



Office of the New York State Attorney General Letitia James

Office of Special Investigation

January 7, 2026

Report on the Investigation Of the Death of Christin Emile

OVERVIEW

New York Executive Law Section 70-b authorizes the Attorney General's Office of Special Investigation (OSI) to investigate and, if warranted, to prosecute offenses arising from any incident in which the death of a person is caused by a police officer or a peace officer, as defined. When, as in this case, OSI does not seek charges, Section 70-b requires OSI to issue a public report. This is the public report of OSI's investigation of the death of Christin Emile, who was shot and killed on May 12, 2024, by New York City Police Department (NYPD) Officers Alexander Campos and Brian Mejia-Morel.

On May 12, 2024, at 1:18 a.m., three members of NYPD were on routine patrol in a police car in the 67th Precinct, in Brooklyn (Kings County), when they stopped for a red light at the intersection of Church Avenue and East 53rd Street. While waiting at the light, they heard a group of men arguing on Church Avenue. The officers made a left turn onto Church Avenue, pulled up and stopped alongside the parked cars on Church, and, when they left their car to investigate the dispute, they saw Mr. Emile holding a gun. Mr. Emile ran from the officers and disregarded commands to drop the weapon. During the chase, the officers fired a Taser at Mr. Emile with no effect, and he continued to run with the gun. Officer Campos and Officer Mejia-Morel shot Mr. Emile several times, striking him in the head, torso, and legs. Mr. Emile was transported to Kings County Hospital where he was pronounced dead. A loaded 9-millimeter Taurus firearm was recovered from the ground where Mr. Emile fell.

Having thoroughly investigated the matter and analyzed the law, OSI will not seek charges against the officers because it concludes a prosecutor would not be able to disprove beyond a reasonable doubt that their use of deadly force against Mr. Emile was justified under New York law.

FACTS

Site of Shooting

As shown in the map below, Mr. Emile was shot on the north sidewalk of Church Avenue between East 53rd and East 52nd Streets. Just prior to the shooting, the involved NYPD officers drove northbound on East 53rd Street toward Church Avenue, stopped at the light, and then turned left. Video surveillance was recovered from the Tappin Lounge, 5201 Church Avenue; the Red Sea Food Market, 5211 Church Avenue; and the Caribbean Fish Market, 5302 Church Avenue.



Map of block where shooting occurred. Yellow dotted line shows path of police car. Small red circle shows where Mr. Emile fell. Red boxes and arrows show security cameras from which OSI recovered video.

Security Video

Tappin Lounge Security Video

The Tappin Lounge, 5201 Church Avenue, was at the corner of Church Avenue and East 52nd Street. Its video security system had two cameras showing Church Avenue. (When investigators downloaded the video they determined that the timestamps were 56 minutes behind real time. In the description that follows, real time is used.) At 1:14 a.m. the Tappin Lounge video showed that Mr. Emile and several people left the lounge, and that Mr. Emile had what appeared to be a gun in his back pocket, as shown in the two photos below. Mr. Emile briefly went into a parked car and came out with a gun in his right hand. (Earlier footage showed that Mr. Emile arrived in that car, so in this report it is referred to as “his” car.) The video showed that Mr. Emile appeared to be upset, yelling and pacing on the sidewalk. A man tried to calm him down and block him from walking away. Mr. Emile walked between parked cars into the street and crossed Church Avenue diagonally toward East 53rd Street, with the

gun visible in his right hand, as he appeared to yell and point down the street. When Mr. Emile got near East 53rd Street he turned around and retraced his steps diagonally across Church Avenue. The video showed that when Mr. Emile was back on the sidewalk a marked police car turned left onto Church Avenue from East 53rd Street and stopped alongside Mr. Emile. Three officers got out of the car and Mr. Emile, with a gun visible in his hand, ran from the officers and weaved between parked cars onto the street and then back onto the sidewalk. The video showed that officers chased Mr. Emile and then shot him. Mr. Emile fell to the sidewalk and the gun he was holding landed in front of him.



Still frame from a Tappin Lounge camera showing Mr. Emile with what appeared to be a gun in his pants pocket (circled).

