



Office of the New York State Attorney General Letitia James

Office of Special Investigation

December 4, 2025

Report on the Investigation Of the Death of Win Rozario

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. 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 Win Rozario, who was shot on March 27, 2024, by members of the New York City Police Department (NYPD) and died of his wounds.

In the afternoon of March 27, 2024, a 911 caller said, "I think my son is on drugs and is acting mad erratic." The caller gave an address in Queens County. NYPD officers Salvatore Alongi and Matthew Cianfrocco responded to the address, which was a frame house on a residential block. They activated their body worn cameras (BWCs), approached the house on foot, and knocked at the door. After a few minutes, Win Rozario's younger brother answered the door and told the officers his brother was having an "episode." The brother and the officers went up a set of stairs to the second-floor apartment. Win Rozario and his mother were in the apartment. As shown on BWC, moments after the officers entered, Mr. Rozario went to a drawer in the kitchen, took out a pair of scissors, and turned toward the officers. One officer deployed a Taser, striking Mr. Rozario, and his mother took the scissors from him and put them on a chair in the kitchen. An officer deployed a Taser a second time, but Mr. Rozario pulled out the Taser prong, picked up the scissors, and walked toward the officers, who were in the living room.

When Mr. Rozario got close to Officer Alongi, Officer Cianfrocco, who was to Mr. Rozario's left, fired one shot. The bullet struck Mr. Rozario in the left arm and traveled through his upper body from left to right, injuring his heart. Mr. Rozario's mother and brother then wrestled with Mr. Rozario, pushing him back into the kitchen, and the scissors fell to the floor. Mr. Rozario got free of his mother and brother and picked up the scissors. The officers yelled, "No, no," and "Put it down." Mr. Rozario took one step forward, and Officer Cianfrocco fired a second gunshot. Mr. Rozario stopped moving forward but remained standing, holding the scissors. After a brief pause, Officer Cianfrocco shouted, "Put it down," and Officer Alongi fired a third shot. Mr. Rozario was still standing, with the scissors in his hand and, after another brief pause, Officer Alongi fired a fourth shot, and after a final brief pause, Officer Cianfrocco fired a fifth shot. Mr. Rozario fell to the floor as the fifth shot was fired. He was taken to Jamaica Hospital Medical Center where he was pronounced dead a short time later.

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

After the Legal Analysis section in this report, OSI sets forth recommendations for New York City's responses to emergency calls when a person is in a mental health crisis.

FACTS

911 Call and Radio Dispatches

This section is based on audio recordings reviewed by OSI and on entries in NYPD's Integrated Computer Aided Dispatch (ICAD) system.

At 1:34 p.m. on March 27, 2024, a 911 caller said, "I think my son is on drugs and is acting mad erratic." The caller gave an address in Queens. The recording is [Here](#). An NYPD dispatcher radioed the address to available officers and said the caller had said, "My son is on drugs and acting erratic. 54 EDP case." ("EDP" is NYPD terminology for "emotionally disturbed person." "10-54" is an NYPD radio code for "Ambulance Case (specify type).") The dispatcher repeated, "Main caller states he thinks his son is on drugs and is acting erratic at this time." At 1:41 p.m. an NYPD dispatcher called the phone number from which the 911 call was placed, attempting to get additional information. The dispatcher asked the person who answered if he had called for the police for his son, and the person said no. The dispatcher then radioed: "102 Adam. Units responding to this EDP case in the 102 be advised I tried to call back, caller states that he did not call 911 at all, says he didn't call for his son, doesn't know what's going on." ("102 Adam" refers to the A-Sector of the 102nd Precinct, which encompassed the address the caller gave.) About eight minutes later an officer identifying himself as "Two Adam" said, "Yeah I spoke to a man, he hung up on me, said it was his father."

At 1:40 p.m. NYPD's computerized records of the 911 calls and other transmissions in this case have an entry which reads "EDP MSG READ" (EDP message read) and "SGT ADV" (sergeant advised).

Body Worn Cameras

When Officers Alongi and Cianfrocco arrived at the address in the dispatch they activated their BWCs. The videos from their BWCs are at these links: Officer Alongi [here](#) and Officer Cianfrocco [here](#). The following summary is based on OSI's review of their BWC footage.

At 1:49 p.m. Officers Alongi and Cianfrocco arrived at the address and parked and got out of their police car. Officer Alongi walked to the door that matched the address given to 911 and knocked. No one responded and the officers called dispatch to see if there was any additional information about the caller's location. The officers asked people who were working outside the house if they had any information, but they said they did not. At 1:50 p.m. Officer Alongi called the 911 caller's number and, after someone seemed to answer, said, "Open up the door, we're here."

At 1:52 p.m. a young man opened the door to the house and identified himself as the brother of the caller. The conversation between the young man and the officers was recorded on BWC and was as follows:

Alongi: What's up man? Did you call?

Brother: No, my brother did.

Cianfrocco: Your brother did?

Alongi: On who?

Brother: Himself.

Alongi: He called on himself? What's going on with him?

Brother: Um, he's having a episode.

Alongi: What kind of episode? Is he a bipolar, schizo?

Brother: No, he just –

Alongi: What kind of episode is he having?

Brother: Basically, he's just going cra – like, he don't even know what he's doing?

Cianfrocco: How old is your brother?

Brother: He's 19.

Alongi: How old are you?

Brother: I'm 17.

Alongi: Where's your dad?

Brother: He's not home, he's at work.

Alongi: So, who did I speak to on the phone?

Brother: I think it was my mom.

Alongi: No, I spoke to a guy.

Brother: Then it was my brother.

Alongi: He called on himself?

Brother: Yeah.

The two officers and the young man then walked into the house and up the stairs while the conversation continued:

Cianfrocco: Did he take anything?

Brother: I don't think so.

Alongi: Is he high on drugs?

Brother: I don't believe so.

Alongi: Is he diagnosed with anything?

Brother: I'm not sure.

Officer Cianfrocco radioed that they were walking to the second-floor apartment. In the apartment Mr. Rozario was standing at the entrance to the kitchen with his mother, who was speaking on a telephone (see still image, below; OSI has obscured the faces of Mr. Rozario's mother and brother). Officer Alongi said, "What's up pal?" Officer Cianfrocco asked if anyone else was in the house.



Still image from BWC showing Mr. Rozario in the entry to the kitchen as the officers arrived in the apartment. Mr. Rozario's brother is toward the center of the photo, and his mother is just below Mr. Rozario, with faces obscured.

As the officers approached, Mr. Rozario walked into the kitchen, opened a drawer and took out a pair of scissors. The time stamp on the BWCs was 1:53:56 p.m.



Still image of Mr. Rozario taking a pair of scissors from a kitchen drawer; his mother is standing near him.

Mr. Rozario, holding the scissors, advanced toward the officers. His mother tried to hold him back by pulling on this arm.



Still image of Mr. Rozario advancing toward the officers as his mother tried to hold his arm.

