



Office of the New York State Attorney General Letitia James

Office of Special Investigation

July, 2026

Report on the Investigation into the Death of Royston Bacchus

OVERVIEW

New York Executive Law Section 70-b (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 Royston Bacchus, who was shot and killed on October 5, 2025, by New York City Police Department (NYPD) Lieutenant Richard Custodio in Kings County.

On October 5, 2025, at 9:14 a.m., Lt. Custodio shot and killed Royston Bacchus, who was standing in the street on Coventry Road between East 86th Street and Ralph Avenue in Brooklyn, as Mr. Bacchus held a handgun at waist height, and refused repeated commands to drop it. A silver .38 caliber special InterArms revolver containing five rounds was recovered at the scene.

Mr. Bacchus was 28 years old when he died.

Having thoroughly investigated the facts and analyzed the law, OSI concludes a prosecutor would not be able to disprove beyond a reasonable doubt that Lt. Custodio's use of deadly force against Mr. Bacchus was justified under New York law and, therefore, will not seek charges.

FACTS

Background

The shooting occurred in the street on Coventry Road between East 86th Street and Ralph Avenue in Brooklyn, New York. Coventry Road is a one-way residential street.



Google Earth image showing the block on Coventry Road where the shooting occurred.

As detailed below, OSI interviewed the shooting officer and one witness officer. Lt. Custodio joined the NYPD in 1998 and was assigned to the 67th Precinct in 2023. Lt. Custodio had never fired his service weapon before October 5, 2025, except in firearms training at the shooting range. Officer Blaise Christoforatos, who did not fire his service weapon, joined NYPD in 2016 and was assigned to the 67th Precinct.

None of the officers had encountered Mr. Bacchus before October 5, 2025.

Events Leading to the Shooting

According to police paperwork and 911 recordings, at 9:09 a.m. a woman called 911 to report that Mr. Bacchus was outside her apartment in violation of an order of protection. The caller stated, “[Mr. Bacchus] is harassing me, and I got a restraining order on him and he’s at my door now.” The caller identified the man as Royston Bacchus and described him as wearing all black, 5’11”, and medium build.

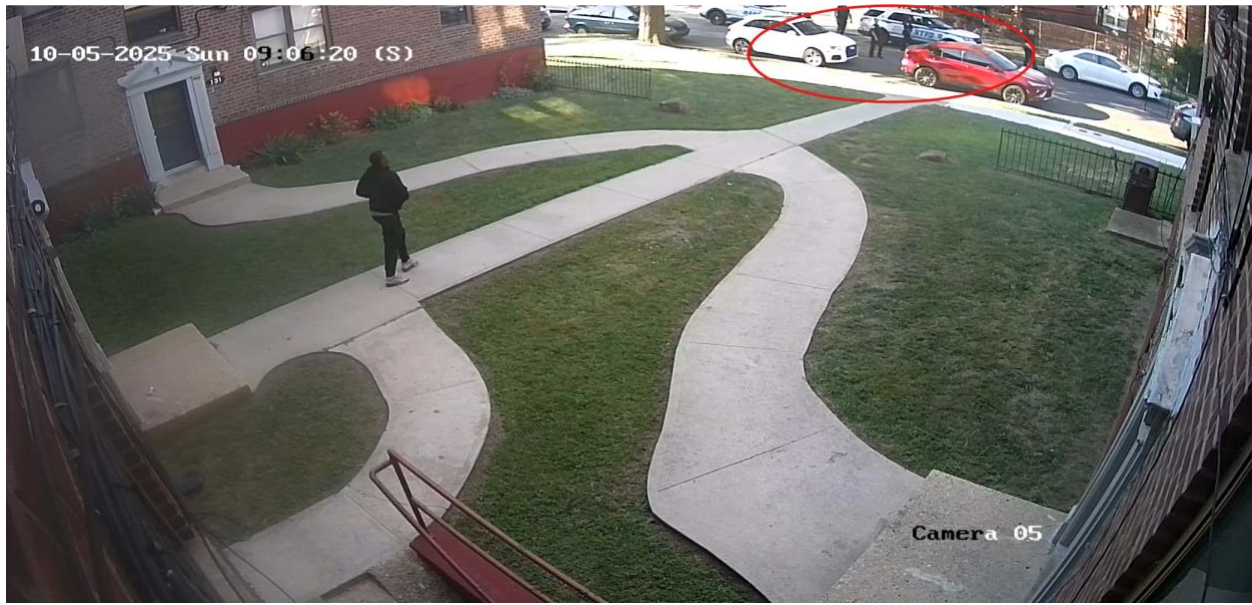
Security videos from a building on East 86th Street showed that Mr. Bacchus arrived at 8:45 a.m. The time stamp on the security video was six minutes behind real time.