Red Sea Food Market Security Video

Red Sea Food Market, 5211 Church Avenue, was a bodega grocery store in the middle of the block, between East 52nd and East 53rd Streets a few doors down from the Tappin Lounge. Its video system had two cameras, facing east and west, on Church Avenue. The Red Sea Food Market video facing East 52nd Street can be found [here](#); and video facing East 53rd Street can be found [here](#). Based on comparison with the time stamps in the NYPD officers' body-worn cameras, there were multiple problems with the time stamps in the Red Sea video footage. Therefore, in the description that follows, no time stamp information is used.

The Red Sea video showed that Mr. Emile came out of the Tappin Lounge, walked to and entered his car. When he came out of the car and was back on the sidewalk the video showed that a gun was in his right hand. He paced and appeared to be having a confrontational

conversation with at least one other person on the sidewalk. The video showed that Mr. Emile walked on the sidewalk toward East 53rd Street with the gun in his right hand and, as he pointed with his left hand forcefully in the direction of East 53rd Street, went between parked cars and crossed diagonally across Church Avenue toward East 53rd Street. He was followed by a second person, who was a few feet behind him and appeared to yell something at him. (As Mr. Emile began to cross the street the video showed that a worker in the bodega came to the store's front window and looked out to the street, apparently to see what the commotion was.) When Mr. Emile got near East 53rd Street a police car was pulling up to the corner; he turned around and retraced his steps diagonally across Church Avenue and went between parked cars and back onto the sidewalk, still followed from a few feet behind by the second person. As Mr. Emile walked along the sidewalk the video showed his right hand in his pocket, possibly holding something.

The Red Sea video showed that when Mr. Emile was again near his car and apparently saying something to people on the sidewalk, the police car, which had turned left onto Church Avenue, stopped alongside Mr. Emile, with the parked cars along the curb separating Mr. Emile and the police car. As the officers got out of their car Mr. Emile ran down the sidewalk toward East 53rd Street. The officers chased him as he weaved between cars, into the street and back onto the sidewalk. At one point, Mr. Emile stumbled as he went between parked cars from the street to the sidewalk; an officer fired a Taser at him and another officer fired a gun at him; he stood up and continued to run along the sidewalk. Officer Campos and Officer Mejia-Morel fired at Mr. Emile several times. Mr. Emile fell to the ground, and the gun he was holding landed on the sidewalk in front of him.

As the external Red Sea video showed the events above, the interior Red Sea video showed Witness 1 and another person working inside the deli (OSI does not publish the names of civilian witnesses). Witness 1 looked out the front window during the incident and then ran to the back of the store, apparently when she heard shots being fired. As Witness 1 ran to the back, the glass window she was looking through shattered. Later investigation showed that Witness 1 was grazed by one of the officers' bullets.



Still frame from a Red Sea security camera, showing Mr. Emile with a gun in his right hand (circled) as he was about to walk diagonally across Church Avenue toward East 53rd Street.



Still frame from a Red Sea security camera, showing Mr. Emile with a gun in his right hand (circled) as officers chased him.

Caribbean Fish Market Security Video

Security video (including audio) was recovered from the Caribbean Fish Market, 5302 Church Avenue, at the intersection of Church Avenue and East 53rd Street, diagonally across the intersection from the site of the shooting. The Caribbean video, which had no time stamp, showed Mr. Emile walking diagonally across Church Avenue toward East 53rd Street, followed by a second person, as the police car traveling along East 53rd Street stopped at Church Avenue. Mr. Emile then walked diagonally back across Church, followed by the second person. The audio captured shouting, though it was not clear who was shouting. Though much of the shouting was unintelligible, someone yelled, “Chill out,” and someone yelled, “12 is right there.” 12 is slang for police, from the old TV show, “Adam 12.” The police car turned left onto Church Avenue. Moments later, the Caribbean video’s audio captured the sound of several gun shots.

Video from NYPD Body-Worn Cameras (BWCs)

Sergeant Kyle Sforza

Sergeant Sforza activated his BWC after the shooting. His BWC showed Mr. Emile already on the ground while Officers Campos and Mejia-Morel performed chest compressions. Sergeant Sforza radioed for an ambulance and additional officers for crowd control.

