



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

**Letitia James
Attorney General**

October 6, 2026

Commissioner Erika Shields
Buffalo Police Department
68 Court Street
Buffalo, NY 14202

Via Email

Re: Executive Law § 75(5)(b) Referral of Police Officer Ahmed Abdo
OAG Matter No. 1-817682028

Dear Commissioner Shields,

The Office of the New York State Attorney General has reviewed your agency's referral of Buffalo Police Department Officer Ahmed Abdo pursuant to Executive Law § 75(5)(b). Based on our review, we conclude that Officer Abdo engaged in a pattern of unlawful searches of people and vehicles. Several of these unlawful searches were identified by BPD during its internal review of the complaints and resulted in conferences and, in one case, a one-day suspension.

This letter sets forth OAG's findings, conclusions, and recommendations. We ask that you respond to the recommended remedial actions within 90 days pursuant to Executive Law § 75(5)(c).

I. Overview of Investigation

The October 22, 2024, referral was based on a series of seven complaints, five of which are described in detail below.

Following receipt of the referral, OAG personnel reviewed BPD's internal investigative files, body worn camera videos, disciplinary outcomes, relevant police paperwork, policies that governed the alleged misconduct, Officer Abdo's personnel file and officer training history. We also interviewed Officer Abdo pursuant to Executive Law § 75(4)(e). The factual summaries for each of these incidents are taken from written complaints, complainant and officer Internal Affairs Division ("IAD") statements, interviews with OAG, as well as police paperwork generated and available recordings of the incidents.

II. Findings

The findings of fact described below are based on an evaluation of the evidentiary record using a preponderance of the evidence standard.

A. Incident #1- EC 2023-41

1. Factual Background

On October 28, 2022, Officer Abdo and Officer Joshua Evans initiated a traffic stop at approximately 12:57 a.m. at East Ferry and Grider Streets based on excessively tinted windows. When Officers Abdo and Evans ran the driver's information, they discovered that the vehicle was being operated with a suspended registration due to an insurance lapse. Upon discovering this, the officers asked the driver and passenger to step out of the car to conduct an inventory search of the vehicle. At his interview with OAG, Officer Abdo testified that the vehicle had to be towed because it was not supposed to be on the road. Officer Abdo immediately frisked the passenger and placed him in the back of the patrol car.

During the search of the vehicle, the officers recovered a loaded handgun underneath the driver's seat. The officers then arrested both the driver and the passenger for criminal possession of a weapon in the second degree. Two months after his arrest, the driver, Complainant 1, alleged that BWC showed that Officer Abdo recovered a pair of air pods and a wireless speaker from his vehicle, that Officer Abdo did not record those items on the inventory sheet or property reports, and that those items were not returned to him, complaining that Officer Abdo stole his belongings. The inventory sheet and property reports related to this incident were completed by other officers.

Per the April 24, 2024 disposition of the Internal Affairs Division, regarding the theft of property allegation, the Department's investigation into this incident resulted in a finding of "not sustained" but Officer Abdo received a Chief's conference, thought the rationale for the conference was not documented.

Regarding impounding a vehicle, BPD Vehicle Towing and Storage Policy is silent on whether a vehicle may be towed in response to a suspended registration. (Manual of Procedures Chapter 2, Section 6.3). However, in response to an inquiry as to whether a vehicle may be impounded for suspended registration, BPD stated "[p]er BPD policy, it states we cannot tow a vehicle solely for an expired Registration (section 6.3 (E. 2)), but if the Registration is suspended, it becomes at the discretion of the officer and is usually towed."

2. OAG Findings

With respect to the complaint regarding theft of property, we find that it cannot be established by a preponderance of the evidence that Officer Abdo took Complainant 1's personal belongings. With respect to the decision to search Complainant 1's vehicle, the decision is not prohibited by BPD policy.

