you fix your [expletive] approach next time?" Complainant 1 said "Why don't you fix *your* [expletive] approach?" Officer Farone then jogged after Complainant and put his hand on Complainant's chest to keep him from moving away. Officer Farone

repeatedly asked Complainant again for his ID, then said, “You need to [expletive] relax.” Officer Farone never offered Complainant 1 a business card.

The CCRB concluded that because the lawful stop had ended when the parties said good night, Officer Farone initiated an unlawful stop when he then ran after and touched Complainant 1. The CCRB also found that Officer Farone’s language was discourteous and served no legitimate purpose. For the unlawful stop, discourteous language, and failure to provide a business card, the CCRB recommended Command Discipline A. No disciplinary action was taken.

- **CCRB # 202401633:** On January 31, 2024, Complainant 2 was sitting in the passenger seat of a lawfully parked car that was running. Sgt. Mcelhatton initiated a stop on the grounds that the car was idling, and Officer Farone issued a summons.

Sgt. Mcelhatton then asked Complainant 2 to exit the vehicle, where Complainant 2 had been holding a closed container of alcohol and an antique vase on his lap. The vase was placed on the sidewalk by the car. Officer Farone handcuffed Complainant 2, who called Officer Farone various insults. Officer Farone then said, “You spit in my face,” and pushed Complainant 2 to the ground. BWC and civilian footage showed that the Complainant did not spit on Officer Farone, and a witness officer said that Complainant 2 was not combative. Officer Farone and Sgt. Mcelhatton later arrested Complainant 2 for harassment for allegedly spitting on Officer Farone. During the CCRB’s investigation, Officer Farone maintained that Complainant 2 had spit on him. Because video footage made clear that Complainant 2 did not spit on Officer Farone, the CCRB concluded that Officer Farone had provided a false statement to the CCRB. The CCRB further concluded that the arrest for spitting was unlawful. And because the Complainant was cuffed and not combative when Officer Farone pushed him to the ground, the CCRB concluded that Officer Farone’s use of force was not justified.

After pushing Complainant 2 to the ground, Officer Farone then kicked Complainant’s vase multiple times, causing it to shatter. The CCRB concluded that this property damage was an abuse of authority. As other officers helped Complainant 2 off the ground, Officer Farone said to the Complainant “I’m going to punch you in your [expletive] face,” and called the Complainant a “stupid [expletive].” The CCRB determined that Officer Farone had abused his authority by threatening force and using demeaning language.

The CCRB recommended that charges be brought for the use of force, property damage, threat of force, discourteous language, and untruthful statement. Administrative charges have been served and are pending.

- **CCRB # 202401674:** On February 15, 2024, Officer Farone and other officers stopped a vehicle for a traffic infraction. Complainant 3a was the driver of the vehicle, and Complainant 3b was a passenger. Officer Farone ordered Complainant 3b out of the vehicle and began questioning him about the small plastic bags protruding from his pockets. Complainant 3b indicated that they contained marijuana. Officer Farone said, “You mind if I check?” After Complainant 3b said that he “did mind,” Officer Farone asked again and ultimately did search the bags. The bags contained a legal quantity of marijuana.

Because Officer Farone did not have a founded suspicion of criminality, the CCRB determined that his pointed questioning of Complainant 3b was improper. Because the questioning was improper, and because Officer Farone ignored Victim 3’s initial denial of consent to a search, the CCRB determined that Officer Farone had unlawfully searched Complainant 3b. Officer Farone then called Complainant 3b a “smart ass” and said he was acting “crazy.” The CCRB determined that this was discourteous language that served no law enforcement purpose. For the questioning, search, and discourteous language, as well as the failure to provide a business card, the CCRB recommended charges. Administrative charges have been served and are pending.

- **CCRB # 202401741:** On February 19, 2024, Officer Farone and several other officers stopped Complainant 4 for jaywalking. Officer Farone felt Complainant 4’s pocket area because he saw a bulge there. Officer Farone and the other officers did not activate their BWCs until after the interaction had begun and the frisk had occurred. It is undisputed that Officer Farone frisked Complainant 4. The CCRB determined that Officer Farone did not have reasonable suspicion that Complainant 4 was armed and dangerous and thus was not entitled to frisk him. The CCRB further found that Officer Farone failed to activate his BWC. The CCRB recommended, and the NYPD imposed, Command Discipline B, resulting in the forfeiture of two vacation days for each infraction.
- **CCRB # 202403616:** On April 13, 2024, Officers Farone and Nicholas Cava stopped a car that had illegally tinted windows and a burned-out taillight. After Complainant 5 had stepped out of the car as asked, Officer Farone conducted a two-and-a-half-minute search of Complainant 5’s car, including looking under seats. The officers alleged that they had grounds to believe that Complainant 5 was concealing a weapon in the car because he had been leaning over and moving around suspiciously as the officers approached his door. However, the BWC footage showed that Complainant 5 was making no such movements. The CCRB concluded that the information available to the officers was not sufficient to show a substantial likelihood of a weapon in the vehicle that would pose an actual and specific threat to the officers’ safety. Therefore, the CCRB determined that Officer Farone’s search of Complainant 5’s car was unjustified. Officer Farone also did