Officer Brian Mejia-Morel

Officer Mejia-Morel activated his BWC after the shooting. His BWC showed Mr. Emile already on the ground, showed a gun on the sidewalk, and showed Officer Campos picking up the gun ([here](#)).

Police Officer Alexander Campos

Officer Campos activated his BWC when he got out of the police car. Upon activation, NYPD’s BWCs begin to record video with audio; prior to activation, NYPD’s BWCs preserve 60 seconds of video only, in a pre-event buffering mode.

Before activation, Officer Campos’s BWC showed that he was driving, stopped the police car, waited, turned left, and then pulled up and parked. He activated the BWC as he stepped out of the car. Officer Campos’s BWC showed that Mr. Emile ran along the sidewalk the distance of two parked cars with Officer Mejia-Morel behind him, then ran between parked cars from the sidewalk into the street, toward Officer Campos, with a gun in his hand. The BWC showed that Officer Campos fired a Taser at Mr. Emile. Mr. Emile stumbled briefly, but continued to run, going between parked cars and back onto the sidewalk. The BWC captured the sound of

three gunshots. Someone yelled, “Let go of the gun,” twice. Officer Campos fired his gun at Mr. Emile and his BWC captured the sound of multiple gunshots as Mr. Emile ran away from him along the sidewalk. The BWC showed that Mr. Emile fell to the ground and dropped the gun he was holding. Officer Campos’s BWC captured an officer calling for a “bus” (ambulance) and showed that Officer Campos picked up Mr. Emile’s gun. Officer Mejia-Morel began chest compressions. About 15 seconds elapsed from the time Officer Campos got out of the car to the time Mr. Emile fell to the ground ([here](#)).



Still image from Officer Campos’s BWC showing the gun in Mr. Emile’s hand as he ran from the sidewalk into the street.

Officer Interviews

OSI interviewed Sergeant Sforza, Officer Campos, and Officer Mejia-Morel.

Sergeant Kyle Sforza

Sergeant Sforza said that the night of the incident he was supervising an overtime tour to handle 311 complaints. (People in New York City can dial 311 to report non-emergency quality of life problems, such as noise complaints.) He was on routine patrol in a marked police car with Officer Campos and Officer Mejia-Morel. Officer Campos was the driver, Sergeant Sforza was the front passenger, and Officer Mejia-Morel was the rear passenger. When Officer Campos stopped for a red light at the intersection of Church Avenue and East 53rd Street, Sergeant Sforza heard an argument on Church Avenue and saw Mr. Emile walking toward a group of men with his hand held near his waist. Sergeant Sforza wanted to investigate and told Officer Campos to stop the car next to the group.

When the light turned green, Officer Campos turned left onto Church Avenue and pulled up next Mr. Emile and the group. Sergeant Sforza got out of the car, heard Officer Mejia-Morel yell “Gun,” and then saw Mr. Emile running with a gun. Mr. Emile ran into the street and back onto the sidewalk. Sergeant Sforza said the officers repeatedly yelled for Mr. Emile to drop the gun. Sergeant Sforza said he heard several gun shots and saw Mr. Emile fall to the ground. Officer Campos picked up Mr. Emile’s gun and gave it to Sergeant Sforza. Sergeant Sforza radioed for an ambulance and additional units for crowd control. Sergeant Sforza said he did not fire his weapon.

Officer Alexander Campos

Officer Campos said he was working an overtime detail with Sergeant Sforza and Officer Mejia-Morel, patrolling the 67th Precinct in uniform, in a marked police car. Officer Campos was the driver, Sergeant Sforza was the front passenger, and Officer Mejia-Morel was the rear passenger.

Officer Campos said he stopped for a red light at the intersection of Church Avenue and East 53rd Street when he heard an argument and somebody yell, “I’m going to pop you,” which he interpreted as meaning “shoot you,” and another person yell, “12”, meaning the police. Officer Campos said he saw Mr. Emile and another man walking away from the intersection and toward a group of people. Mr. Emile had his hand by his waistband as if he was holding something.

When the light turned green, Officer Campos turned left onto Church Avenue and pulled up next to the group. Mr. Emile ran when the officers approached him. Officer Campos said he heard Officer Mejia-Morel yell, “Gun,” and saw a gun in Mr. Emile’s hand as he ran between parked cars into the street. Officer Campos fired a Taser at Mr. Emile, which apparently caused him to stumble to the ground. As Mr. Emile fell, Officer Campos said he saw the gun pointed directly at Officer Mejia-Morel and then at himself. Officer Mejia-Morel fired one shot.

