



POLICE DEPARTMENT

-----X
 In the Matter of the Disciplinary Proceedings :
 - against - : FINAL
 Deputy Inspector Paul Zangrilli : ORDER
 Tax Registry No. 937782 : OF
 Queens Court Section : DISMISSAL
 -----X

Deputy Inspector Paul Zangrilli, Tax Registry No. 937782, having been served with written notice, has been tried on written Charges and Specifications numbered 2022-27053, as set forth on form P.D. 468-121, dated August 31, 2022 and amended on January 8, 2025, and after a review of the entire record, Respondent, having pleaded guilty, is found Guilty.

Now therefore, pursuant to the powers vested in me by Section 14-115 of the Administrative Code of the City of New York, I hereby DISMISS Deputy Inspector Paul Zangrilli from the Police Service of the City of New York.

Jessie Tisch
 HONORABLE JESSICA S. TISCH
 POLICE COMMISSIONER

EFFECTIVE: 2/21/25



POLICE DEPARTMENT

February 10, 2025

-----X
In the Matter of the Charges and Specifications :
- against - :
Deputy Inspector Paul Zangrilli :
Tax Registry No. 937782 :
Queens Court Section :
-----X

Case No.
2022-27053

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

Before: Honorable Paul M. Gamble, Sr.
Assistant Deputy Commissioner Trials

APPEARANCES:

For the Department: Jamie Moran and Clair Tzeng, Esqs.
Department Advocate's Office
One Police Plaza, Room 402
New York, NY 10038

For the Respondent: Eric Franz, Esq.
Law Office of Eric Franz, PLLC
One Old Country Road, Suite 347
Carle Place, New York 11514

To:

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

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CHARGES AND SPECIFICATIONS

1. Said Deputy Inspector Paul Zangrilli, while assigned to the 05 Precinct, while off-duty on or about August 16, 2022 in the confines of New York County, engaged in conduct prejudicial to the good order and efficiency of the Department, to wit: said Deputy Inspector, while a passenger in a Category I Department vehicle, was involved in a vehicle accident resulting in property damage and did thereafter leave the scene of the accident.

A.G. 304-06, Page 1, Paragraph 1

PROHIBITED CONDUCT

P.G. 217-06

DEPARTMENT VEHICLE
COLLISIONS

2. Said Deputy Inspector Paul Zangrilli, while assigned to the 05 Precinct, while off-duty on or about August 16, 2022 in the confines of New York County, having been involved in an unusual police occurrence, did fail to remain at the scene and request the response of a patrol supervisor, precinct of occurrence.

P.G. 212-32, Page 1, Paragraph 2

OFF DUTY INCIDENTS
INVOLVING UMOS

3. Said Deputy Inspector Paul Zangrilli, while assigned to the 05 Precinct, while off-duty on or about August 16, 2022 in the confines of New York County, did wrongfully and without just cause operate a Category I Department vehicle and allowed an unauthorized civilian to enter and operate said vehicle without authorization.

P.G. 325-19

CATEGORY I, II & III
VEHICLE USAGE
AUTHORIZATION

4. Said Deputy Inspector Paul Zangrilli, while assigned to the 05 Precinct, while off-duty on or about August 16, 2022 in the confines of New York County, engaged in conduct prejudicial to the good order, efficiency and discipline of the Department in that said Deputy Inspector utilized an official Department vehicle for purposes unrelated to official Department business.