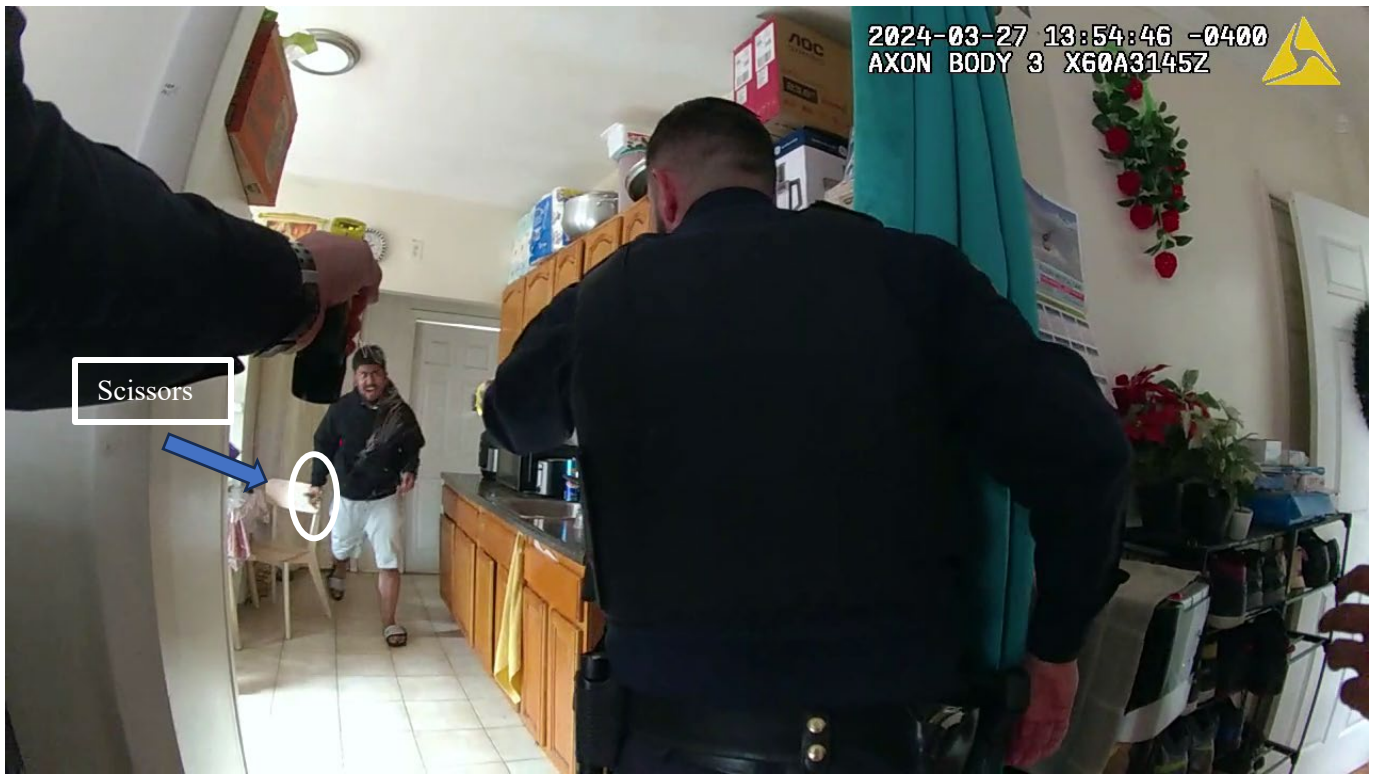
As the officers backed into the living room, Officer Alongi deployed his Taser, which seemed to stop Mr. Rozario from advancing. Mr. Rozario's mother held him around the body and pushed him to the floor as the officers shouted, "Let go of him" and "Get out of the way." It appeared that at least one Taser prong came off Mr. Rozario in the course of the physical interaction between him and his mother. Mr. Rozario's brother, off camera, said, "Please don't shoot my mother." Mr. Rozario's mother took the scissors from him, took a few steps toward the officers, and then went back and, at various moments, stood next to and in front of Mr. Rozario with the scissors in her hand. The officers, who kept their Tasers pointed at Mr. Rozario, again told his mother to get out of the way. She put the scissors on a nearby chair, but continued to stand next to and in front of Mr. Rozario. Finally, after Officer Alongi loudly shouted, "Get out of the way," she walked a few steps away from Mr. Rozario and said, "Don't shoot." Officer Alongi fired a second Taser round.



Still image showing the scissors in Mr. Rozario's mother's hand.



Still image of Mr. Rozario being Tased a second time.



Still image of Mr. Rozario walking toward the officers with the scissors.

Mr. Rozario pulled a Taser prong out of his right shoulder, picked up the scissors from the chair where his mother had put them, and walked toward the officers. The officers backed into the living room as Mr. Rozario walked directly toward Officer Alongi. As Mr. Rozario got close to Officer Alongi, Officer Cianfrocco, who was to Mr. Rozario's left, fired one shot, striking Mr. Rozario in his left arm. (As detailed later in this report, the medical examiner found that this first shot went through Mr. Rozario's upper body from left to right, and damaged his heart.) Officer Alongi yelled, "Shoot him," a split second after the shot was fired.



Still image from Officer Alongi's BWC showing the Taser in Officer Alongi's hand at the left side of the photo, Mr. Rozario holding the scissors in the center of the photo, and Officer Cianfrocco to the right of the photo, just as Officer Cianfrocco fired the first shot.



Still image from PO Cianfrocco's BWC showing Mr. Rozario, scissors in hand, advancing toward Officer Alongi, who is off the image to the left; the radio mounted on his belt is circled. Officer Cianfrocco's hands holding his gun are visible at the top of the photo, just as Officer Cianfrocco fired the first shot at Mr. Rozario.

After the first gunshot, Mr. Rozario's mother and brother pushed Mr. Rozario back into the kitchen and wrestled with him: his mother tried to get the scissors from his hand while his brother tried to pull their mother out of the way. The officers repeatedly shouted, "Get out of the way." Mr. Rozario's brother said, "Please don't shoot my mom" and "I'm so sorry." The scissors dropped to the floor and then Mr. Rozario's mother and brother fell to the floor, still trying to wrestle with Mr. Rozario. Mr. Rozario, who was standing, picked up the scissors.



Still image of Mr. Rozario before picking the scissors up from the floor; his mother and brother are to his right, in the kitchen.



Still image of Mr. Rozario after he picked up the scissors; his mother and brother are on the floor in front of him.

When Mr. Rozario picked up the scissors the officers yelled, “No, no,” and “Put it down.” Mr. Rozario took one step forward, and Officer Cianfrocco fired a second gunshot. Mr. Rozario stopped moving forward but remained standing. After a brief pause, Officer Cianfrocco shouted, “Put it down,” and Officer Alongi fired a third shot. Mr. Rozario was still standing, with the scissors in his hand and, after another brief pause, Officer Alongi fired a fourth shot, and after a final brief pause, Officer Cianfrocco fired a fifth shot. Mr. Rozario fell to the floor as the fifth shot was fired. His mother screamed, “Don’t shoot.” The time stamp on the BWCs was 1:55:27 p.m. The entire incident, from the time Mr. Rozario took the scissors from the kitchen drawer at 1:53:56 p.m. to the time he fell to the floor after the fifth shot at 1:55:27 p.m., lasted a minute and a half.

Mr. Rozario, lying prone on the kitchen floor, was still moving and making sounds. At 1:56 p.m. Officer Cianfrocco placed Mr. Rozario in handcuffs and Officer Alongi radioed for an ambulance, saying, “Rush the bus.” Officer Cianfrocco began chest compressions on Mr. Rozario at 1:57:20 p.m., and other officers, who had arrived after the shots were fired, took over aid about a minute later. BWCs showed that members of the New York City Fire Department’s Emergency Medical Services entered the apartment at 2:00 p.m. and, after continuing aid, carried Mr. Rozario out of the apartment on a backboard at 2:10 p.m.

Death and Autopsy

According to medical records, Mr. Rozario was taken by ambulance to Jamaica Hospital Medical Center where he was pronounced dead less than an hour later.

Dr. Gina Prochilo of the New York City Office of the Chief Medical Examiner (OCME) conducted the autopsy and determined that Mr. Rozario was struck by five gunshots. Dr. Prochilo deemed the cause of death to be “gunshot wounds of torso,” and deemed manner of death to be “homicide (shot by police).”

According to the autopsy report:

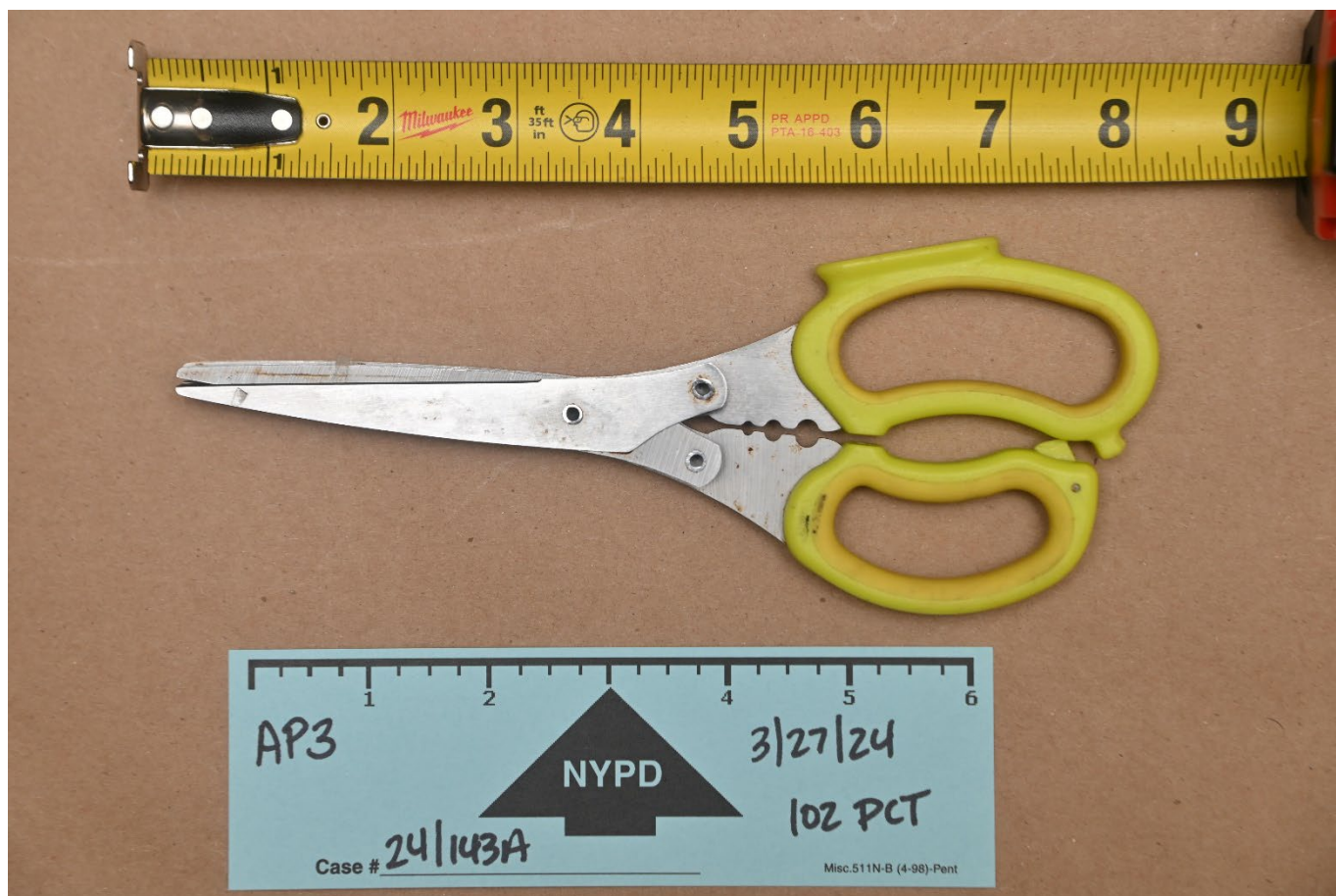
- A gunshot entered the left arm and then the chest, where it struck the left lung, pericardial sac, the apex of the heart, and the diaphragm; the bullet was recovered from the body;
- A gunshot entered the right chest and struck the right lung; the bullet was recovered from the body;
- A gunshot entered the right upper abdomen and struck the liver, gallbladder, and colon; the bullet was recovered from the body; and
- Two gunshots entered the right side of the abdomen and struck various tissues, but not an internal organ; the two bullets left the body through exit wounds.

OSI spoke with Dr. Andrea Coleman, Deputy Chief Medical Examiner of OCME, who took over this case after Dr. Prochilo left the office. OSI asked Dr. Coleman whether she could match the gunshot wounds in Mr. Rozario’s body to the gunshots as seen in the BWC video. Dr. Coleman said the only gunshot she could match was the first, as it entered Mr. Rozario’s body through his left arm, which is consistent with officer Cianfrocco’s position relative to Mr. Rozario at the time the shot was fired. Dr. Coleman said the first gunshot was the only gunshot that could have caused the wound that entered at the left

arm. That wound is described in the autopsy report as traveling left to right through Mr. Rozario's body, striking the left lung, inferior pericardial sac, and the apex of the heart. Dr. Coleman stated to OSI that Mr. Rozario could not have survived the injuries caused by the first shot.

Evidence Recovered

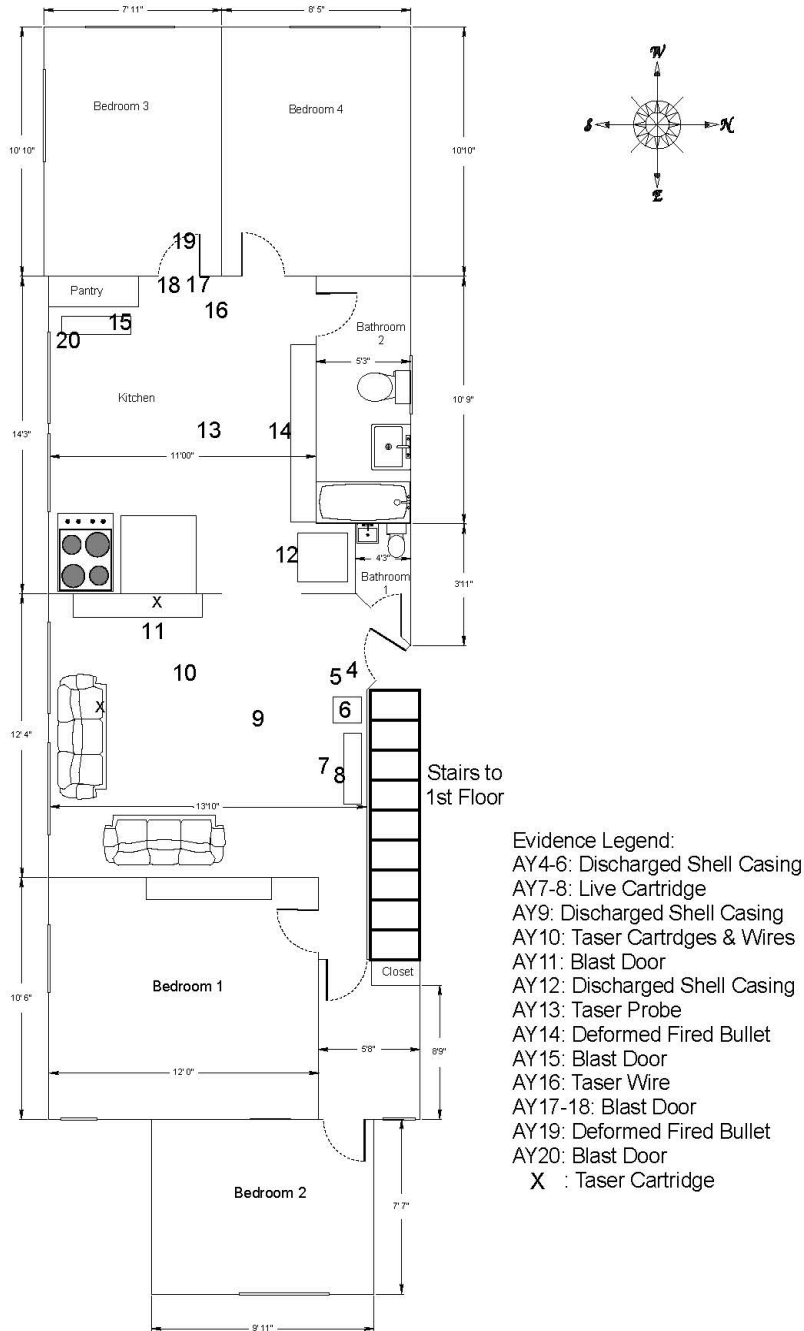
NYPD's Crime Scene Unit (CSU) responded to the apartment after the shooting and took possession of the scissors and of Officers Alongi's and Cianfrocco's firearms. CSU recovered five spent shell casings from the floor of the apartment, which were consistent with NYPD-issued 9mm rounds; two live 9mm rounds from the floor of the apartment, which were consistent with NYPD-issued ammunition; two spent Taser cartridges; and two fired bullets. CSU created a diagram of the interior of the apartment, showing the places in the apartment where the evidence was recovered. CSU's photo of the scissors and CSU's diagram of the apartment are below:



NYPD Crime Scene Unit photo of the scissors.

NYPD CRIME SCENE UNIT
DEPARTMENT INVESTIGATION 03/28/2024
CSU RUN # 24/143B 102 PCT

PREPARED BY DETECTIVE YOVINO SHIELD # 3059



- Evidence Legend:
- AY4-6: Discharged Shell Casing
 - AY7-8: Live Cartridge
 - AY9: Discharged Shell Casing
 - AY10: Taser Cartridges & Wires
 - AY11: Blast Door
 - AY12: Discharged Shell Casing
 - AY13: Taser Probe
 - AY14: Deformed Fired Bullet
 - AY15: Blast Door
 - AY16: Taser Wire
 - AY17-18: Blast Door
 - AY19: Deformed Fired Bullet
 - AY20: Blast Door
 - X : Taser Cartridge

*****DIAGRAM NOT TO SCALE; ILLUSTRATION ONLY*****

NYPD Crime Scene Unit Diagram of the Apartment.

