



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETTIA JAMES
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
LAW ENFORCEMENT MISCONDUCT INVESTIGATIVE OFFICE

March 27, 2024

Via E-mail

Commissioner Joseph A. Gramaglia
Buffalo Police Department
68 Court Street
Buffalo, NY 14202

Re: Executive Law § 75(5)(b) Referral of Police Officer Kevin Murphy
OAG Matter No. 1-793389087

Dear Commissioner Gramaglia,

This letter is notification that the Office of the Attorney General (“OAG”) is closing our review of the Executive Law § 75(5)(b) referral of complaints involving Police Officer Kevin Murphy, based on his termination from the Buffalo Police Department pursuant to the Opinion and Award of Arbitrator Jeffrey M. Selnick dated October 11, 2023. Mr. Selnick’s conclusions are consistent with our review of Complaint 2020-051.

While we have closed this referral based on Officer Murphy’s termination, we note that in addition to Complaint 2020-051, there are three other instances of apparent misconduct in the complaints referred to the OAG. Complaint 2020-017 involved the use of force by Officer Murphy against a minor (specifically a head strike) while executing an arrest and, although the relevant interaction is not captured on BWC, the complainant’s documented injuries support his account. With respect to Complaint 2020-039, BWC footage depicts an apparent *Payton* violation because Officer Murphy used a knife to open the door of the complainant’s home and entered the home without a warrant. Complaint 2020-008 involved the apparently wrongful frisk, handcuffing, and detention of the passengers during a traffic stop, including the pregnant passenger, without the required level of reasonable suspicion.

We appreciate the cooperation of you and your agency.

Thank you,

Tyler Nims
Chief, Law Enforcement Misconduct Investigative Office
New York State Office of the Attorney General