



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

**Letitia James
Attorney General**

July 9, 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 Ryan Hennessy
OAG Matter No. 1-817983168
Tax ID No. 971991

Dear Commissioner Tisch,

We have reviewed your agency's referral of Police Officer Ryan Hennessy pursuant to Executive Law Section 75(5)(b). Based on our review, we have concluded that Officer Hennessy engaged in a pattern of misconduct involving unlawful stops, frisks, and searches while assigned to the 40th Precinct.

Our findings are based on the following incidents:

CCRB #202208201: On November 26, 2022, at approximately 6:00 p.m., Officer Hennessy was in an unmarked vehicle with two other NYPD officers. While driving, the officers observed Complainant 1 enter a liquor store with a fanny pack. When Complainant 1 left the liquor store at 456 East 146th Street in The Bronx, Officer Hennessy exited the vehicle, stopped Complainant 1, and ran his hands over the complainant's cross-body fanny pack. Officer Hennessy did not issue a business card to Complainant 1. The Civilian Complaint Review Board (CCRB) investigated this incident and substantiated the allegations of an improper stop and frisk because Officer Hennessy lacked reasonable suspicion to stop and frisk Complainant 1. Specifically, Officer Hennessy's observations that the fanny pack appeared weighed down by an object and that Complainant 1 made evasive movements, adjusted the fanny pack, and left the store without having made a purchase did not provide reasonable suspicion that the complainant's fanny pack contained a weapon, as opposed to any other innocuous object. In addition, the CCRB substantiated an allegation that Officer

Hennessy abused his authority through his failure to issue Complainant 1 a business card in accordance with NYPD Administrative Guide 304-11 and failure to activate his body-worn camera (BWC). Although CCRB recommended charges and specifications, NYPD retained the matter and imposed discipline resulting in the forfeiture of three vacation days.

CCRB #202301228: On February 10, 2023, Complainant 2A, a Hispanic male minor, was walking home from a birthday party with Complainant 2B and 2C on Courtland Avenue wearing a black ski mask and a gray hoodie. Officer Hennessy was in a police vehicle with two additional officers traveling southbound as Complainant 2A was walking northbound. In their sworn statements, Officers Brett Malfetano and Nicholas Roveto told the CCRB that they observed a heavily weighted L-shaped object in Complainant 2A's left pocket, which the complainant grabbed as he bladed his body away, prompting them to make a U-turn. While Officer Hennessy did not observe a bulge, he followed Officer Malfetano out of the vehicle to stop Complainant 2A. Officer Hennessy proceeded to grab the lower portion of Complainant 2A's hoodie around his pockets and hold his right forearm so that the complainant could not leave. Upon determining that Complainant 2A was not carrying a weapon, the officers began to walk back to their vehicles at which point Complainant 2B, who had observed the stop, shouted "Bro, you my own people. That's really messed up." Officer Roveto responded, "Your own people, that's crazy." When Complainant 2C shouted, "This is racial profiling," Officer Roveto stated, "They are all Hispanic."

The CCRB substantiated allegations of improper stop and frisk because Officer Hennessy did not detail any observations that provided a reasonable suspicion that the object inside of Complainant 2A's sweatshirt was a firearm and not another innocuous item. Despite the observations of Officers Malfetano and Roveto that Complainant 2A had a L-shaped item in his hoodie, the bulge was circular. Therefore, Officer Hennessy did not have sufficient basis to stop Complainant 2A, nor did Officer Hennessy have reasonable suspicion to believe that Complainant 2A had a weapon. The CCRB also substantiated an allegation that Officer Hennessy failed to explain the reason for the stop and frisk in accordance with NYPD Patrol Guide Procedure 212-11; there were no exigent circumstances that prevented Officer Hennessy from explaining why Complainant 2A was stopped and frisked. This finding was coupled with the substantiation that Officer Hennessy failed to provide Complainant 2A with his business card and did not prepare a memo book entry about the stop, as required.

Administrative charges remain pending.