However, we find by a preponderance of the evidence that Officer Abdo's frisk of the passenger was unlawful. The passenger was not suspected of any criminal offense, the car had been pulled over for a traffic violation, and there was no evidence, as the passenger exited the vehicle, to cause Officer Abdo to reasonably suspect that he was armed and a danger to Officer Abdo's safety. *See People v. Solivan*, 156 A.D.3d 1434, 1435-36 (4th Dept. 2017) (finding that a frisk of an occupant of a parked vehicle which lacked a valid inspection was unlawful where there was no evidence that the officer "reasonably suspected that defendant was armed and posed a threat to the officer's safety.").

B. Incident #2- EC2023-026

1. Factual Background

On February 3, 2023, at approximately 1:53 a.m. at Grider Street and East Delevan Avenue, Officer Abdo attempted to stop Complainant's 2 vehicle for failing to stop at a red light and failing to signal. Complainant 2 did not immediately pull over. Complainant 2 stated to BPD that he was unaware that he was being pulled over. Once pulled over, Officer Abdo asked Complainant 2 to turn off his vehicle, which he refused. Then Officer Abdo asked Complainant 2 for his driver's license. Complainant 2 gave Officer Abdo his driver's license and Officer Abdo went to the patrol car with the driver's license. When Officer Abdo returned to the patrol car, Officer Ottman was at the driver's side window of Complainant 2's car, speaking with him. Officers Prentiss then joined the stop, saw a machete "on the center on the floor," and confirmed that Officer Ottman also saw it. Officer Abdo again asked Complainant 2 to turn off the vehicle, which he again refused. Officer Abdo then asked Complainant 2 to step out of the vehicle, but Complainant 2 refused and remained in his vehicle. Officer Ottman threatened to tase Complainant 2 if he continued to refuse their commands and then used the Taser to drive stun Complainant 2. Ultimately, Officers Abdo and Ottman removed Complainant 2 from his vehicle, placed him in handcuffs, and frisked him and searched his pockets. Officer Abdo testified during his interview with OAG that he "always" frisks a person before putting them in the back of a patrol car.

The officers then placed Complainant 2 into the back of the patrol car. Officers, including Officer Abdo, then searched Complainant 2's vehicle. Officers towed Complainant 2's vehicle. A Vehicle Tow Report was completed but it is illegible. After preparing tickets to give to Complainant 2, Officers removed Complainant 2 from the patrol car. Officer Ottman and Complainant 2 then got into a verbal altercation and Complainant 2 aggressively approached Officer Ottman. Complainant 2 was given several tickets for VTL violations and was arrested and taken to central booking for third degree unlawful fleeing a police officer in a motor vehicle, second degree obstruction of governmental administration and resisting arrest. Complainant 2 ultimately pled guilty to disorderly conduct and the other charges were dismissed.

During his interview with OAG, at one point, Officer Abdo stated that Complainant 2 was under arrest as soon as he was placed in handcuffs and that, at that point, he was arrested for "reckless driving" and his failure to cooperate. However, Officer Abdo testified to BPD and to OAG that officers intended to give Complainant 2 an appearance ticket at the scene, but they decided to make a custodial arrest when Complainant 2 "charg[ed]" at Officer Ottman when he

was removed from the patrol car. Officer Abdo stated to OAG that when a driver is going to be released with an appearance ticket, he generally tows the vehicle if the car needs to be held for some reason, such as an issue with the driver's license or the car having no registration or insurance. He also stated that there were no issues with Complainant 2's license or his vehicle.

Per the January 31, 2024, disposition of the Internal Affairs Division, the Department's investigation into this incident resulted in a conference with Chief Champion regarding traffic stops, constitutional stops, de-escalation and document policies.

BPD's Search and Seizures Policy provides that "[a]n inventory search requires that the property lawfully came into the possession of the police (e.g. vehicle towed after an accident) and the inventory is conducted pursuant to a standard Department policy." (Manual of Procedures Chapter 3, Section 4.3(I)). Further, BPD's Vehicle Towing and Storage Policy does not state that a vehicle may be towed when the driver is being issued appearance tickets. (Manual of Procedures Chapter 2, Section 6.3).