Still frame from security video showing Mr. Bacchus walking toward the entrance of the building on East 86th Street.

The 911 call went out over the division radio as a “violation of an order of protection” at a building on East 86th Street (OSI does not publish addresses of civilian witnesses). The 67th Precinct was assigned and Platoon Commander Lt. Custodio arrived with Officer Christoforatos in a marked police car at 9:11 a.m. Officers Yikilia Arnold, Sean Monaghan, Stephanie Rodriguez-Bones, and Denis Morozov arrived at 9:12 a.m.

Security video showed Mr. Bacchus leaving the building at 9:12 a.m. as the officers were arriving.



Still frame from security video showing Mr. Bacchus leaving the building on East 86th Street as officers arrived (circled in red).

Based on OSI's interview with Lt. Custodio, he was on patrol, in uniform, and in a marked police car with Officer Christoforatos when they heard over the police radio that there was a violation of an order of protection at an apartment building on East 86th Street. Lt. Custodio said that when they arrived, he realized they were at the wrong building because all the buildings in that complex looked identical. Lt. Custodio went back onto the sidewalk and walked south on East 86th Street. He noticed a man wearing all black walking from the building and continuing south on 86th Street. He said he told the other officers to pay attention to the man and heard one of the officers say that he matched the description given by the 911 caller.

Once the officers confirmed the 911 caller's description, they called out to Mr. Bacchus who ran south, crossing Avenue B toward Coventry Road.



Still frame from Officer Monaghan's BWC video showing Mr. Bacchus (circled in red) walking south on 86th Street as Officer Monaghan checked his phone for the 911 caller's description.