CCRB #202303889: On March 17, 2023, Complainant 3 was standing outside 589 East 141 Street between Crimmins Avenue and Beekman Avenue in the Bronx, waiting for his girlfriend to exit the building. From an unmarked vehicle, Officer Hennessy observed Complainant 3 in a red 'bubble' jacket. According to Officer Hennessy, he saw a long and narrow heavily weighted object on the right-side of the jacket. Officer Hennessy exited the vehicle with two other officers and frisked Complainant 3, patting down the right-hand side of the coat and pulling the complainant's right rear pants pocket away from the complainant's body to look inside the pocket, despite there being no bulge in Complainant 3's rear pockets. As Officer Hennessy touched Complainant 3's rear pants pockets, Complainant 3 stepped back. After determining that the items inside Complainant 3's jacket

pocket did not include a weapon, Officer Hennessy returned to the patrol vehicle. Officer Hennessy denied searching Complainant 3's pockets, but Officer Juan Martinez Cabrera stated that Officer Hennessy reached inside and removed a cologne bottle and a cellphone. As the officers entered their vehicles, Complainant 3 began filming the officers. Complainant 3 approached the officers' vehicle and kicked the outside of the car. Several officers exited the vehicle to restrain and arrest Complainant 3. Officer Hennessy used hand strikes while Complainant 3 was on the ground and being placed in handcuffs. Officer Hennessy and the other officers failed to activate their BWCs on the initial approach and stop.

The CCRB substantiated claims that this incident involved an improper stop and frisk and a failure to activate BWC but was unable to determine whether Officer Hennessy searched inside Complainant 3's pockets due to the obstructed view on the available BWC footage. The CCRB did not credit the officers' claims that the speed at which the incident unfolded prevented them from activating their BWC, because the officers could have activated their BWC as they approached the complainant in the vehicle or as they exited. Further, even assuming that Officer Hennessy stopped Complainant 3 due to the observation of a heavily weighted object as he stated, a heavily weighted object this observation is not sufficient to establish reasonable suspicion for a frisk. In addition, the fact that Complainant 3 stepped away when Officer Hennessy began to touch his rear pants pockets did not elevate the level of suspicion for an otherwise illegal frisk. The CCRB was unable to substantiate allegations that Officer Hennessy's use of hand strikes was unreasonable, because the BWC does not clearly depict Complainant 3's movements while on the ground being placed in handcuffs, or whether the officers were motivated by the complainant's race despite some circumstantial evidence of bias. Although the CCRB recommended Command Discipline, Schedule A, NYPD took no disciplinary action.

CCRB #202302435: On March 22, 2023, Complainant 4 was walking from a mosque to a nearby corner store on Concord Avenue in The Bronx, when he observed an unmarked vehicle make a U-turn to follow him. Officer Hennessy and two other officers stepped out of the car and stopped Complainant 4. Lieutenant Christopher Crain requested Complainant 4's identification and when the complainant questioned why identification was needed, Officer Hennessy stated, "It's very suspicious when you're going down the sidewalk looking back at us." Lieutenant Crain cited jaywalking as the reason for the stop. During this exchange, Officer Hennessy grabbed Complainant 4's left jacket pocket and squeezed it. In his sworn statement to the CCRB, Officer Hennessy stated that he observed an item in Complainant 4's left pocket that was consistent with the shape and weight of a potential firearm. Complainant 4 initially refused to produce identification, for which Lieutenant Crain instructed an officer to arrest Complainant 4. After Complainant 4 was cuffed, BWC reveals Officer Hennessy reaching towards Complainant 4's left pant pocket and seconds later the BWC shows Officer Hennessy in possession of Complainant 4's identification. When the officers removed the handcuffs, Complainant 4 requested each officer's business card twice. Lieutenant Crain was the only officer to provide a business card; Officer Hennessy recited his name and shield number as he walked away.

The CCRB investigated both bases for the stop and frisk: the jaywalking violation and the suspected possession of a firearm. Although a jaywalking violation would justify a stop, the

intersection Complainant 4 crossed on East 145th Street and Jackson Avenue does not have a light, only a pedestrian crossing sign. Since Officer Hennessy testified that Complainant 4 was stopped for a jaywalking violation, the CCRB substantiated the claim that Officer Hennessy provided a false official statement. Furthermore, BWC footage revealed that Complainant 4 had no discernible bulge. No other officer observed a bulge or weighted object on Complainant 4, and they did not have knowledge of Officer Hennessy's alleged observation during or following the stop. Therefore, Officer Hennessy had no reasonable suspicion for the stop and frisk based on either jaywalking or a discernible bulge. In addition, the CCRB substantiated the claim that Officer Hennessy illegally searched Complainant 4 based on BWC footage showing him reaching for Complainant 4's pockets and seconds later holding Complainant 4's identification alongside Complainant 4's sworn testimony. Searches are permissible for legal arrests; however, since no jaywalking violation occurred, this arrest and the resulting search were unlawful.