2. OAG Findings

We find by a preponderance of the evidence that, under BPD policies, there was no legal basis to tow Complainant 2's vehicle and therefore, an inventory search was not warranted. Furthermore, notwithstanding Officer Abdo's statement that Complainant 2 was under arrest when he was handcuffed, we find by a preponderance of the evidence that Officer Abdo performed a wrongful search of Complainant 2's person and his vehicle based on Officer Abdo's contrary statement both to BPD IA and to OAG that officers intended to release Complainant 2 with appearance tickets and decided to arrest Complainant 2 when he charged at Officer Ottman, which occurred after the searches. *See People v. Reid*, 24 N.Y.3d 615, 619, 26 N.E.3d 237 (2014) ("A search must be incident to an actual arrest, not just to probable cause that might have led to an arrest, but did not").

C. Incident #3- EC2024-018

1. Factual Background

On October 28, 2023, at approximately 12:45 p.m. at Clinton and Spring Streets, Officer Abdo arrived at a traffic stop in progress. He was not the initiating officer, and he did not witness the traffic infraction. However, his understanding of the cause of the stop was that Complainant 3 was driving the wrong way down a one-way street. In fact, the street in question was not a one-way street as documented by BPD's internal investigation. Officers removed Complainant 3 from his vehicle and handcuffed him. After Complainant 3 was handcuffed, Officer Abdo frisked Complainant 3 and searched his pockets. Other officers searched Complainant 3's vehicle and Officer Abdo searched the trunk of Complainant 3's vehicle. Nothing was recovered from the searches. The vehicle was not towed and Complainant 3 was not arrested or issued tickets or a traffic receipt.

The Department's investigation into this incident resulted in the filing of several department charges and a 1-day suspension. The charges were for failing to keep his BWC

activated until the initial incident had been stabilized, failing to report via P-1385 his reasons for de-activating his BWC prior to the situation being stabilized, failing to inform the radio dispatcher of certain details regarding the stop, failing to issue a traffic stop receipt, and failing to protect the driver from being unreasonably searched and seized.

Complainant 3 filed a lawsuit based on this encounter, which appears to have settled.

During his interview with OAG, Officer Abdo could not articulate a reason why Complainant 3's vehicle was searched. He also testified that a frisk does not include a search of the pocket of a person's pants.

2. OAG Findings

We find by a preponderance of the evidence that Officer Abdo performed an unlawful frisk and search of Complainant 3 and an unlawful search of his vehicle. Because Complainant 3 did not commit a traffic infraction, there was no legal basis for the stop. Even if the traffic stop was valid, a traffic offense alone would not provide a basis to frisk or search the driver or search the vehicle. *See People v. Camarre*, 171 A.D.2d 1002, 1002 (4th Dept. 1991) (holding that “[a] frisk is impermissible for a mere traffic violation”); *People v. Marsh*, 20 N.Y.2d 98, 101 (1967) (holding that even where a person is lawfully arrested for a traffic violation, no search incident to arrest is justified simply on the basis of the infraction). Here, other than the purported traffic violation, there was no other basis for any of these intrusions.

D. Incident #4- EC 2024-38

1. Factual Background

On November 11, 2023, at approximately 12:05 a.m., Officer Lawrence Briggs and Officer Abdo initiated a traffic stop at West Ferry and Richmond Avenue based on excessively tinted windows. During this stop, Officer Briggs removed Complainant 4, the driver, from the car because he could not produce his license. Officer Abdo then removed the passenger from the vehicle, and then immediately frisked and searched the pockets of the passenger and placed the passenger into the police car. Officer Abdo stated to IA that he recognized the passenger of this stop as someone who was known to BPD to possess illegal firearms. Officer Abdo then searched Complainant 4's vehicle, where he and Officer Briggs recovered a loaded firearm in the locked glove compartment. When speaking with BPD IA, Officer Abdo did not recall who opened the locked glove compartment, but that the body worn camera footage looked as though he may have opened it. However, Officer Briggs stated during his IA interview that he believed that it was he who had opened the glove compartment.