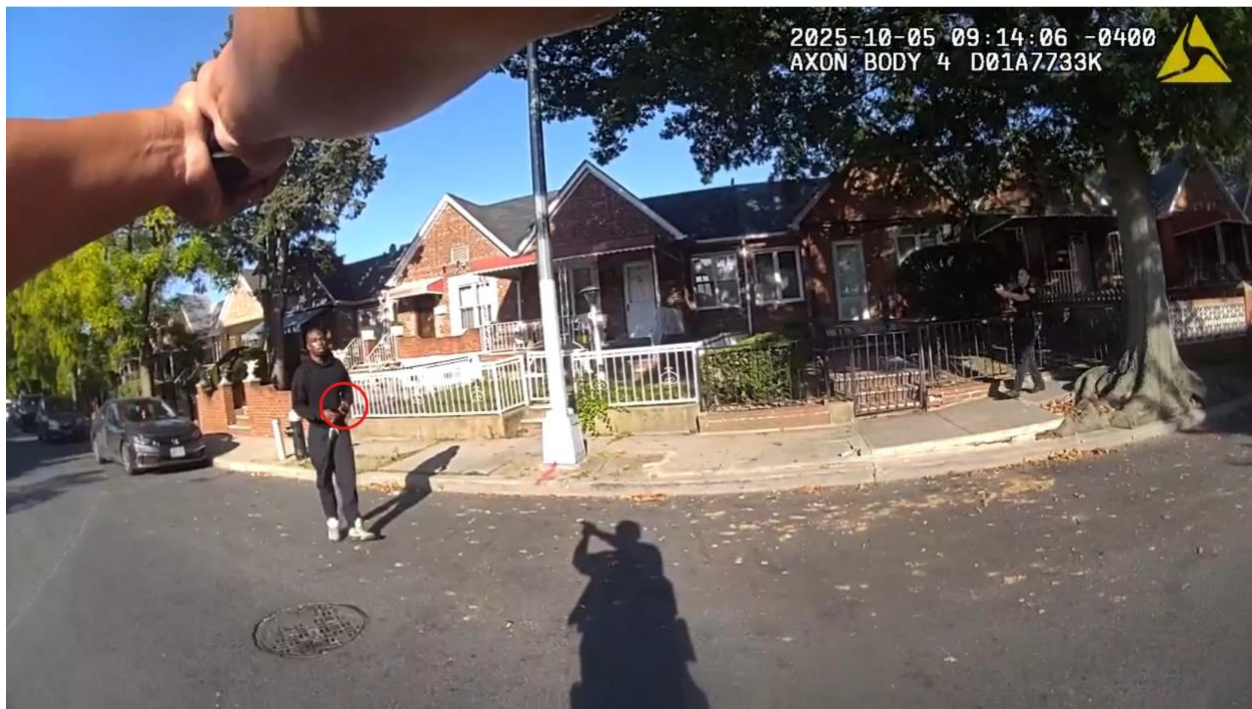
According to the BWC videos ([Officer Monaghan](#); [Officer Rodriguez Bones](#); [Officer Arnold](#)), Officers Monaghan, Rodriguez-Bones, and Arnold ran after Mr. Bacchus and followed Mr. Bacchus south on 86th Street, crossing Avenue B while Officer Monaghan yelled, "Stop running." On the next block, Mr. Bacchus turned right and stopped in the street on Coventry Road. He turned around to face the officers holding a silver gun in his left hand.

Officers Monaghan, Arnold, and Rodriguez-Bones stopped running at the corner of Coventry Road and 86th Street and took cover behind trees and cars. Officer Monaghan yelled, "Stop, stop, stop," and radioed, "Male has a firearm here." Officers Arnold and Rodriguez-Bones told Mr. Bacchus, "Drop the gun." All three officers unholstered their department-issued firearms.

OSI interviewed Officer Christoforatos who said that he followed Mr. Bacchus to Coventry Road in his police car. Officer Christoforatos said he saw Mr. Bacchus on Coventry Road facing 86th Street (toward the officers) with a silver gun in his hand. According to BWC video, Officer Christoforatos got out of the car while unholstering his gun and used the car's A frame as a shield. He told Mr. Bacchus, "Stop" and, "Drop it." He then closed the car door and walked behind Lt. Custodio.

The Shooting

According to his BWC video ([Lt. Custodio](#)), Lt. Custodio was the last of the officers to follow Mr. Bacchus on foot. Lt. Custodio ran south on 86th Street, crossed Avenue B, and turned right onto Coventry Road. Lt. Custodio told OSI that he heard other officers on the street verbally warn him that Mr. Bacchus had a gun. As Lt. Custodio turned onto Coventry Road, he unholstered his department-issued firearm and saw Mr. Bacchus facing him with a silver gun in his left hand. Lt. Custodio said, “Drop the gun” several times as he walked closer to Mr. Bacchus. Mr. Bacchus was waving the gun side to side. Mr. Bacchus was within 10 feet of Lt. Custodio when he said, “Just shoot me,” while holding the gun in the direction of Lt. Custodio. Lt. Custodio told OSI that he feared for his life and discharged his gun once, striking Mr. Bacchus in the chest at 9:14 a.m. Mr. Bacchus fell to the ground and dropped the silver gun.



Still frame from Lt. Custodio's BWC video showing Mr. Bacchus holding a gun (circled in red) in the direction of Lt. Custodio.