Ballistics Evidence

Officers Alongi and Cianfrocco had Glock 19 9mm pistols, each of which had a maximum capacity of 16 rounds (15 rounds in the magazine clip and one round in the firing chamber). Based on CSU's examination of the loads, Officer Cianfrocco's weapon had 13 remaining rounds and Officer Alongi's weapon had 12 remaining rounds.

The 13 rounds remaining in Officer Cianfrocco's gun were consistent with his having fired three times. However, as shown in his BWC, Officer Alongi's gun jammed during the incident. Clearing the jam caused live rounds to be ejected, but not fired. As mentioned above, CSU recovered two live rounds from the floor in the apartment. Thus, the state of the load (12 rounds remaining) and the recovery of two live rounds were consistent with Office Alongi's having fired two shots during the incident. Three shots fired by Officer Cianfrocco and two shots fired by Officer Alongi are consistent with the five spent shell casings recovered by CSU, and consistent with the two fired bullets recovered from the apartment and the three bullets recovered from the body of Mr. Rozario during the autopsy.

The NYPD ballistics lab compared the recovered bullets with bullets test-fired from the officers' guns, but was unable to determine which bullet was fired from which gun. The ballistics report is attached as Exhibit 1 to this report.

Police Officer Interviews

Officer Salvatore Alongi

OSI interviewed Officer Alongi in the presence of his attorney. Officer Alongi said that when he and his partner heard the dispatch they tried to call the 911 caller to get more information. He said at that point he was unsure about the nature of the call and what he could expect in the apartment. Officer Alongi said they knocked on the door and no one answered, and so they tried to gather information from the construction workers outside, to no avail. He told OSI that he was about to clear the scene when Mr. Rozario's brother finally came to the door. After speaking with the brother Officer Alongi said he was still confused about what was going on in the apartment. Officer Alongi told OSI that he has handled hundreds or possibly thousands of "EDP" calls and was unsure if this was in fact an EDP call.

Officer Alongi said that as soon as he walked into the Rozario apartment he remembered the apartment and Mr. Rozario from a prior encounter (detailed later in this report). He remembered Mr. Rozario as being "a nice kid" and had no expectation that he would become violent.

Officer Alongi told OSI that as soon as he saw Mr. Rozario he saw him go for what he, Officer Alongi, believed to be a knife drawer in the kitchen, because of the sound the drawer made when it was opened – so, when he saw a sharp object in Mr. Rozario's hand, he thought it was a knife. Officer Alongi told OSI that at that moment he feared for himself, his partner, and for Mr. Rozario's mother, who was near them.

Officer Alongi told OSI that as soon as he saw Mr. Rozario start to move, he knew the Taser had been ineffective. Officer Alongi saw that Mr. Rozario's mother had taken the scissors from him but left them

on the chair right next to Mr. Rozario, which was within his grabbable area. Officer Alongi said that based on Mr. Rozario's proximity to the scissors and the knife drawer, he decided to deploy a second Taser round as a means to take Mr. Rozario into custody.

Officer Alongi said Mr. Rozario pulled out the Taser prongs from the second Taser deployment and advanced toward him with the scissors. Officer Alongi said he drew his firearm to defend himself, but the gun jammed; he said he had never had a problem with his gun jamming in his 16 years of police work. He said that when Mr. Rozario was coming at him with the scissors, "I thought I was going to die." At that point Officer Alongi yelled, "Shoot him," to Officer Cianfrocco. Officer Alongi told OSI that he believed Mr. Rozario was less than a foot away from him when Officer Cianfrocco fired the first shot. Even after the shot, he said he was still scared because, "Even a bullet didn't stop him."

When asked about the subsequent shots, Officer Alongi said that Mr. Rozario was fighting with his mother and brother to get the scissors back. He said Mr. Rozario was not listening to any commands that either officer was giving him. Officer Alongi said that when Mr. Rozario picked up the scissors he, Officer Alongi, was "pretty close to him at that point." Officer Alongi said that when Mr. Rozario picked up the scissors for the last time, he, Mr. Rozario, took a step toward the officers before the officers fired. Officer Alongi said he continued to fear for his life until Mr. Rozario fell to the ground, saying the "threat ended when he was on the ground."

When asked about his training in dealing with "EDP" calls, Officer Alongi said officers are trained to "isolate and contain." He said he tried to stay in the doorway of the apartment to assess the situation, but did not have time to do that, as the situation developed quickly. Officer Alongi said a possible "EDP" call cannot be delayed while waiting for another unit or for the Emergency Services Unit to respond because of a concern for the safety of the persons involved.

Officer Matthew Cianfrocco

OSI interviewed Officer Cianfrocco in the presence of his attorney. Officer Cianfrocco told OSI that it is general practice to make follow-up phone calls when responding to a job when more information is needed. He said he had a conversation with the person who answered when he called the number from which the 911 call was made, but the conversation was "awkward and nonsensical." At the time, Officer Cianfrocco believed the person who answered to be the father of the person who was the subject of the incident, and said the person did not give him any information about what he was about to walk into. Officer Cianfrocco believed the person on the other end of the phone might be intoxicated or impaired by drugs.

Officer Cianfrocco said that as soon as he walked into the apartment, he thought to himself, "The vanilla extract kid," because he remembered the prior incident when he and Officer Alongi came to the apartment and spoke to Mr. Rozario, who said he had drunk vanilla extract for the alcohol in it. He remembered Mr. Rozario as "a non-threatening kid," who had said he wanted to join the army and fight in a war but was blocked because of his citizenship status, and who was upset with his mother. He said his conversation with Mr. Rozario in the prior encounter "went well" and that he had no expectation that Mr. Rozario would become violent.

Officer Cianfrocco told OSI that when he watched Mr. Rozario walk into the kitchen and go for what he believed to be the knife drawer he was immediately concerned. He said that based on his training and experience a person walking into the kitchen during an encounter with police is generally a “no-no,” given the number of weapons that can be found in a kitchen. Officer Cianfrocco said he remembered his training in that moment and that slowing down the situation was his normal course of action, but that Mr. Rozario did not give him the chance to do that. Officer Cianfrocco said that when he heard the sound of the drawer and realized it was a knife drawer, he thought to himself, “Don’t do this, don’t go this way,” and explained that he did not want Mr. Rozario to become aggressive and get himself hurt. Officer Cianfrocco said he wasn’t sure exactly what Mr. Rozario was holding but could see that it was some sort of “dangerous sharp pointed object.” He said the first Taser shot was only partially effective, and that Mr. Rozario was standing with the knife drawer to the right and the scissors on the chair to the left.

Officer Cianfrocco said Officer Alongi fired the second Taser round, and Mr. Rozario pulled the Taser prongs out of himself. Officer Cianfrocco said Mr. Rozario was “a couple of steps away from Sal [Alongi]” when he, Officer Cianfrocco, fired the first shot. Officer Cianfrocco said he was particularly scared that, after the first shot, Mr. Rozario was still struggling to keep control of the scissors. Officer Cianfrocco told OSI it seemed to him in that moment that Mr. Rozario “was on a mission” and that “he’s not gonna stop.” Officer Cianfrocco said, “He just ate it” – that the first shot seemed to have no effect on Mr. Rozario at all.

Officer Cianfrocco recalled Mr. Rozario being pushed back into the kitchen by his mother and saw him continuing to struggle to get control of the scissors. He said Mr. Rozario was standing, holding the scissors, and that he took a step forward. Officer Cianfrocco estimated he was seven or eight feet away from Mr. Rozario when he heard Officer Alongi’s gunshot go past his ear. He recalled firing his weapon and Mr. Rozario falling to the ground. Officer Cianfrocco said that when Mr. Rozario fell to the ground he and Officer Alongi placed him in handcuffs and began lifesaving measures.

Officer Cianfrocco told OSI that throughout the incident he felt he had no time to react and utilize the training he had received, as Mr. Rozario would not listen to any of his commands.