not provide a business card at the end of the encounter. Officer Farone said he believed he didn't need to as long as Officer Cava did so. The CCRB recommended Command Discipline B for both infractions. Administrative charges have been served and are pending.

- **CCRB # 202405218:** On May 24, 2024, Officers Farone, Cava, and Jose Guzman lawfully stopped a taxi, in which Complainant 6 was a passenger, for a traffic infraction. Officer Guzman repeatedly told Complainant 6 to stay in the vehicle, but Complainant 6 exited the vehicle anyway. Officers Guzman and Cava then attempted to place Complainant 6 under arrest for disobeying their lawful order. Complainant 6 flailed to avoid being handcuffed. Officers Guzman and Cava then successfully controlled and cuffed Complainant 6. Officer Farone, who recognized Complainant 6 as an individual who had resisted arrest one month earlier, then came around the car and punched Complainant 6 in the face. Complainant 6 required three stitches. Because the other officers had already gotten control of Complainant 6 before Officer Farone punched him, the CCRB concluded that the punch was excessive force. The CCRB recommended that charges be brought for the use of force, as well as Officer Farone's failure to provide a business card. Administrative charges have been served and are pending.
- **CCRB # 202405211:** On May 25, 2024, Officers Farone and Guzman lawfully stopped Complainants 7a and 7b for drinking from an open container of alcohol. Officer Farone then patted down Complainant 7a, who was visibly intoxicated. While the frisk would have been justified if the officers had already decided to take Complainant 7a to the stationhouse, the officers admitted they had not yet decided to do so. The CCRB also determined that Officer Farone lacked reasonable suspicion that Complainant 7a was armed and dangerous. Thus, the CCRB concluded that Officer Farone had unlawfully frisked Complainant 7a.

Once the officers decided to take Complainant 7a to the stationhouse, Officer Farone was entitled to frisk Complainant 7a. However, as part of this frisk, Officer Farone also put his hand in Complainant 7a's pockets and looked through his wallet. Officer Farone said during the CCRB's investigation that he believed the search was justified as incident to arrest. But because Complainant 7a was not being arrested and was only being taken to the stationhouse to be given a summons, Officer Farone's search was not justified. For this reason, the CCRB concluded that Officer Farone had unlawfully searched Complainant 7a. For both the unlawful frisk and the unlawful search, the CCRB recommended charges. Administrative charges have been served and are pending.

- **CCRB # 202409311:** On September 20, 2024, Officer Farone and Officer Anoop Thomas stopped Complainant 8 for riding his bicycle against the flow of traffic. During this stop,

Officer Farone asked Complainant 8 if he was armed. He then asked for consent to frisk Complainant 8 and asked to see the contents of Complainant 8's pockets. Officer Farone told the CCRB later that Complainant 8 was acting nervous and that Complainant 8 seemed to be lying about where he was going. However, the CCRB concluded that Complainant 8's behavior was susceptible to an innocuous explanation and did not provide Officer Farone with the founded suspicion of criminality needed to justify Officer Farone's pointed line of questioning. The CCRB further concluded that although Complainant 8 had given consent to be frisked, the frisk was invalid as it was conducted as part of an improper line of questioning. The CCRB recommended charges be brought for the unlawful question and frisk. Administrative charges have been served and are pending.

Based on the above incidents, we conclude that Officer Farone engaged in a pattern of unlawful uses of force, frisks, and searches. We are not recommending specific discipline given that disciplinary charges are pending for CCRB 202401633, 202401674, 202403616, 202405218, 202405211, and 202409311. However, Officer Farone's repeated misconduct should be considered an aggravating factor when imposing discipline for violations.

To prevent future misconduct, we request that NYPD develop a plan for addressing Officer Farone's conduct that includes monitoring and training to ensure compliance with the law and NYPD policy.

We request a written response within 90 days as to NYPD's remedial actions pursuant to Executive Law § 75(5)(c), including records of the plan described above.

Thank you,

LETITIA JAMES

Attorney General of the State of New York

By: Tyler Nims
Bureau Chief
Law Enforcement Misconduct Investigative Office