



OFFICE OF THE POLICE COMMISSIONER
ONE POLICE PLAZA • ROOM 1400

May 12, 2025

Memorandum for: Deputy Commissioner, Trials

Re: **Detective Anthony Wright**
Tax Registry No. 935991
104 Precinct
Disciplinary Case No. 2022-25983

The above-named member of the service appeared before Assistant Deputy Commissioner Anne E. Stone on November 22, 2024, and was charged with the following:

DISCIPLINARY CASE NO. 2022-25983

1. Detective Anthony Wright, on or about January 7, 2021, at approximately 1117 hours, while assigned to 104 Precinct and on duty, in the vicinity of 61-15 Metropolitan Avenue, Queens County, wrongfully used force in that he punched [redacted] multiple times in the face with the hand that bore a ring with a large ornament and jagged edges, without police necessity.

P.G. 221-02, Page 2, Prohibition 11

USE OF FORCE

2. Detective Anthony Wright, on or about January 7, 2021, at approximately 1117 hours, while assigned to 104 Precinct and on duty, in the vicinity of 61-15 Metropolitan Avenue, Queens County, wrongfully used force in that he struck [redacted] in the eye and face, without police necessity.

P.G. 221-02, Page 2, Prohibition 11

USE OF FORCE

In a Memorandum dated January 13, 2025, Assistant Deputy Commissioner Stone found Detective Wright Guilty of Specification No. 1, and dismissed Specification No. 2 as duplicative, in Disciplinary Case No. 2022-25983. The facts and circumstances presented in the Memorandum from Assistant Deputy Commissioner of Trials, Stone, have been carefully considered. While I agree with the dismissal of Specification No. 2 as duplicative, I do not agree with the guilty finding and penalty recommendation of ten (10) vacation days for Specification No. 1.

It was determined that the force used by Detective Wright was reasonable under the circumstances and did not rise to misconduct. Detective Wright did not intend to injure the individual with his ring, and there was insufficient evidence to prove that the ring was the actual cause of any alleged injury to the complainant. The finding of excessive force is not supported by a preponderance of the evidence presented at Trial. Furthermore, the CCRB did not provide any medical records, and the complainant did not testify at the Department Trial. Thus, it was determined that there is insufficient evidence that the complainant suffered injuries due to the ring being worn by Detective Wright.

It is therefore directed that Detective Wright be found Not Guilty of Specification No. 1 and receive no disciplinary action, and Specification No. 2 will be dismissed. Separate and apart, Detective Wright will receive Training in Administrative Guide Procedure 304-07 (Personal Appearance).



Jessica S. Tisch
Police Commissioner



POLICE DEPARTMENT

January 13, 2025

-----X

In the Matter of the Charges and Specifications	:	Case No.
- against -	:	2022-25983
Detective Anthony Wright	:	
Tax Registry No. 935991	:	
104 Precinct	:	

-----X

At: Police Headquarters
One Police Plaza
New York, NY 10038

Before: Honorable Anne E. Stone
Assistant Deputy Commissioner Trials

APPEARANCES:

For the CCRB-APU: Kenneth Crouch & Casey Graetz, Esqs.
Civilian Complaint Review Board
100 Church Street, 10th Floor
New York, NY 10007

For the Respondent: Marissa Gillespie, Esq.
Karasyk & Moschella, LLP
233 Broadway – Suite 2340
New York, NY 10279

To:

HONORABLE JESSICA S. TISCH
POLICE COMMISSIONER
ONE POLICE PLAZA
NEW YORK, NY 10038

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CHARGES AND SPECIFICATIONS

1. Detective Anthony Wright, on or about January 7, 2021, at approximately 1117 hours, while assigned to 104 Precinct and on duty, in the vicinity of 61-15 Metropolitan Avenue, Queens County, wrongfully punched Complainant multiple times in the face with the hand that bore a ring with a large ornament and jagged edges, without police necessity.

P.G. 221-02, Page 2, Prohibition 11

USE OF FORCE

2. Detective Anthony Wright, on or about January 7, 2021, at approximately 1117 hours, while assigned to 104 Precinct and on duty, in the vicinity of 61-15 Metropolitan Avenue, Queens County, wrongfully used force in that he struck Complainant in the eye and face, without police necessity.