The Aftermath

According to the BWC videos, the officers holstered their guns and handcuffed Mr. Bacchus, who pulled away and put his arms under his body. Officer Christoforatos told OSI that he ran toward Mr. Bacchus to help. Officers Arnold and Morozov told Mr. Bacchus to “stop resisting.” Officer Christoforatos used his Taser in drive stun mode on Mr. Bacchus's left leg; the officers were then able to gain control of Mr. Bacchus's arms to handcuff him.

Based on the BWC videos, Officer Monaghan requested an ambulance at 9:14 a.m., while Officer Arnold and Officer Rodriguez-Bones applied pressure to Mr. Bacchus's gunshot wound. Officer Monaghan recovered the silver handgun that Mr. Bacchus dropped on the street and secured it in the front passenger seat of his police car.

According to BWC videos, at 9:17 a.m. Officer Monaghan asked the estimated time of arrival for the ambulance over the department radio, and the radio dispatcher told him they were five minutes out. Officer Monaghan told the dispatcher they needed a rush on the ambulance. At 9:24 a.m., Lt. Custodio told the officers to transport Mr. Bacchus to the hospital because the ambulance had still not arrived. Mr. Bacchus was carried into the rear of the police car across the laps of Officers Mayroby Fernandez and Stephen Schlegelmilch; they spoke to Mr. Bacchus to try and keep him conscious during the transport to NYC Health + Hospitals/Kings County.

According to BWC video, the police car arrived at the hospital at 9:29 a.m. According to medical records, Mr. Bacchus sustained a single gunshot wound to his lower right chest with no exit wound. He was pronounced dead at 9:46 a.m.

Evidence Collection and Analysis

NYPD's Crime Scene Unit (CSU) processed the scene for forensic and ballistics evidence.

Lt. Custodio was armed with a Glock 19 semiautomatic firearm. The firearm was loaded with Speer brand 9mm caliber ammunition. CSU recovered one 9mm discharged shell casing from the scene of the shooting. Ballistic and microscopic analysis determined that Lt. Custodio fired one time.

CSU recovered one Rossi InterArms .38 Special revolver, serial #W102629 loaded with five .38 Special live cartridges on the street, on Coventry Road, where Mr. Bacchus dropped it.



CSU photo of the gun and bullets recovered from the street where Mr. Bacchus was shot.

Medical Examination and Autopsy

Dr. Amelia Baxter-Stoltzfus of the New York City Office of Chief Medical Examiner conducted the autopsy and determined that the cause of Mr. Bacchus's death was "gunshot wound of torso with injuries of liver and major blood vessels." She deemed the manner of death to be "homicide (shot by police)."

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).

As the Court of Appeals stated in *People v Castillo*, 42 NY3d 628, 631 (2024):

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 original.) In this case, Lt. Custodio used deadly physical force when he shot Mr. Bacchus. 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 for an offense. 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).

Here, under PL 35.30, Lt. Custodio could use the physical force he reasonably believed to be necessary to defend himself or another against Mr. Bacchus’s imminent use of deadly physical force. Lt. Custodio knew that a 911 caller said Mr. Bacchus had come to her apartment in violation of an order of protection. Lt. Custodio saw the gun in Mr. Bacchus’s hand when he approached him on Coventry Road. Officers commanded Mr. Bacchus to drop

the gun but did not comply and continued to wave the gun from side to side. When Mr. Bacchus held the handgun at waist height in the direction of Lt. Custodio, Lt. Custodio told OSI he was in fear for his life and fired one time to stop Mr. Bacchus from using deadly physical force.

Based on the evidence in this investigation, OSI concludes that a prosecutor would not be able to disprove beyond a reasonable doubt that Lt. Custodio's use of deadly physical force was justified under the law. As a result, OSI will not seek charges and closes the matter with the issuance of this report.

Dated: July 23, 2026