Prior Encounter

OSI obtained and reviewed BWC footage from a prior encounter between Mr. Rozario and NYPD officers, including Officers Alongi and Cianfrocco. On November 15, 2023, at 3:08 p.m., officers responded to the same apartment where the present incident occurred and found Mr. Rozario lying on the couch in the living room. Based on the BWC, he had drunk a large quantity of vanilla extract and become intoxicated (vanilla extract is 35% alcohol) and sick to his stomach. The officers spent almost 30 minutes with Mr. Rozario before he was taken by ambulance for treatment. Their BWCs showed Mr. Rozario lying on the couch and talking as the officers, including Officers Alongi and Cianfrocco, listened and responded to him. At no time did Mr. Rozario make threats or become physically aggressive.

Officers' Training and Discipline

Officer Alongi

According to NYPD records, Officer Alongi joined NYPD in 2008. He took NYPD's Crisis Intervention Training (CIT) course in 2015 and had additional CIT training in October of 2022. From October 2018 to August 2019 he received certifications in the Introduction and Modules 1 through 4 of NYPD's distance learning course, "Responding to People in Crisis." From December 2021 through September of 2022 he received certifications in Modules 1 through 4 and 6 and 7 of NYPD's Integrating Communication, Assessment and Tactics (ICAT) course.

(CIT and ICAT training are often referred to as "de-escalation" training. The Recommendation section of this report, below, discusses the officers' CIT training. ICAT training was originally developed by the Police Executive Research Forum (PERF), and a summary can be found on PERF's website, <https://www.policeforum.org/icat-training-guide>.)

NYPD records reviewed by OSI do not indicate that Officer Alongi had discharged his firearm in any incident prior to March 2024.

NYPD records reviewed by OSI indicate that Officer Alongi was disciplined as follows prior to March 2024:

- Failed to properly search prisoner – contraband found after search (command discipline, November 2022)
- Failed to safeguard vouchered prisoner property (disciplined with verbal instructions, February 2020)
- Failed to notify in a timely manner, missing department equipment – Metrocard (command discipline and verbal instructions, September 2019)

Officer Cianfrocco

According to NYPD records, Officer Cianfrocco joined NYPD in 2015. He took the CIT course when he was a recruit in the police academy and received certifications in Modules 2 through 7 of the ICAT course from January through September of 2022.

NYPD records reviewed by OSI do not indicate that Officer Cianfrocco had discharged his firearm in any incident prior to March 2024.

NYPD records reviewed by OSI do not indicate that Officer Cianfrocco was disciplined prior to March 2024.

Current Disciplinary Status

Based on OSI's review of NYPD's Disciplinary System Penalty Guidelines, dated September 9, 2024, and consultation with former members of NYPD with knowledge of the process, investigations of allegations of excessive force by NYPD members are conducted by the Civilian Complaint Review Board

(CCRB), which is an independent New York City agency. CCRB submits its findings, as well as its disciplinary recommendations for substantiated allegations, to NYPD. Further proceedings for the most serious violations are initiated by the filing of formal disciplinary charges, known as Charges and Specifications, which are prosecuted by CCRB attorneys assigned to CCRB's Administrative Prosecution Unit (APU). The matter then proceeds to a departmental trial, at which APU has the burden of proving the charges by a preponderance of the evidence. (This is a lower burden than proof beyond a reasonable doubt, which is the burden a prosecutor would have in a criminal case; if OSI were prosecuting the officers in this case, OSI would have to disprove justification beyond a reasonable doubt, as discussed in the Legal Analysis section below.) At the conclusion of the trial, the Trial Commissioner who presided over the trial issues a report, including a recommended finding on each charge; where there is a finding of guilt, the Trial Commissioner recommends a penalty. The Police Commissioner, by law, then makes the final disciplinary determination and penalty finding.

In the present case, in a written decision dated September 11, 2025, CCRB determined that Charges and Specifications should be brought against Officers Alongi and Cianfrocco for uses of force violating NYPD guidelines: CCRB's decision found that four of the five gunshots violated guidelines. CCRB also recommended Command Discipline (a lesser level of discipline than Charges and Specifications) against the two officers for violating guidelines regarding abuse of authority when they entered the Rozario apartment. The CCRB decision is Exhibit 2 to this report.

LEGAL ANALYSIS

Law of Justification

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.)

Deadly physical force is force that “under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or other serious physical injury.” PL 10.00(10). Serious physical injuries include permanent scars and lacerations, *People v Brooks*, 165 AD3d 694 (2d Dept 2018), and the loss of an eye or vision, *People v Ingram*, 95 AD3d 1376 (3d Dept 2012); *People v Kirschbaum*, 121 AD2d 744 (2d Dept 1986). Therefore, even if the user of a knife or other sharp object does not succeed in killing a person, the use of such an implement can be deadly physical force.

Police officers attempting to make an arrest for an offense are not obligated to retreat before using deadly physical force in response to deadly physical force, even if they know they can do so in complete safety to themselves or others, PL 35.30 and PL 35.15(2)(a)(ii). When Mr. Rozario came at Officer Alongi with the scissors prior to the first gunshot, there was reasonable cause to believe he was attempting (PL 110.00) to commit the crime of Assault in the Second Degree (PL 120.05(2)) and Assault on a Peace Officer, Police Officer (etc.) (PL 120.08).

Analysis of Justification in This Case

Officers Alongi and Cianfrocco arrived at Mr. Rozario’s house having been told they were responding to an “EDP” call in which the caller said his son was “on drugs” and acting “erratic.” When he opened the door to the house Mr. Rozario’s brother told the officers that Mr. Rozario had called 911 “on himself” and was having an “episode.” When the officers walked up the stairs to Mr. Rozario’s apartment, there was no reason to believe there would be violence – Mr. Rozario’s mother was speaking calmly on a phone and Mr. Rozario was standing in the doorway of the kitchen. Officer Alongi said, “What’s up pal?” and Officer Cianfrocco asked if anyone else was in the house. However, within moments, Mr. Rozario took scissors from a kitchen drawer and the entire situation changed.

The officers did not immediately use deadly physical force. Officer Alongi fired his Taser twice, attempting to keep Mr. Rozario from using force against the officers or, possibly, the other two persons present. When Mr. Rozario began to advance with the scissors, and Officer Alongi’s gun jammed, Officer Cianfrocco did not fire until Mr. Rozario came very close to Officer Alongi. Based on the CSU diagram and the BWC videos, OSI estimates that Mr. Rozario and Officer Alongi at that point were slightly more than arm’s length apart. Officer Alongi’s fear was manifest when he said, “Shoot him.”

Mr. Rozario’s mother and brother then wrestled him back into the kitchen, with his mother attempting to take the scissors away. When he got free of them and picked up the scissors from the floor, the officers yelled, “No, no,” and “Put it down.” It was not until Mr. Rozario took a step forward with the scissors in his hand that Officer Cianfrocco fired a second shot. At that point, Mr. Rozario was about midway into the kitchen, which the CSU diagram shows was 14 feet 3 inches long, and Officer Cianfrocco was at the doorway to the kitchen, so OSI estimates they were about seven feet apart. Mr. Rozario stopped moving forward but remained standing. After a brief pause, Officer Cianfrocco shouted, “Put in down.” When Mr. Rozario did not comply, Officer Alongi fired a third shot. Mr. Rozario was still standing, with the scissors in his hand and, after another brief pause, Officer Alongi fired a

fourth shot, and after a final brief pause, Officer Cianfrocco fired a fifth shot. Mr. Rozario fell to the floor as the fifth shot was fired.

A retired NYPD officer with experience in the Internal Affairs Bureau, including the investigation of force incidents, offered to speak with OSI, and OSI interviewed him. The officer had no involvement with the Rozario case while at NYPD, and provided his views solely on the basis of viewing the BWC videos. He said that in his view the officers failed to follow their training by failing to de-escalate the incident at the beginning and by failing to isolate Mr. Rozario from his mother and brother so that the officers would have had options other than the use of force. However, the retired officer was not specific on how the officers could have de-escalated the incident, as Mr. Rozario got the scissors from the kitchen drawer almost as soon as the officers walked into the apartment, and was not specific on how the officers could have isolated Mr. Rozario from his mother and brother when he had the scissors in his hand.