P.G. 221-02, Page 2, Prohibition 11

USE OF FORCE

REPORT AND RECOMMENDATION

The above-named member of the Department appeared before me on November 22, 2024. Respondent, through his counsel, entered a plea of Not Guilty to the subject charges. The Civilian Complaint Review Board presented a hearsay case, entering body-worn camera footage, as well as the CCRB interview of Com Respondent testified on his own behalf. A stenographic transcript of the trial record has been prepared and is available for the Police Commissioner's review. Having evaluated all of the evidence in this matter, I find Respondent Guilty of Specification 1 and, as discussed below, am dismissing Specification 2 as duplicative. I recommend Respondent forfeit ten (10) vacation days.

ANALYSIS

This case arises from the arrest of Complainant ("Complainant") by Respondent and his partner, Police Officer Travis Nardello, outside of a CVS in the 104 Precinct. The following is a summary of facts which are not in dispute.

On January 7, 2021, Respondent and his partner, Police Officer Travis Nardello¹, were conducting patrol in their steady sector. As they drove by a CVS store, they observed Complainant coming out of an emergency exit carrying a large plastic bag, which appeared to be full. Police Officer Nardello got out of the RMP, chased Complainant, tackled him to the ground, and began attempting to place him into handcuffs. Respondent parked the car and went to assist. Complainant was lying face down on the pavement, with his arms underneath him. Respondent and Police Officer Nardello were trying to pull Complainant's arms from under him and place them behind his back. After approximately 45 seconds, Respondent punched the left side of Complainant's face twice in quick succession with his right fist while wearing a ring. One minute and seventeen seconds later, the officers succeeded in securing Complainant's arms in handcuffs. Once under arrest, Complainant requested medical attention and was subsequently admitted to Elmhurst Hospital, where he was diagnosed with a dilated left pupil and a fracture to his cervical spine. (Tr. 30-36, 38; CCRB Ex. 1A, *Complainant's CCRB Interview* at 5-10, 12-13; CCRB Exs. 2 and 3, *Respondent's body-worn camera footage*; CCRB Ex. 4, *TRI report*)

Complainant, who did not appear before the tribunal, was interviewed via telephone by CCRB investigators, approximately four months after the incident, on May 10, 2021.

Complainant recalled that on January 7, 2021, he "got in some trouble" at the CVS at 61-15 Metropolitan Avenue in Queens for "picking up" things that did not belong to him. Complainant admitted that he put "a pair of gloves, a scarf, socks, pods to wash clothes and a couple of face masks" into a black plastic bag, similar to the type "you get from a bodega," and left the store through the "fire exit." Complainant replied, "No" when asked if an alarm went off as he walked through the door. He described walking to get on a bus, turning around and noticing a Police

¹ Police Officer Nardello is no longer employed by the NYPD.

Officer, who Complainant described as white and “kind of young,” within an “arm’s length” behind him. Complainant recounted the Police Officer telling him to “drop the bag.”

Complainant contended that in response to the officer’s directive, he “took whatever was in his pocket out with his hand and put it on the ground.” (CCRB Ex. 1A at 4-5, 11-13, 16)

Complainant remembered a second officer, whom he described as “Afro-American” and wearing a gold detective shield, throwing him to the ground. Complainant detailed being “punched... in the face” by the Detective, with what he believed to be handcuffs or “brass knuckles.” Although Complainant was unsure whether one of his hands was in handcuffs before being tackled to the ground, he insisted that he surrendered to the officers by putting both hands behind his back. Complainant stated that in spite of this, the Detective continued to punch him and he contended that he heard two civilians shouting, “He got his hands on his back. Why are you still hitting him?” (CCRB Ex. 1A at 5-6, 13, 15, 21, 23)

Complainant explained that after his arrest, he was taken to the precinct and recalled telling the captain at the desk that “he needed some medical attention.” When the ambulance arrived, Complainant asserted that upon observing him, the EMT “could tell... something was going on in [his] eye.” Complainant also described being asked by the EMT, “What happened to your mouth? You have some teeth missing.” Complainant alleged that he then noticed that “four teeth were missing” and stated that he lost his teeth from being punched in the mouth. (CCRB Ex. 1A at 6-8)

Complainant told CCRB that he was admitted to the hospital for two days.² He remembered that X-rays were taken of his face and eyes, and “receiving testing” for his legs and that doctors found “blood clots and fractures.” Complainant also mentioned having a “ripped”

² Complainant’s medical records were not offered into evidence.

pupil, “a little knot in [his] back,” and a “limp” that requires him to walk with a cane.