Both the driver and passenger were arrested for second degree criminal possession of a weapon. Ultimately, the gun was suppressed in criminal cases against the driver and passenger and both cases were dismissed on the grounds that Officer's Briggs' testimony at the suppression hearing established that he “was not familiar with the permissible light transmittance percentage” for tinted windows, which called into question whether the windows in this instance were actually excessively tinted.

The Department's investigation into this incident resulted in a conference with Chief Champion regarding the *De Bour* standards for police encounters on October 7, 2024.

During Officer Abdo's interview with OAG, he stated that ordinarily, when a driver fails to present a driver's license, his practice is to look for that person in the DMV database to determine whether they have a valid license. He further stated that because no picture is provided, and only a name is displayed, he would typically try to verify the person's identity. He stated that even though checking the DMV database is best practice, that was not done in this situation. He also stated that after he searched the vehicle the officers discovered that the driver had a valid driver's license.

BPD's Vehicle and Towing Storage policy is silent on whether a vehicle may be impounded due to the driver not presenting a license during a traffic stop. (Manual of Procedures Chapter 2, Section 6.3). However, in response to an inquiry as to whether a vehicle may be impounded for unlicensed operation (per VTL 509), BPD stated "[p]er BPD policy, (section 6.3 - When Vehicles May Be Towed) does not specify that a vehicle may be towed for VTL 509; however, it can be towed at the officer's discretion if there is not a licensed operator available; if the vehicle is damaged, broken down or illegally parked; if there are other traffic infractions or criminal charges, [or is] unable to be secured."

In addition, per BPD's Manual of Procedures, Chapter 2, Section 6.7 states that "[w]herever a vehicle is to be towed, the officer requesting the tow shall: A. inspect the vehicle for obvious damage; B. if the vehicle is unlocked, conduct a thorough and complete inventory of all the contents of the vehicle, including an inspection of the glove compartment and trunk, if they are unlocked, and the opening and inspection of any unlocked and unsealed containers."

2. OAG Findings

Here, the Buffalo City Court held that because Officers Briggs and Abdo did not measure the tints on the windows and only provided "summary statements" as to the tint, the stop was unlawful. For that reason, the court held that the subsequent frisk and search of the passenger and search of the vehicle were unlawful.

Even if the stop had been lawful, we find by a preponderance of the evidence that Officer Abdo conducted an unlawful search of Complainant 4's vehicle because the tow policy does not state that a vehicle may be towed where the driver has a valid license but fails to have it on his person at the time of the stop. Moreover, Officer Abdo acknowledged that his typical practice and best practice would dictate that officers try to ascertain whether the driver has a valid license before deciding to tow the vehicle. In addition, BPD's response to the inquiry of whether a tow for unlicensed operation is permissible suggests that only under certain circumstances, none of which were present here, should a vehicle be towed. Finally, even assuming the vehicle was properly towed, the decision to force open the locked glove box is not permissible under BPD policy.

Similarly, even if the stop had been lawful, Officer Abdo did not have a basis to search the passenger's pockets because the frisk did not reveal an object that Officer Abdo believed to be a weapon and the search preceded the recovery of the firearm which provided the basis for his arrest. *See People v. Williams*, 217 A.D.2d 1007, 1007 (4th Dept. 1995)

E. Incident #5- EC2024-108

1. Factual Background

On March 23, 2024, Officer Abdo and Officer Joseph Meli initiated a traffic stop that took place at approximately 5:56 p.m. at Hudson Street and Busti Avenue. The driver was pulled over for going the wrong direction down a one-way street. Officer Abdo approached the driver's side and Officer Meli approached the passenger's side of the vehicle. Officer Abdo asked the driver for his identification and started walking to the patrol vehicle to run the information when he was called back by Officer Meli.