Administrative charges remain pending.

CCRB #202304472: On May 22, 2023, Complainant 5A was driving with Complainant 5B, when their vehicle was stopped for tinted windows and an altered license plate. The officers on the scene, including Officer Hennessy, determined that Complainant 5A was driving with a suspended license and arrested the complainant. Officer Hennessy did not activate his BWC immediately during the initial encounter. At the stationhouse, Officer Hennessy searched Complainant 5A's vehicle by crawling into the truck and feeling around the back driver's seat.

The CCRB found that Officer Hennessy improperly used his BWC, as it should have been activated prior to engaging in any police action, according to Patrol Guide Procedure 212-123. The CCRB substantiated the allegation that Officer Hennessy abused his authority during his search of Complainant 5A's vehicle because he failed to prepare property vouchers and write memo book entries documenting the items found in Complainant 5A's vehicle during the inventory search. Although the CCRB recommended Command Discipline, Schedule A, NYPD took no disciplinary action.

CCRB #202400056: On December 20, 2023, Officer Hennessy and two other officers were conducting routine patrol, when they received a radio run that a Black male had a nine-millimeter pistol at 475 Brook Avenue. The 911 call came from an anonymous source who did not provide a clothing description or confirm whether the man with the gun was still near the stated address. As the officers approached the radio run location, they observed Complainant 6A's car and Complainant 6B approaching the vehicle. Complainant 6A was double parked in front of 475 Brook Avenue to pick up Complainant 6B, who had entered a store for approximately 10 minutes. As Complainant 6B approached the passenger seat of Complainant 6A's car, Complainant 6B was stopped by three officers, including Officer Hennessy. Officer Hennessy patted down the right side of Complainant 6B's jacket and squeezed the complainant's pocket, as the other officers explained that they had received a 911 call about a firearm and that Complainant 6B "fit the description." After frisking Complainant 6B, Officer Hennessy and Lieutenant Christopher Crain removed Complainant 6A from the driver's seat of the vehicle after Complainant 6A's refused to exit the vehicle or

provide identification. Officer Hennessy stated to Complainant 6A, “you’re going to go in fucking handcuffs,” as he guided the complainant from the driver’s seat to the rear of the vehicle.

The CCRB substantiated a claim that Officer Hennessy conducted an illegal stop and frisk of Complainant 6B because the anonymous tip was too vague to identify a determinate person and therefore was insufficient to provide the requisite reasonable suspicion to authorize a stop and frisk. The BWC footage discredited Officer Hennessy’s statement that Complainant 6B was blading his body away from the officers as they approached; however, such innocuous behavior, even if true, would not give the officers reasonable suspicion for a stop and frisk. In addition, the CCRB found that Officer Hennessy was discourteous to Complainant 6A because the language he used served no legitimate police purpose. However, the CCRB was unable to determine whether the stop was motivated upon Complainant 6B’s race when they were acting on a vague description of a “Black male.” Administrative charges remain pending.

Based on the above incidents, we conclude that Officer Hennessy engaged in a pattern of misconduct involving illegal stops, frisks, and searches. We recommend that repeated misconduct be considered as aggravating factors when imposing discipline for substantiated violations, per NYPD’s Discipline Matrix (in the context of abuses of authority, an officer’s act of misconduct being “the same as a prior act of misconduct,” or “subject to a presumptive penalty that is equal to or greater than the presumptive penalty of [a] prior act of misconduct” are aggravating factors, as are the officer “exhibit[ing] bad faith, intentionally violat[ing] procedural or legal standards, or recklessly disregard[ing] those standards,” and “fail[ing] to report incident or make required activity log entry”).¹ To prevent future misconduct, we request that NYPD develop a plan for addressing Officer Hennessy’s conduct that includes monitoring and training to ensure compliance with the law and NYPD policy.

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, including records of the plan described above.

Thank you,

LETITIA JAMES
Attorney General of the State of New York

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¹ NYPD Disciplinary System Penalty Guidelines (Sept. 9, 2024), pp. 11-12, 30. Available at <https://www.nyc.gov/site/nypd/about/about-nypd/policy/nypd-discipline-matrix.page>.