Complainant asserted that although he had no surgeries, in the months following the incident he wore “a patch over his eye,” and his legs continued to be swollen. He further noted that “it’s a very painful thing to bend [his] knee.” (CCRB Ex. 1A at 8-10, 30)

CCRB entered Respondent’s body-worn camera footage of the incident into evidence. (CCRB Ex. 2) In addition, they admitted a sub-clip of that recording that captures Respondent striking Complainant in the face, which is summarized below.

CCRB Exhibit 3

00:00-00:07:	Respondent repeatedly states, “Put your hands behind your back,” while grabbing at Complainant’s arms.
00:08-00:09:	While Respondent continues to pull him by the arm, Complainant twists away, pulls his arms back under his body, and proclaims, “I didn’t do nothing!”
00:10-00:11:	Respondent forms a closed fist and brings it close to Complainant’s face, stating, “Put your hands behind your back.”
00:12-00:14:	Respondent strikes Complainant twice in the face with a closed fist, each time stating, “Hands behind your back.”
00:15-00:19:	Respondent continues grappling with Complainant while ordering him to put his hands behind his back.
00:20-00:23:	Complainant moans in distress and shouts “he hit me in my eye!” Respondent’s right hand with a ring on the third finger is visible.
00:24-00:26:	Another MOS warns, “You’re going to get tased.”

Respondent took the stand on his own behalf. Respondent described seeing Complainant come out of the emergency exit with the plastic bag and hearing the door’s alarm going off. He recalled pulling into the parking lot of the CVS store as Police Officer Nardello got out to apprehend Complainant.

After exiting the vehicle, Respondent observed Police Officer Nardello “struggle” on the ground with Complainant. Respondent explained that Complainant, who was face down on the ground, “refused” to be put in handcuffs and had his arms under his body. Respondent stated that he gave Complainant multiple orders to stop resisting and to give Respondent his hands. He acknowledged striking Complainant in the face and body in an attempt to gain compliance. Respondent recalled being trained to use hand strikes in these situations as “minimal force” in order to gain compliance from an uncooperative individual. He admitted that the punches to Complainant’s face were not effective, and recounted that he and Police Officer Nardello, along with a civilian bystander, continued to struggle with Complainant for “some time” until they were finally able to place him into handcuffs. Respondent remembered notifying his supervisors about the force used against Complainant, and that a Threat, Resistance, and Injury Report (“TRI”) was prepared. He denied seeing Complainant bleeding from his eye or mouth, and did not observe Complainant lose any teeth. (CCRB Ex. 4; Tr. 31-33, 35, 37, 39)

Respondent admitted that he was wearing a diamond and gold ring on his right hand when he punched Complainant’s face. In addition to entering photographs of it into evidence, Respondent described the ring. He explained that although there are stones in the ring, they are “encased” in the metal of the ring. Respondent remarked that the diamonds are not “raised,” do not “protrude,” and the edges are not “jagged.” In addition, Respondent testified that he does not usually to wear the ring to work because he is “afraid of scratching or damaging it.” Respondent averred that he is aware of the personal appearance requirements, including those pertaining to rings, set forth in Administrative Guide 304-07. (Tr. 39-40, 53-54; Resp. Exs. A1-A3, *photos of ring*)

Respondent stands charged in Specification 2, with wrongfully punching Complainant twice in the left eye without police necessity. In addition, Specification 1 charges that when Respondent struck Complainant he was wearing a large ring on the third finger of his right hand, which was used as a weapon. Both Specifications arise from the same acts.

Respondent acknowledges using force, including punches to the face, in order to subdue and arrest Complainant and that that he was wearing a ring on his hand when he did so. CCRB is not challenging the decision to arrest Complainant and, during summation, acknowledged that some force was appropriate to gain compliance and aid in his arrest. (Tr. 63) The questions for the tribunal are 1) whether the two punches used by Respondent were reasonable under the circumstances, and 2) whether the ring Respondent was wearing when he struck Complainant amplified the potential for injury, making it wrongful. While I find that Respondent's use of hand strikes to subdue Complainant was reasonable, hitting him while wearing a large ring made the use of force wrongful.