Mr. Emile stood up and ran onto the sidewalk and Officer Campos said he repeatedly disobeyed officers’ orders to drop the gun. Officer Campos said he stepped onto the sidewalk and fired one round at Mr. Emile as Officer Mejia-Morel stood in the street and fired several additional rounds. Officer Campos said Mr. Emile fell to the ground, and that the gun he was holding landed on the sidewalk in front of him. Officer Campos picked up the gun and gave it to Sergeant Sforza.

Officer Brian Mejia-Morel

Officer Mejia-Morel said he was working an overtime tour with Sergeant Sforza and Officer Campos to address 311 calls. The officers were on routine patrol in a marked police car when

they stopped at a red light at the intersection of Church Avenue and East 53rd Street. Officer Campos was the driver, Sergeant Sforza was the front passenger, and Officer Mejia-Morel was the rear passenger.

While stopped at the red light, Officer Mejia-Morel said he heard a person yell, "I'm going to pop you," and another person yell, "12". He interpreted "pop you" as meaning "shoot you," and "12" as meaning police. He did not see who was yelling but did see a man in a pink shirt walking away with his hands held near his waist and believed he was possibly holding a gun.

When the light turned green, Officer Campos turned left onto Church Avenue and stopped the car next to a group of men who were yelling and arguing. Officer Mejia-Morel got out of the car to investigate the argument and saw Mr. Emile run by him with a gun. Mr. Emile ran between two parked cars and into the street. Mr. Emile stumbled as he ran and when he fell he pointed the gun directly at Officer Mejia-Morel. Officer Mejia-Morel then fired several rounds at Mr. Emile. Mr. Emile continued to run and did not follow officer commands to drop the gun. Saying he feared for his safety and the safety of the other officers, Officer Mejia-Morel fired several more rounds, striking Mr. Emile. He stopped shooting when Mr. Emile fell to the ground and was no longer holding the gun.

Physical Evidence

Detectives from NYPD's Crime Scene Unit (CSU) responded and processed the scene by photographing and recovering physical evidence.

Officer Firearms

Officer Mejia-Morel was equipped with a Glock 19, Generation 4, 9mm firearm, with a 15-cartridge capacity magazine. CSU recovered six unfired 9mm cartridges from the firearm and magazine (one cartridge from the gun's firing chamber and five from the magazine). During his interview with OSI, Officer Mejia-Morel said his firearm was fully loaded with one cartridge in the firing chamber and 15 in the magazine. The six cartridges recovered from the gun indicate that Officer Mejia-Morel fired 10 rounds during the incident.

Officer Campos was equipped with a Glock 17, Generation 4, 9mm firearm, with a 15-cartridge capacity magazine. CSU recovered 15 unfired 9mm cartridges from the firearm and magazine (one from the gun's firing chamber and 14 from the magazine). During his interview with OSI, Officer Campos said his firearm was fully loaded with one cartridge in the chamber and 15 in the magazine. The 15 cartridges recovered from the gun indicate that Officer Campos fired one round during the incident.

Officer Campos also deployed his Taser during the incident. CSU recovered the Taser, the Taser's door, and both Taser wires, one with the probe and one without. CSU also went to Kings County Hospital and recovered Mr. Emile's clothing; the second Taser prong was recovered from Mr. Emile's pants.

Ballistics Evidence

At the scene of the shooting, CSU detectives recovered five bullet fragments, two deformed bullets, and 11 discharged shell casings. One deformed bullet and three bullet fragments were recovered inside Red Sea Food Market, and one bullet fragment was recovered inside a karate studio at 5209 Church Avenue.

All the shell casings recovered were consistent with NYPD ammunition.