The retired officer said the officers were not in danger when the first gunshot was fired. However, he acknowledged he did not realize that the officer fired the first shot when Mr. Rozario was almost within arm's length of the other officer; he said that would have made a difference in the way he viewed the first shot. He maintained, though, that when Mr. Rozario was again in the kitchen, with the scissors in his hand, he was not dangerous because he was at a distance from the officers, which the retired officer estimated as 15 feet, which OSI believes overstates the distance. When asked whether Mr. Rozario was a danger to his mother or brother, who were much closer to him, the retired officer said the mother and brother did not seem afraid of him, but acknowledged the officers might not have known that Mr. Rozario was not a danger to his mother or brother.

OSI concludes that a prosecutor would not be able to disprove beyond a reasonable doubt that Officer Alongi and Officer Cianfrocco were justified under the law when they fired the five shots. The first shot was fired when Mr. Rozario was moving toward Officer Alongi and had come very close to him with the scissors. The second shot was fired when Mr. Rozario, having struggled with his mother and brother to keep hold of the scissors, picked up the scissors from the floor and took a step toward the officers, apparently with an intent to advance on them a second time. The third shot was fired after a pause during which an officer shouted "Put it down," and Mr. Rozario did not comply. The fourth and fifth shots were also fired after pauses when Mr. Rozario continued to hold the scissors, standing and facing the officers.

Given that the officers' shots came after Mr. Rozario had come at them with the scissors, and then after he had struggled to keep hold of the scissors when his mother tried to take them away, and then had picked up the scissors from the floor and taken a step toward the officers, and then after he continued to stand, facing the officers and holding the scissors after they commanded him to drop them, the reasonableness of the officers' fear that Mr. Rozario would come at them again with the scissors cannot be disproved beyond a reasonable doubt.

Likewise, the reasonableness of the officers' actions in response to Mr. Rozario's actions cannot be disproved beyond a reasonable doubt, given that they did not resort to deadly physical force right away,

having twice used a Taser, and given that, when they did use their firearms, they did not simply “blast away,” but paused between shots, shouted commands, and gave Mr. Rozario opportunities to drop the scissors.

Therefore, OSI will not seek criminal charges against Officers Alongi and Cianfrocco and closes the matter with the issuance of this report.

RECOMMENDATION

Introduction

When Mr. Rozario’s younger brother answered the door to the house, Officers Alongi and Cianfrocco had an opportunity to assess the situation they were about to walk into. Although the officers at that moment had few specifics, they knew they were responding to a call for, in NYPD jargon, an Emotionally Disturbed Person (or EDP).

NYPD’s Patrol Guide, Section 221-13, concerning “EDP Encounters” requires officers responding to an “EDP” call to activate BWC; request location history; contact the complainant; radio their arrival at the incident scene; carry a three-foot polycarbonate shield; request the presence of a patrol supervisor, additional personnel, and an ambulance; assess the situation and the threat to all persons; gather relevant information, such as layout of the scene; attempt to slow the pace of the incident; and isolate and contain the subject of the call.

Both officers had taken NYPD’s Crisis Intervention Training (CIT), a four-day course about the ways officers should respond to a person in a mental health crisis. The CIT course said this about assessing a situation before acting:

“Assess situation as to threat of immediate serious physical injury to the EDP, other persons present, or members of the service. Attempt to gather information that will aid in tactical considerations (history of EDP, physical layout of location, individuals present, escape routes, etc.).

“Identify all potential resources that may be of assistance during this incident. Gather all intelligence about the subject, the location, the incident, and share the information accordingly.

“Consider whether all relevant/necessary information is known prior to moving forward; this step should directly inform the initial tactical response of all UMOS [uniformed members of the service] at the scene.” (From Slide 45 of the Day One Slide Deck, NYPD CIT Course.)

As they were driving toward the address of the call, the officers made attempts to gain additional information about Mr. Rozario, without success. When Mr. Rozario’s brother answered the door to the house, they had one last opportunity to obtain information, but failed to ask questions relevant to the first point set forth above, from the CIT training, concerning the threat of immediate serious physical injury, such as whether Mr. Rozario had a weapon, or had acted in a violent manner, or had made any

violent threats or statements suggesting he might harm himself or another. (The conversation between the officers and Mr. Rozario's brother is set forth in the Facts section of this report, above.)

We will never know what Mr. Rozario's brother would have said in answer to such questions, but if he had provided answers indicating an absence of weapons or a low risk of violence, the officers could have gone to the next step in their CIT training, "Identify all potential resources that may be of assistance during this incident."

Knowing that the situation was a mental health crisis (based on the "EDP" information in the dispatch), and having (hypothetically) learned from the brother that there was a low risk of violence, the officers could have considered calling on mental health resources. Taking a moment to consider the availability of such resources would also have been consistent with their CIT course, in which they were instructed to "Attempt to slow the pace of the incident..." (Slide 46 from Day One Slide Deck, CIT Course, and Patrol Guide Section 221-13).

Unfortunately, it is not clear what resources were in fact available to the officers at that time and place – or would be available even if the same situation occurred today. The materials from the CIT course, which OSI has reviewed, did not provide the officers with specifics on available mental health services or on protocols for calling upon those services. Moreover, research by OSI does not clearly indicate that NYPD or the City of New York had mental health resources the officers could have called upon – or, again, which officers could call upon today in a similar situation.

Available Mental Health Resources

B-HEARD

The City of New York has a program called the Behavioral Health Emergency Assistance Response Division, or B-HEARD (<https://mentalhealth.cityofnewyork.us/b-heard>). According to its website,

"B-HEARD, is a health-centered response to 911 mental health calls launched in June of 2021. Beginning with a pilot in Harlem, B-HEARD Teams — FDNY Emergency Medical Technicians (EMTs)/paramedics teamed with a mental health professional from NYC Health + Hospitals — are dispatched as first responders to people experiencing a mental health emergency. B-HEARD Teams operate seven days a week, 16 hours a day.

"The B-HEARD Teams use their physical and mental health expertise, and experience in crisis response to de-escalate emergency situations and provide immediate care. These teams have the expertise to respond to a range of behavioral health problems, such as suicidal ideation, substance misuse, and mental health conditions, including serious mental illness, as well as physical health problems, which can be exacerbated by or mask mental health problems. If the person requires emergency medical services, the EMTs or paramedics on the B-HEARD Team are able to provide emergency medical care and call for an ambulance transport. B-HEARD teams do not transport patients.

“In emergency situations involving a weapon or imminent risk of harm to self or others, a traditional emergency response is dispatched, which includes NYPD officers and an ambulance.”

OSI asked the City of New York whether a B-HEARD response would have been available in the case of Mr. Rozario. The Executive Director of the Mayor’s Office of Community Mental Health responded in a letter, saying, among other things, that because the subject of the 911 call was said to be “on drugs” the call was “ineligible for a B-HEARD response.” The Director continued:

“B-HEARD will not respond when substance use is reported as a presenting problem.

“The NYPD and FDNY EMS have established a process for handling 911 calls involving emotionally disturbed persons (‘EDP’) to determine whether a B-HEARD response is appropriate. All emergency calls are initially received by NYPD 911 operators who determine the nature of the emergency. If an EDP is involved, the operators are trained to ask a series of questions meant to assess whether the individual is experiencing a mental health crisis, the presence of risk of harm, and if the person is under the influence of drugs or alcohol. Obtaining observed behavioral information helps to identify situations such as substance abuse, alcohol use, diabetic emergencies, head trauma, or hypoxia, which can mimic a psychiatric condition.

“If one or more of these behaviors is determined to be present, B-HEARD will not be deployed. The exclusion of substance and alcohol-related crises from B-HEARD responses is based on the clinical consideration that these incidents carry a higher risk of medical emergency and may impair cognitive ability, making it difficult to collaborate with in situ interventions. If one of these psychiatric-mimicking conditions is determined to be present, the call type is classified as an ‘EDPC,’ the call is not subject to a B-HEARD response, and a response from a traditional EMS ambulance and NYPD would ensue.”

The Director also noted in her letter that B-HEARD does not cover the entire geography of the City of New York; at the time of the incident involving Mr. Rozario, B-HEARD did not cover the 102nd Precinct and would not have been able to respond even if called.

The Comptroller of the City of New York, in May 2025, issued a detailed report of an audit of the B-HEARD program, <https://comptroller.nyc.gov/reports/audit-of-the-behavioral-health-emergency-assistance-response-divisions-effectiveness-in-responding-to-individuals-with-mental-health-crises-and-meeting-its-goals/> The report’s top-line summary reads as follows:

“The Behavioral Health Emergency Assistance Response Division (B-HEARD) pilot program is limited in its hours of operation, its geographic distribution, and in the types of calls considered eligible for a response. This means that many people who may need a B-HEARD team are instead provided a ‘traditional response,’ consisting of New York City Police Department (NYPD) officers and an ambulance with two Emergency Medical Technicians (EMTs).