Patrol Guide Section 221-01 sets forth that officers may use force "when it is reasonable to ensure the safety of a member of the service or a third person, or otherwise protect life... or when it is reasonable to place a person in custody or to prevent escape from custody." Additionally, when determining whether the use of force was reasonable, Patrol Guide 221-01 lists several factors to consider which include: the nature and severity of the crime, the duration of the action, whether the person is actively resisting custody, as well as, the number of officers in comparison to the number of suspects.

The parties do not dispute that Respondent and his partner had authority to arrest Complainant for shoplifting and possession of stolen property. Indeed, Complainant admitted during his CCRB interview that he had taken items from CVS without paying for them. There is,

however, a stark contrast between Complainant's depiction of his behavior upon being stopped and Respondent's testimony, which was corroborated by the body-worn camera footage.

Complainant's hearsay statements about the incident were embellished and self-serving.

Complainant characterized himself as cooperating with his arrest by voluntarily placing his hands behind his back. He portrayed the officers as out of control and unnecessarily violent.

Complainant alleged that he was beaten so badly that he lost teeth. In contrast, Respondent's testimony, as well as the video evidence of the incident, depicted Complainant as strenuously resisting being taken into custody. Complainant can be seen in the footage thrashing his body, arms, and head, so much so that Police Officer Nardello's body-worn camera became dislodged.

(CCRB Ex. 2 at 01:09-01:37)

Body-worn camera footage supported Respondent's contention that it took almost two minutes for the officers to overpower Complainant so that he could be handcuffed. During the struggle, Respondent can be heard repeatedly ordering Complainant to give the officers his hands and to stop resisting. Indeed the officers were having so much difficulty subduing Complainant that a civilian UPS driver stepped in to assist them. In addition, video footage of Complainant taken while still on the scene, and after he is in handcuffs, shows no blood anywhere on his face.

(CCRB Ex. 2 at 04:23-05:13)

In analyzing the blows in the context of this incident, I find that, under these circumstances, the use of two quick punches would have been reasonable if Respondent had not been wearing the ring. However, Respondent's choice to wear this specific type of ring, while striking an arrestee, is relevant and cannot be ignored.

When reviewing the evidence in this matter, I paid particular attention to the segments of the videos highlighted during the trial. Respondent punched Complainant in the left eye area

twice in quick succession with his right hand while wearing a large ring. I reviewed the portions of Respondent's body-worn camera footage during which his right hand and the ring in question are clearly visible, as well as carefully examining the photographs of the ring entered into evidence by Respondent. It is indeed a sizable and distinctive piece of jewelry with approximately six horizontal rows of channel set diamonds. (CCRB Ex. 2 at 01:27, 01:41, 02:24 and Resp. Exs. A1-A3) The diamonds are set in such a way that there are different levels to the ring, and some of the rows of stones are raised above others. Because of the sheer size of this ring, it has the potential for causing more pain and injury than a fist. Although he did not identify Respondent's ring specifically, I credit Complainant's statements that he felt some sort of metal when he was punched in the eye which caused him significant pain. Indeed, the TRI prepared in connection with the incident reports that Complainant was admitted to the hospital with several injuries, including a dilated pupil. The TRI includes a photograph of Complainant with a visibly swollen left eye. (CCRB Ex. 4)

CCRB contends that the design of Respondent's jewelry, with multiple diamonds set in gold along with its size, which they describe as an "ornamental" "Super Bowl" ring, violates Administrative Guide 304-07. They argue that because the ring is prohibited, it constitutes an "instrumentality," which Respondent used in a manner that is inconsistent with its intended purpose. In essence, CCRB is alleging that by punching Complainant while wearing the ring, Respondent used it as a weapon, thereby making the force use wrongful.

Administrative Guide 304-07, paragraph 10 addresses what jewelry an officer may wear while in uniform. Subsection (c) states that, "Rings may be worn if they are generally smooth, and not likely to catch on other objects. Rings with jagged edges, raised stones, etc., are not

permitted.” This tribunal notes, however, that Administrative Guide 304-07 pertains to an officer’s personal appearance and the Department’s uniform standards, not to use of force.