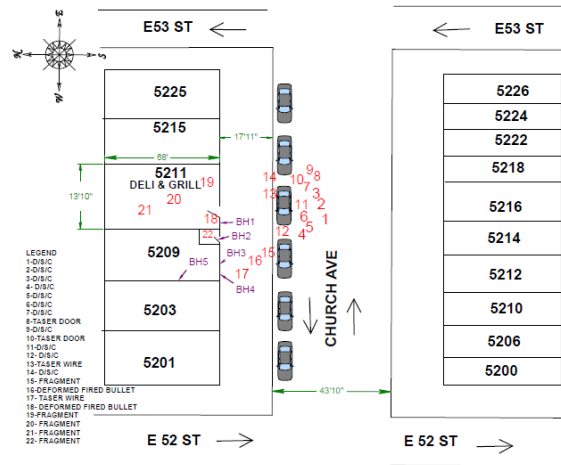
Mr. Emile's Firearm

CSU Detectives recovered a black 9mm Taurus firearm and magazine from the officers at the scene. The firearm was loaded with one 9mm round in the firing chamber, and 11 rounds in the magazine. Although the magazine had a capacity of 12 rounds, CSU did not discover any physical evidence at the scene indicating that Mr. Emile had fired the gun. (If a person fully loads and then inserts a magazine into a gun, and then chambers a round by pulling back the gun's slide, the magazine will be one round below its capacity, unless the person takes out the magazine, adds a round to it and re-inserts it in the gun.)



Mr. Emile's gun, magazine, and live rounds, as photographed by NYPD CSU.

**NYPD CRIME SCENE UNIT
DEPARTMENT INVESTIGATION 67 PCT
CSU RUN #24/223 5/12/24
5211 CHURCH AVE BROOKLYN NY
PREPARED BY DETECTIVE BASNIGHT 6548**



SKETCH NOT TO SCALE; ILLUSTRATION ONLY

Crime Scene Diagram of the ballistics evidence recovered

Injuries

A Hatzallah Ambulance transported Witness 1 to Kings County Hospital where she was treated and released. OSI interviewed Witness 1 about her injuries, and she said that she sustained a minor graze wound to her back.



Witness 1's Injury as photographed by CSU.

Autopsy

Dr. Sean Kelly of the New York City Office of the Chief Medical Examiner (OCME) performed the autopsy of Mr. Emile on May 12, 2024. According to the autopsy report, Dr. Kelly determined that the cause of death was gunshot wounds of torso, head, and thigh, and deemed the manner of death to be homicide. Mr. Emile was shot six times, with gunshot wounds to the upper back, left hip, head, three to the left thigh, and a graze wound to the left ring finger. Additionally, there were Taser puncture wounds on his right leg.

LEGAL ANALYSIS

Article 35 of the New York Penal Law defines the circumstances under which a person may be justified in using deadly physical force against another. Justification is a defense, Penal Law Section (PL) 35.00, not an affirmative defense. To obtain a conviction at trial, a prosecutor must disprove a defense beyond a reasonable doubt, PL 25.00(1).

In *People v Jairo Castillo*, 42 NY3d 628, 631 (2024), the New York Court of Appeals stated:

“The defense of justification provides that a person may use physical force to defend himself against an assailant’s ‘imminent use of unlawful physical force,’ but does not authorize the use of ‘deadly physical force . . . unless . . . [the person] reasonably believes that [the assailant] . . . is using or about to use deadly physical force’ (Penal Law § 35.15). When considering a request for a justification charge, courts examine the evidence in the light most favorable to the defendant, and must provide the instruction if there is any reasonable view of the evidence that defendant was justified in his actions (see *People v Heiserman*, 39 NY3d 988, 990 [2022]). Justification has both a subjective requirement, that ‘defendant . . . actually believed . . . he [was] . . . threatened with the imminent use of deadly physical force,’ and an objective requirement, that defendant’s ‘reactions were . . . those of a reasonable man acting in self-defense’ (*People v Collice*, 41 NY2d 906, 907 [1977]).” (Square brackets and ellipses in the original.)

In this case, the officers used deadly physical force. Under PL 10.00(1), “deadly physical force” is “physical force which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury.” Under PL 10.00(10), “serious physical injury” is “physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ.”

