



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

**Letitia James
Attorney General**

May 20, 2025

Commissioner Patrick Ryder
Nassau County Police Department
1490 Franklin Avenue
Mineola, NY 11501

Via Email

Re: Executive Law § 75(5)(b) Referral of Police Officer Christopher Buckley
OAG Matter No. 1-816477648

Dear Commissioner Ryder,

We have reviewed your agency's August 16, 2023, referral of Officer Christopher Buckley pursuant to Executive Law § 75(5)(b). Based on our review, we have not made a finding of a pattern or practice of misconduct, use of excessive force, or acts of dishonesty by Officer Buckley with respect to the referred complaints.

However, we conclude that Officer Buckley used excessive force when he unjustifiably punched a handcuffed minor who was detained for mental purposes. We also note Officer Buckley's inappropriate and discourteous interactions with members of the public in three incidents, two of which your department's Internal Affairs Unit (IAU) investigated and issued Officer Buckley either additional training or a reprimand. Our findings and recommendations regarding these incidents are described below. We request a written response within 90 days as to the Nassau County Police Department's actions in response to our recommendations.

In Internal Affairs #331-2022, the sixteen-year-old complainant alleged that Officer Buckley struck her in the face while she was restrained on a stretcher and being transported to the hospital during a suicide mental aid call. Body-worn camera footage showed that the complainant's arms were handcuffed to each side of a stretcher, to which her legs were also tied. The complainant struggled and eventually freed her legs, prompting Officer Buckley to direct the ambulance driver to pull over. As a second officer was attempting to secure the complainant's legs, Officer Buckley assisted by pushing her thighs down. The complainant then jerked her torso and head toward him, and Officer Buckley yanked her head back onto the stretcher, punched her in the face, and continued to hold down her head forcefully against the stretcher. Officer Buckley later stated that he believed the complainant was trying to bite his arm, though a review of the video could not confirm any attempt to bite. A paramedic then administered a shot and placed a spit hood over the complainant's face, at which time Officer Buckley released her.

The juvenile expressed shock that Officer Buckley had punched her, and he said, “You’re damn right I did.” The complainant later removed the spit hood, sat up and freed her legs again, but the officers did not try to re-secure them prior to arriving at the hospital.

Officers’ use of force must be “‘objectively reasonable’ . . . in light of the facts and circumstances confronting them.” *Graham v. Connor*, 490 U.S. 386, 397 (1989). Whether force is reasonable or excessive turns on a “careful balancing of the nature and quality of the intrusion” of the individual’s constitutional rights and “countervailing government interests at stake.” *Id.* The balancing contemplates various factors: “the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempting to evade arrest by flight.” *Id.* at 396; *see also* NCPD Policy No. 4200 (setting forth additional factors). Here, there was no crime; the complainant was subject to civil commitment for the threat she presented to herself. Although the complainant jerked her head towards Officer Buckley, her physical movements were limited due to her hand restraints, and Officer Buckley neutralized any harm presented by that motion by pressing the complainant’s head to the stretcher. The punch to the complainant’s face occurred after she had already been subdued and thus was gratuitous. *See Tracy v. Freshwater*, 623 F.3d 90, 99 (2d Cir. 2010) (pepper spray of a handcuffed and unresisting person was excessive); *Read v. Town of Suffern Police Dep’t*, No. 10 CIV. 9042 JPO, 2013 WL 3193413, at *8 (S.D.N.Y. June 25, 2013) (taser of detainee who was handcuffed to a rail and temporarily incapacitated may be found by jury to be excessive). Because the punching of the complainant was more force than was necessary to subdue the complainant, we conclude that Officer Buckley used excessive force. *See Graham*, 490 U.S. at 395; *see also Curry v. City of Syracuse*, 316 F.3d 324, 332 (2d Cir. 2003) (a jury could find force was unreasonable if the officer used “more force than necessary to subdue him”).

We also note three incidents in which Officer Buckley was discourteous. In Internal Affairs #210-2021, the complainant alleged that Officer Buckley and other NCPD officers were mistakenly sent to his house to respond to a call for service that had been made to another location. When the complainant confronted police about entering his house and asking to pat him down, Officer Buckley asked the complainant if he wanted to get “froggy” with him. IAU investigated the incident, founded the allegation of unprofessional conduct or attitude, and ordered that Officer Buckley be retrained in professional conduct.

In Internal Affairs #142-2022, the complainant alleged that Officer Buckley had used excessive force against his fifteen-year-old son. We did not find that Officer Buckley had used excessive force by a preponderance of an evidence, but observed on body-worn camera that when the child’s parent protested Officer Buckley’s conduct, Officer Buckley stated, “He had two rocks. A kid in Florida got shot by a deputy for throwing rocks at him. We tried to handle this as gently as we could.” This was an inappropriate and unnecessary response to worried parents who had just seen their child tackled to the ground by multiple police officers.

In Internal Affairs #049-2023, the complainant alleged that when Officer Buckley responded to a call she had made reporting harassment, he had told her he did not believe her, refused to let her be interviewed by other officers, said that she could be arrested for making a false police report, and called her a junkie. After an investigation, IAU founded the complaint of

unprofessional conduct. The training ledger entry associated with this complaint noted that Officer Buckley was apologetic and “would be closely monitored going forward.”

Because the administrative statute of limitations applicable to the conduct in IA #331-2022 has expired, we are not recommending discipline. Your agency has already committed to closely monitor Officer Buckley after the February 23, 2023, incident; however, in light of the above-described conduct, we recommend providing a counseling session and retraining Officer Buckley on the proper uses of force and interactions with persons experiencing mental health crises. Pursuant to Executive Law § 75(5)(c), we request a response within 90 days in writing detailing the results and current status of your monitoring of Officer Buckley. We also ask for documentation of any remedial training provided to Officer Buckley.

Sincerely,

LETITIA JAMES
New York State Attorney General

By: Tina Peng
Assistant Attorney General