Section 221-02 of the Patrol Guide instructs member of the service to “take necessary action to protect life and personal safety of all persons present, including subjects being placed into custody.” However, it cautions that an officer should “apply no more than the reasonable force necessary to gain control.” In the instant matter, the large ornamental ring worn by Respondent more likely than not increased the pain/damage caused by the two punches, making his use of force while wearing it wrongful. Accordingly, I find Respondent Guilty of Specification 1.³

Having reached this conclusion regarding Specification 1, I am dismissing Specification 2, as duplicative. In *Savello v. Frank*, the Appellate Division found, in a review pursuant to NY CPLR Article 78, that a police department should not have imposed “two punishments for one offense” when the two departmental rules cited “covered identical conduct” and “were merely duplicative.” *See* 48 A.D.2d 699 (2d Dept. 1975). The same rule applies to administrative tribunals. In OATH Index No. 2293/21 (Oct. 23, 2023), the tribunal treated duplicative allegations stemming from the same act as a single charge for the purposes of penalty. *See also Health & Hospitals Corp. v. Mauriello*, OATH Index No. 2509/24 (Nov. 18, 2024). In the instant matter, both of the Specifications are based on Respondent striking Complainant two times in the face. Specification 1 incorporates the allegations of Specification 2. Respondent should not be penalized twice for the same conduct. Accordingly, Specification 2 is dismissed.

³ In making this determination, I note that the tribunal is not making a finding that any hand-strike used by an officer who is wearing a ring is *per se* wrongful or unreasonable. The finding here is limited to the specific facts and circumstances at issue in this case.

PENALTY

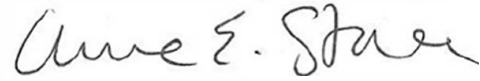
Respondent who was appointed to the Department on July 1, 2004, has been found guilty of wrongfully using force by punching Complainant in the face while wearing a large ring. He has been rated “Exceptional” on his last three performance evaluations. In 2016, Respondent forfeited five vacation days after being found guilty of unlawfully searching a vehicle in 2013 and unlawfully stopping a vehicle in a separate 2014 incident.

For this case, CCRB made a penalty recommendation of the forfeiture of fifteen (15) suspension days and fifteen (15) vacation days. For the reasons set forth below, I disagree and recommend the loss of ten (10) vacation days.

In the instant matter, Respondent was attempting to arrest Complainant, who was actively resisting. Given the nature of the encounter, Respondent’s use of two quick controlled punches was reasonable. However, Complainant was likely subjected to more pain because he was hit not simply with a fist, but with a large metal ring, making the blows wrongful. No evidence was presented that Respondent wore the ring with the intention of using it as a weapon. However, Respondent is a veteran officer who should have foreseen the potential for increased pain or injury to an individual if they were struck with this ring.

In contemplating an appropriate penalty, the tribunal took into consideration Respondent’s excellent employment record, which includes several Departmental recognitions. One of those involved Respondent preventing a young girl from being kidnapped and successfully arresting the suspect. In addition, this was a hearsay case where evidence of the specific causes of Complainant’s injuries could not be explored with precision. I believe that the loss of ten (10) vacation days adequately addresses Respondent’s misconduct while taking into account the difficult circumstances surrounding the use of force.

Respectfully submitted,

A handwritten signature in black ink that reads "Anne E. Stone". The signature is written in a cursive style with a large, stylized "A" and "S".

Anne E. Stone
Assistant Deputy Commissioner Trials

DISAPPROVED

MAY 12 2025

**JESSICA S. TISCH
POLICE COMMISSIONER**



POLICE DEPARTMENT CITY OF NEW YORK

From: Assistant Deputy Commissioner – Trials

To: Police Commissioner

Subject: SUMMARY OF EMPLOYMENT RECORD
DETECTIVE ANTHONY WRIGHT
TAX REGISTRY NO. 935991
DISCIPLINARY CASE NO. 2022-25983

Respondent was appointed to the Department on July 1, 2004. On his three most recent annual performance evaluations, he was rated “Exceptional” for 2021, 2022 and 2023. He has been awarded one medal for Meritorious Police Duty and ten medals for Excellent Police Duty.

In 2016, Respondent forfeited five (5) vacation days after being found guilty of (i) an unlawful vehicle search, and in a separate case adjudicated in the same proceeding, (ii) an unlawful stop of a vehicle.

In connection with the instant matter, Respondent was placed on Level 1 Discipline Monitoring in September 2024. This monitoring remains ongoing. Previously, Respondent was placed on Level 1 Force Monitoring in May 2013 for having received three or more CCRB complaints in a one-year period; that monitoring was upgraded to Level 2 Force Monitoring in May 2014 and concluded in April 2016.

For your consideration.

Anne E. Stone
Assistant Deputy Commissioner Trials