A.G. 304-06, Page 1, Paragraph 1

PROHIBITED CONDUCT

5. Said Deputy Inspector Paul Zangrilli, while assigned to the 05 Precinct, while off-duty on or about August 16, 2022 in the confines of New York County, intentionally made a false and misleading statement and impeded an investigation when he informed Inspector Richard DiBlasio that he was going home when that was not true. (*As amended*)

A.G. 304-10, Page 1, Paragraphs 1, 2, 3 & 4

FALSE AND MISLEADING
STATEMENTS

6. Said Deputy Inspector Paul Zangrilli, while assigned to the 05 Precinct, while off-duty on or about August 16, 2022 in the confines of New York County, intentionally made a false and/or misleading statements and impeded an investigation, to wit said Deputy Inspector caused inaccurate information to be entered on a Police Accident Report and Collision Report when he misled or misinformed Captain Timothy Magliente that he was operating a vehicle when it was involved in a collision when that was not true. *(As amended)*

A.G. 304-10, Page 1, Paragraphs 1, 2, 3 & 4

FALSE AND MISLEADING STATEMENTS

N.Y. Penal Law § 175.10

FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE

N.Y. Penal Law § 145.35(1)

OFFERING A FALSE INSTRUMENT FOR FILING IN THE FIRST DEGREE

7. Said Deputy Inspector Paul Zangrilli, while assigned to the 05 Precinct, while off-duty on or about August 16, 2022 in the confines of New York County, engaged in conduct prejudicial to the good order, efficiency and discipline of the Department, to wit: said Deputy Inspector entered and operated a Category I Department vehicle, after consuming numerous alcoholic beverages.

A.G. 304-06, Page 1, Paragraph 1

PROHIBITED CONDUCT

8. Said Deputy Inspector Paul Zangrilli, while assigned to the 05 Precinct and while off-duty on or about August 16, 2022, in the confines of New York County, engaged in conduct prejudicial to the good order and efficiency of the Department, to wit: attempted to have video footage from an establishment named, American Whiskey deleted. *(As added)*

A.G. 304-06, Page 1, Paragraph 1

PROHIBITED CONDUCT

REPORT AND RECOMMENDATION

The above-named member of the Department appeared before me on January 21 and 22, 2025. The Department did not call any witnesses. Respondent, through his counsel, entered a plea of guilty to Specifications 1 through 8 and testified in mitigation of the penalty. Respondent called retired Deputy Chief Joseph Dowling and retired Captain Christopher Zaffiro to testify on

his 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 recommend that Respondent be terminated from the Police Department of the City of New York.

SUMMARY OF EVIDENCE IN MITIGATION

The following facts are not in dispute in this mitigation hearing:

On August 16, 2022, Respondent was the commanding officer of the 5th Precinct; he was off duty that day. He was married and the father of two minor children. Respondent's marriage was contentious and had been before the events described herein for some time. At the same time, Respondent was engaged in a romantic relationship with [girlfriend]/ [REDACTED]. On the morning of August 16, 2022, Respondent told his wife that he wanted a divorce; she replied that if they were to seek a divorce, he would have to inform their children. Respondent informed his wife that he was going to work, then departed their home, driving his Category I Department vehicle. The misconduct that formed the basis for Respondent's guilty pleas occurred after he left his home that day.

The following is a summary of the relevant evidence adduced during the hearing:

Respondent, who was appointed to the Department on January 10, 2005, has pled guilty to: (1) leaving the scene of an accident involving his Department vehicle and another motorist; (2) failing to remain at the scene of an unusual police occurrence incident and notifying a patrol supervisor; (3) wrongfully operating a Category I Department vehicle and permitting a civilian to enter and operate that vehicle without authorization; (4) utilizing a Department vehicle for purposes unrelated to official Department business; (5) making a false and misleading statement to Inspector DiBlasio which impeded an investigation; (6) making a false and misleading statement to Captain Magliente which impeded an investigation; (7) operating a Category I

Department vehicle after consuming numerous alcoholic beverages; and (8) requesting that the owner of American Whiskey delete a video recording of Respondent and his girlfriend.

Respondent, in his sworn guilty pleas, admitted that he consumed numerous alcoholic beverages while operating a Category I Department vehicle on personal business (T. 52, 54, 70). He also admitted that on the day of the charged misconduct, he had been taking the antidepressant Prozac, which his therapist had prescribed (T. 138-139). He visited four drinking establishments with his girlfriend, who rode as a passenger in his Department vehicle, violating Department policy (T. 51-52). This aspect of the misconduct Respondent pled guilty to was completely within his control, and he could have refrained from engaging in it had he exercised basic common sense, let alone the degree of judgment expected of a Department executive. While Counsel for Respondent conceded that he did not exercise the judgment that he demonstrated in other aspects of his professional life, he failed to do so because he was experiencing “the worst day of his life.”