“During the scope period of the audit, only crises that occurred within the 31 precincts of the pilot and during the 9am to 1am hours of operation were routed to the New York City Fire

Department's Emergency Medical Services (FDNY EMS) for a possible B-HEARD response. Over 14,000 calls determined to be eligible for a B-HEARD team did not receive one because the calls were received during the overnight hours, when the pilot does not operate.

"In addition, 13,042 (35%) of the 37,113 calls determined to be eligible for B-HEARD did not receive program services. The reasons these calls did not receive services cannot be discerned because the Mayor's Office of Community Mental Health (OCMH)—which administers the program—does not track this information.

"According to OCMH, the program received a total of 96,291 mental health calls within the pilot areas and the program's hours of operation between Fiscal Years 2022 and 2024. Of these, 59,178 calls (over 60%) were considered 'ineligible' for a B-HEARD response by OCMH. However, this number includes not only calls that were assessed and determined ineligible, but all calls that could not be triaged for some reason, which included cases when an FDNY EMS operator was not available to take the call."

OSI did not find evidence that the 911 call that led to the death of Mr. Rozario was forwarded to an FDNY EMS operator for triage or assessment as part of the B-HEARD program.

Co-Response Teams

A web page of the City of New York Mayor's Office of Community Mental Health, <https://mentalhealth.cityofnewyork.us/program/co-response-teams>, reads in its entirety:

"Co-Response Teams (CRT) are a collaboration between the NYPD and DOHMH [Department of Health and Mental Health]. CRT is a pre- and post-crisis intervention. Each team includes two police officers and one behavioral health professional. These teams work 14 hours per day, 7 days per week, to serve community members presenting with mental health or substance use challenges who are at an elevated risk of harm to themselves or others. The teams offer short-term engagement to facilitate connections to care and linkages to support services."

This web page, which is still up, was dated November 10, 2019, and the links in it, including "read a story about this program" appear to be dead.

On October 10, 2024, when Mayor Adams announced a "co-response" initiative for the City's subways, <https://www.nyc.gov/office-of-the-mayor/news/750-24/mayor-adams-new-co-response-operation-focused-serving-more-new-yorkers-need-on#/0>, no mention was made of CRT.

CRT, as described on its webpage, would not have been the right resource for the officers who responded to the Rozario home, as its purpose seemed to be to "offer short-term engagement to facilitate connections to care and linkages to support services," not to assist police in responding to an EDP call. Moreover, it is not clear that CRT remains an active program at all.

Intensive Mobile Treatment Teams

Mayor Adams's October 2024 announcement did mention another program, called Intensive Mobile Treatment Teams. However, the link to this program brings one to another webpage dated November 10, 2019, <https://mentalhealth.cityofnewyork.us/program/intensive-mobile-treatment-imt>, which reads, in its entirety:

"Intensive Mobile Treatment (IMT) teams provide intensive and continuous support and treatment to individuals right in their communities, where and when they need it. Clients have had recent and frequent contact with the mental health, criminal justice, and homeless services systems, recent behavior that is unsafe and escalating, and who were poorly served by traditional treatment models. IMT teams include mental health, substance use, and peer specialists who provide support and treatment including medication, and facilitate connections to housing and additional supportive services."

Even if this program still exists, it would not have been relevant to the officers who responded to the Rozario home, as the program does not appear to include response to police-involved situations.

Recommendation: Daniel's Law

The Legislature is considering a bill called Daniel's Law, named after Daniel Prude, who died after a police encounter in 2020, in Rochester (S3670 and A4617). The Attorney General urges the Legislature to pass, and the Governor to sign, this bill.

The bill summarizes its objectives this way:

"It is the purpose of this act to promote the public health, safety and welfare of all citizens by broadly ensuring a public health-based response to anyone in New York experiencing a mental health, alcohol use or substance use crisis; to offer and ensure the most appropriate response to, and treatment of, individuals experiencing crisis due to mental health conditions, alcohol use or substance use conditions; and to deescalate crisis situations so that as few New Yorkers as possible experience nonconsensual transport, use of force, or criminal consequences as a result of mental health, alcohol use or substance abuse crises. The necessity to establish a defined response protocol for behavioral health and substance use crises has never been more urgent."

The bill, if passed, would direct every local government to engage in planning to

"... specifically address the development of an effective crisis response system that includes the use of non-police, community-run crisis first responder teams utilizing peers and independent emergency medical technicians as first responders. To ensure the development of a comprehensive and inclusive plan, the crisis services planning effort must include at least fifty-one percent peers and family peers, and the remaining forty-nine percent must be family members and emergency medical response providers who shall be independent of any local government's emergency services department, and operated by a non-governmental

organization via a contract with the local government providers of crisis services, 9-8-8 personnel, and other non-governmental community agencies which may come in contact with a person experiencing a mental health or alcohol use or substance use crisis.”

In other provisions, the bill would provide state funding for crisis response programs and require that crisis response teams be available seven days a week, 24 hours a day. In addition, the bill would require that “whenever an emergency hotline in New York state, such as 911 or 311, receives a call regarding an individual experiencing a mental health, alcohol use or substance use crisis, such hotline will refer such call to the crisis response team for the relevant geographic area.”

OSI recommends that the City of New York not wait for the passage of Daniel’s Law to improve its program for mental health crisis response. The B-HEARD program already exists, and, though improving it would not fully implement Daniel’s Law, OSI recommends that the city take steps now to:

- Expand the B-HEARD program to all precincts and all times of day and night
- Expand the B-HEARD program to cover drug- and alcohol-induced crises
- Expand the B-HEARD program so that its personnel can, in appropriate cases, respond with police officers (co-response), and not only “instead of” police officers, in cases where it is not clear whether it is safe for B-HEARD personnel to respond without police officers
- Expand the B-HEARD program so that officers who respond to a call can, in appropriate cases, request a B-HEARD co-response after officers on scene have made sure the situation is safe for mental health professionals.

OSI further recommends that, upon the implementation of the above, NYPD

- Institute training for all officers to make clear that they can request co-response from B-HEARD in appropriate cases
- Include as part of such training the kinds of information officers should gather for the B-HEARD team so that the B-HEARD team can act effectively
- Include as part of such training ways to evaluate a situation to determine whether calling for co-response from B-HEARD is appropriate, ways to evaluate the condition of the person who is the subject of the call, and ways to evaluate whether it would be safe for mental health professionals to respond.

Dated: December 4, 2025

EXHIBIT 1



NEW YORK CITY POLICE DEPARTMENT
POLICE LABORATORY
FIREARMS ANALYSIS SECTION

LABORATORY REPORT

LABORATORY # 2024-012029
LABORATORY REPORT # 5
COMPLAINT # 2024-102-002154
INVOICE # 6000045252

INVOICED BY: DT3 KEVIN LAVIN Tax#:945907 Command: FORCE
INVESTIGATION DIVISION

DATE SUBMITTED: 03/28/2024

DEFENDANT(S):

ANALYSIS STARTED: 04/15/2024

ANALYSIS COMPLETED: 04/22/2021

TYPE OF ANALYSIS: MICROSCOPIC ANALYSIS REPORT

DESCRIPTION OF ITEMS ANALYZED

EVIDENCE PRESENT AS ITEMIZED ON INVOICE: ☒ YES ☐ NO (SEE REMARKS)