Officer Meli saw that Complainant 5, the passenger, had a bulge in his front pocket and asked what it was. The passenger responds that it was a drink. Officer Meli reached into the car to feel the item and then instructed the passenger to remove the item from his front pocket. The passenger removed a beer can from his front pocket. Officer Meli directed that the driver step out of the vehicle. After the driver exited the vehicle, Officer Abdo frisked the driver and searched the front pocket of his hoodie. The driver was placed in the back of the patrol car. Officer Abdo went to assist Officer Meli who was frisking the passenger. Officer Abdo assisted Officer Meli with handcuffing the passenger. Officer Meli mentioned feeling a bulge and asked the passenger if he had drugs on him and the passenger responded in the affirmative. Officer Meli then retrieved what appeared to be drugs from his pocket and searched the passenger's coat and hoodie. Officer Abdo also searched the passenger's coat pocket. Officer Meli then searched the vehicle. Officer Abdo did not participate in that search. A loaded gun was ultimately recovered from the vehicle. Both the driver and passenger were arrested. According to the Erie County District Attorney's Office, the cases against the driver and passenger were dismissed by the grand jury. The occupants have a pending civil lawsuit against the City of Buffalo.

On April 2, 2025, the Department's investigation into this incident resulted in a finding that Officer Abdo was exonerated on the claims that he unlawfully seized, searched, detained and arrested the passenger because he did not make the decision to remove either occupant and was simply assisting Officer Meli, who was conferenced regarding this incident.

Officer Abdo testified to OAG that he did not smell alcohol on the driver and he did not see any open containers in the vehicle. He also testified that he did not observe any behavior from the driver that caused him to be concerned for his safety and that but for Officer Meli's request to remove the driver from the vehicle, he would not have removed the driver because he did not observe anything that would have warranted it. He also testified to OAG that if he asks someone to step out of a vehicle, he intends to place the person in a patrol vehicle and that he has not asked a person "to step out just to stand outside the car." He reiterated that in such situations, he performs a pat down for officer safety.

2. OAG Findings

We find by a preponderance of the evidence that Officer Abdo's frisk and search of the driver's pockets were unlawful. As Officer Abdo testified before OAG, there was no evidence to cause him to reasonably suspect that the driver was armed and a danger to Officer Abdo's safety. Furthermore, although an officer may reasonably pat a person down before placing them in the back of a police vehicle, "the legitimacy of that procedure depends on the legitimacy of placing [the person] in the police car in the first place." *People v. Solivan*, 156 A.D.3d at 1435-36. Here, Abdo's testimony reveals that there was no basis to place the driver in the patrol car. While Officer Abdo was acting at Officer Meli's direction when he searched the passenger's pockets and thus we do not attribute that wrongful search to him, it was Officer Abdo's decision to frisk and search the driver.

We also find by a preponderance of the evidence that the search of the car was also unlawful because there was no legal basis to tow the car or independent probable cause to search. However, Officer Abdo did not participate in that search.

III. Conclusion and Recommendations

The incidents described above constitute a pattern of wrongful searches in violation of the Federal and State Constitutions, as described above.

OAG recommends that Officer Abdo be re-trained on *DeBour* and the Fourth Amendment as detailed above, specifically with respect to when a tow is permitted, when a search of a subject's pockets is permitted and when a frisk is permitted. We also recommend that for any future search-related misconduct by Officer Abdo, disciplinary action should be progressive given the violations described above.

Because the administrative statute of limitations has expired for each of the incidents, we are not recommending disciplinary action.

Pursuant to Executive Law § 75(5)(c), we request that BPD inform the OAG and other required parties within 90 days of the actions BPD is taking in connection with these recommendations.¹

¹ Executive Law § 75(5)(c) provides that "[t]he head of any covered agency shall advise the governor, the temporary president of the senate, the speaker of the assembly, the minority leader of the senate, the minority leader of the assembly and the division of criminal justice services within ninety days of the issuance of a report by the law enforcement misconduct investigative office as to the remedial action that the agency has taken in response to any recommendation for such action contained in such report."

Please provide documentation regarding Officer Abdo's retraining on *DeBour* and the Fourth Amendment with the response. We appreciate the cooperation of you and your agency.

Thank you,

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