PL 35.30 is the provision defining justification when a police officer or peace officer uses force to effect or attempt to effect an arrest. PL 35.30(1) provides:

“A police officer or a peace officer, in the course of effecting or attempting to effect an arrest ... of a person whom he or she reasonably believes to have committed an offense, may use physical force when and to the extent he or she reasonably believes such to be necessary to effect the arrest ... or in self-defense or to defend a third person from what he or she reasonably believes to be the use or imminent use of physical force; except that deadly physical force may be used for such purposes only when he or she reasonably believes that ... (c) regardless of the particular offense which is the subject of the arrest ... the use of deadly physical force is necessary to defend the police officer or peace officer or another person from what the officer reasonably believes to be the use or imminent use of deadly physical force.”

Police officers using deadly physical force pursuant to PL 35.30(1) are under no duty to retreat when threatened with deadly physical force, PL 35.15(2)(a)(ii).

Based on the evidence in this investigation, OSI concludes that a prosecutor would not be able to disprove beyond a reasonable doubt that the officers’ use of deadly physical force was justified under the law. Under PL 35.30, Officers Campos and Mejia-Morel could use the physical force they reasonably believed necessary to effectuate the arrest of Mr. Emile and could use deadly force if they reasonably believed it was necessary to defend themselves or another against Mr. Emile’s imminent use of deadly force.

The officers attempted to apprehend Mr. Emile when they saw that he held a firearm. Based on their observations they had probable cause to arrest Mr. Emile for Criminal Possession of a Weapon in the Second Degree, PL 265.03(1)(b), a class C felony. Mr. Emile ran from the officers and disregarded their commands to drop the weapon. Officer Campos unsuccessfully attempted to apprehend Mr. Emile through the use of “less lethal” physical force, by deploying his Taser. When that proved ineffective, and Mr. Emile continued to hold onto the gun and to run, the officers shot Mr. Emile.

Subdivision 4 of Section 70-b confers criminal jurisdiction to the Attorney General over “any criminal conduct arising from *any* incident” (emphasis added) in which an officer causes a death. OSI therefore analyzed whether the discharging officers in this case committed a crime when one of their shots injured Witness 1.

Based on the investigation and the legal analysis as described above, OSI does not find reason to believe that any officer intended to injure Witness 1 or was criminally reckless with regard to Witness 1. However, even if an officer had been criminally reckless with regard to Witness 1, the law of justification would not authorize charging that officer with a crime, as follows:

Subdivision 2 of PL 35.30 provides:

“The fact that a police officer or a peace officer is justified in using deadly physical force under circumstances prescribed in paragraphs (a) and (b) of subdivision one does not constitute justification for reckless conduct by such police officer or peace officer amounting to an offense against or with respect to innocent persons whom he or she is not seeking to arrest or retain in custody.”

This provision applies to an officer’s use of deadly physical force under paragraph (a) or (b) of Section 35.30(1). However, the officers in this case used deadly physical force pursuant to paragraph (c) of PL 35.30(1). Therefore, OSI concludes the officers would not be chargeable with a crime, even if their use of force were reckless with regard to Witness 1.

(Paragraphs (a) and (b) of Section 35.30(1) read as follows: “1. A police officer or a peace officer, in the course of effecting or attempting to effect an arrest, or of preventing or attempting to prevent the escape from custody, of a person whom he or she reasonably believes to have committed an offense, may use physical force when and to the extent he or she reasonably believes such to be necessary to effect the arrest, or to prevent the escape from custody, or in self-defense or to defend a third person from what he or she reasonably believes to be the use or imminent use of physical force; except that deadly physical force may be used for such purposes only when he or she reasonably believes that: **(a)** The offense committed by such person was: (i) a felony or an attempt to commit a felony involving the use or attempted use or threatened imminent use of physical force against a person; or (ii) kidnapping, arson, escape in the first degree, burglary in the first degree or any attempt to commit such a crime; or **(b)** The offense committed or attempted by such person was a felony and that, in the course of resisting arrest therefor or attempting to escape from custody, such person is armed with a firearm or deadly weapon;”)

Therefore, OSI concludes a prosecutor would not be able to disprove beyond a reasonable doubt that Officer Campos and Officer Mejia-Morel were justified in shooting Mr. Emile. Further, OSI does not find that the officers recklessly injured Witness 1; even if they had recklessly injured Witness 1 OSI would not be able to charge them with a crime. Therefore, OSI will not seek charges and closes the matter with this report.

Dated: January 7, 2026