Laboratory #	Invoice #	Invoice Item #	Laboratory Item #	Description
2024-012029	6000045252	1	2	Test fires from: PISTOL- 9mm Luger Caliber, Semi-Automatic, GLOCK, Model: 19, Serial Number: WNF849, 6/R (4.1, 4.2, 4.3, 4.4)
2024-012029	6000045251	1	5	Test fires from: PISTOL- 9mm Luger Caliber, Semi-Automatic, GLOCK, Model: 19, Serial Number: LNY764, 6/R (7.1, 7.2, 7.3, 7.4)
2024-012029	1001767418	1	8	1 - Deformed bullet, 38/9mm caliber class, copper jacketed hollow point, 6/R
2024-012029	1001767418	2	9	1 - Deformed bullet, 38/9mm caliber class, copper jacketed hollow point, 6/R
2024-012029	1001767418	3	10	1 - Deformed bullet, 38/9mm caliber class, copper jacketed hollow point, 6/R
2024-012029	6000045263	1	15	1 - Cartridge casing, 9mm Luger +P caliber, SPEER
2024-012029	6000045263	2	16	1 - Cartridge casing, 9mm Luger +P caliber, SPEER
2024-012029	6000045263	3	17	1 - Cartridge casing, 9mm Luger +P caliber, SPEER
2024-012029	6000045263	4	18	1 - Cartridge casing, 9mm Luger +P caliber, SPEER
2024-012029	6000045263	5	19	1 - Cartridge casing, 9mm Luger +P caliber, SPEER
2024-012029	6000045259	1	20	1 - Deformed bullet, 38/9mm caliber class, copper jacketed hollow point, 6/R
2024-012029	6000045259	2	21	1 - Deformed bullet, 38/9mm caliber class, copper jacketed hollow point, 6/R

RESULTS OF EXAMINATION/ANALYSIS

A microscopic examination and comparison of the evidence described above revealed the following:

Cartridge casings (15, 18, 19) are IDENTIFIED as having been discharged from the ABOVE pistol (2) based on the observed agreement of their class characteristics and sufficient agreement of their individual characteristics when compared to test fired cartridge casings (4.1, 4.2, 4.3, 4.4).

Cartridge casings (16, 17) are IDENTIFIED as having been discharged from the ABOVE pistol (5) based on the observed agreement of their class characteristics and sufficient agreement of their individual characteristics when compared to test fired cartridge casings (7.1, 7.2, 7.3, 7.4).

THE RESULTS STATED ABOVE RELATE ONLY TO THE ITEMS TESTED OR SAMPLED AND APPLY TO THE SAMPLE AS RECEIVED. THIS REPORT DOES NOT CONSTITUTE THE ENTIRE CASE FILE. THE CASE FILE MAY BE COMPRISED OF WORKSHEETS, IMAGES, ANALYTICAL DATA AND OTHER DOCUMENTS. THIS REPORT SHALL NOT BE REPRODUCED EXCEPT IN FULL WITHOUT APPROVAL OF THE LABORATORY TO PROVIDE ASSURANCE THAT PARTS OF A REPORT ARE NOT TAKEN OUT OF CONTEXT.

THE DEFINITIONS OF TERMS USED IN THIS REPORT CAN BE LOCATED AT THE NEW YORK STATE DIVISION OF CRIMINAL JUSTICE SERVICES WEBSITE:
<http://www.criminaljustice.ny.gov/forensiclabreportstandards.htm>

THE RESULTS ARE THE OPINIONS / INTERPRETATIONS / CONCLUSIONS OF THE UNDERSIGNED.

I HEREBY CERTIFY THAT I TESTED/EXAMINED/ANALYZED THE ABOVE DESCRIBED ITEM(S) AND THAT THIS REPORT IS AN ORIGINAL REPORT MADE BY ME. FALSE STATEMENTS MADE HEREIN ARE PUNISHABLE AS A CLASS "A" MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE NEW YORK STATE PENAL LAW.

CRIM III
RANK/TITLE

Norman Marin
AUTHORIZER/ANALYST NAME

ANALYST SIGNATURE

358561
TAX #

04/22/2024
DATE PREPARED

04/22/2024
DATE ISSUED

PAGE 1 OF 2



NEW YORK CITY POLICE DEPARTMENT
POLICE LABORATORY
FIREARMS ANALYSIS SECTION

LABORATORY REPORT

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COMPLAINT # 2024-102-002154
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ANALYSIS COMPLETED: 04/22/2021

INVOICED BY: DT3 KEVIN LAVIN Tax#:945907 Command: FORCE
INVESTIGATION DIVISION

DEFENDANT(S):

Deformed bullets (8),(9),(10),(20),(21) are INCONCLUSIVE to each other and test fires (4.1, 4.2, 4.3, 4.4), (7.1, 7.2, 7.3, 7.4) based on the observed agreement of their class characteristics but insufficient agreement or disagreement of their individual characteristics to either identify or eliminate the items as having been fired from pistols (2), (5).

REMARKS

THE RESULTS STATED ABOVE RELATE ONLY TO THE ITEMS TESTED OR SAMPLED AND APPLY TO THE SAMPLE AS RECEIVED. THIS REPORT DOES NOT CONSTITUTE THE ENTIRE CASE FILE. THE CASE FILE MAY BE COMPRISED OF WORKSHEETS, IMAGES, ANALYTICAL DATA AND OTHER DOCUMENTS. THIS REPORT SHALL NOT BE REPRODUCED EXCEPT IN FULL WITHOUT APPROVAL OF THE LABORATORY TO PROVIDE ASSURANCE THAT PARTS OF A REPORT ARE NOT TAKEN OUT OF CONTEXT.

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CRIM III
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ANALYST SIGNATURE

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TAX #

04/22/2024
DATE PREPARED

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PAGE 2 OF 2

EXHIBIT 2

Search by Officer Name or Badge Number

Search

Complaint #202403108, March 2024

Incident: March 27, 2024 Received: March 28, 2024 Closed: September 11, 2025

Reason for contact: EDP aided case

Location: Apartment/house

In NYPD 102nd Precinct Queens

Outcome: No arrest made or summons issued

Body-Worn Camera evidence collected

Video evidence collected

Officer	Complainant	Allegation	CCRB Board Conclusion
Alongi, Salvatore		Abuse of Authority: Entry of Premises	Substantiated (Command Discipline B)
CCRB Investigator Recommendation: Within NYPD Guidelines			
Cianfrocco, Matthew		Abuse of Authority: Entry of Premises	Substantiated (Command Discipline B)
CCRB Investigator Recommendation: Within NYPD Guidelines			
Alongi, Salvatore	Asian Male, 18-20	Force: Nonlethal restraining device	Within NYPD Guidelines
Alongi, Salvatore	Asian Female, 45-49	Discourtesy: Word	Within NYPD Guidelines
Alongi, Salvatore	Asian Male, 18-20	Force: Nonlethal restraining device	Substantiated (Charges)
CCRB Investigator Recommendation: Within NYPD Guidelines			
Cianfrocco, Matthew	Asian Male, 18-20	Force: Nonlethal restraining device	Within NYPD Guidelines
Cianfrocco, Matthew	Asian Male, 18-20	Force: Gun fired	Substantiated (Charges)
CCRB Investigator Recommendation: Within NYPD Guidelines			
Cianfrocco, Matthew	Asian Male, 18-20	Force: Gun fired	Substantiated (Charges)
CCRB Investigator Recommendation: Within NYPD Guidelines			

Cianfrocco, Matthew	Asian Male, 18-20	Force: Gun fired	Substantiated (Charges)
CCRB Investigator Recommendation: Within NYPD Guidelines			
Alongi, Salvatore	Asian Male, 18-20	Force: Gun fired	Substantiated (Charges)
CCRB Investigator Recommendation: Within NYPD Guidelines			
Unknown Officer	Asian Female, 45-49	Abuse of Authority: Detention	Within NYPD Guidelines
Unknown Officer	Asian Male, 15-17	Abuse of Authority: Detention	Within NYPD Guidelines
Alongi, Salvatore	Asian Male, 18-20	Force: Gun fired	Substantiated (Charges)
CCRB Investigator Recommendation: Within NYPD Guidelines			
Unknown Officer	Asian Female, 45-49	Abuse of Authority: Other	Unable to Determine
CCRB Investigator Recommendation: Within NYPD Guidelines			
Unknown Officer	Asian Male, 18-20	Abuse of Authority: Other	Unable to Determine
CCRB Investigator Recommendation: Within NYPD Guidelines			
Unknown Officer	Age 50-54	Abuse of Authority: Other	Unable to Determine
CCRB Investigator Recommendation: Within NYPD Guidelines			

Penalties

Alongi, Salvatore

APU Case Status: Pending

Penalty: APU - Decision Pending

Cianfrocco, Matthew

APU Case Status: Pending

Penalty: APU - Decision Pending

Conclusion Meanings:

'Substantiated': The misconduct occurred and it violated the rules. The NYPD has discretion over what, if any, discipline is imposed.

'Unable to Determine': The alleged conduct was investigated but could not determine both that the conduct occurred and that it broke the rules.

'Within NYPD Guidelines': The conduct occurred but did not violate the NYPD's own rules, which often give officers significant discretion.

Further details on conclusions.

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