While this Tribunal will not attempt to diminish the emotional upheaval a decision to divorce can have upon spouses and their children, Respondent engaged in reckless behavior that endangered himself, his girlfriend, and other motorists. While there is no evidence of Respondent’s specific level of intoxication, it is highly unlikely that after the consumption of 10-15 drinks¹ his ability to operate a vehicle safely was significantly diminished. It is also likely that the interaction between his alcohol consumption and his anti-anxiety medication enhanced the degree of his impairment. I take judicial notice that Prozac is an anti-depressant.² I take

¹ Respondent admitted he had one beer at Nice; one beer at the Keg Room; one alcoholic beverage at Clinton House; seven beers and five shots at American Whiskey (T. 110, 112). He also conceded that his girlfriend had three beers and seven shots at American Whiskey (T. 113).

² <https://www.mayoclinic.org/drugs-supplements/fluoxetine-oral-route/description/drg-20063952>

judicial notice that the National Institute on Alcohol Abuse and Alcoholism, National Institutes of Health, warns, “[c]ombining alcohol with certain medications, particularly those with sedative effects, can increase the risk of adverse events, including falls, driving accidents, and fatal overdoses (<https://www.niaaa.nih.gov/health-professionals-communities/core-resource-on-alcohol/alcohol-medication-interactions-potentially-dangerous-mixes>).”

Respondent could have chosen to remove himself from his wife’s presence by going for a walk in his neighborhood, visiting a trusted friend, seeking an emergency appointment with his therapist, or engaging with a member of the clergy. I do not credit his self-serving assertion that “[Respondent’s ex-wife] wasn’t a person that was going to let me go and just sit with friends . . .” (T. 69). What he should not have done was get behind the wheel of a Department vehicle, drive from saloon to saloon, and consume 10 to 15 drinks. Moreover, Respondent’s decision to imbibe alcohol when he knew he had already taken an antidepressant is further evidence of his poor decision-making regarding the misconduct he pled guilty to, rather than evidence of mitigation.

Once Respondent reached the level of impairment that he either requested that his girlfriend drive, or accepted his girlfriend’s offer to drive, his Department vehicle, he still had options that did not include either of them driving while impaired (T. 71, 72, 116-117, 166-167). He could have gotten a hotel room; taken a taxi to his girlfriend’s apartment; or gone to his command where he could have slept in his office. There is no evidence of the existence of a circumstance which compelled him to operate his Department vehicle despite the obvious danger to himself and the public. Had he come to his senses at that juncture, he would not likely have placed his career in jeopardy, although he would likely be facing serious penalties.

The most disturbing misconduct to which Respondent pled guilty is his actions after a traffic accident. Respondent testified that his girlfriend rear-ended another vehicle while driving his Department car, then drove away from the scene of the collision (DE 1, T. 51, 72). He admitted that the accident occurred eight minutes after they left American Whiskey, approximately six blocks from the saloon (T. 117). While Respondent eventually convinced her to stop the vehicle, he did not immediately report the collision and request the presence of a supervisor; instead, he replaced his girlfriend as the driver and continued driving away from the accident scene (T. 51, 72, 73). The evidence established persuasively that it was through the efforts of the motorist whose car was rear-ended that an RMP eventually pulled over Respondent; I do not credit Respondent's assertion that he was not pulled over and simply encountered an RMP as he was stopped on the side of the road (DE 1, T. 74-75).

While he testified that he identified himself as a Member of Service to Police Officer Famila Akhtar, the responding officer, told her that he was operating a Department vehicle, then provided his girlfriend's driver's license, he again failed to request the presence of a supervisor (T. 75, 77-78). In his testimony, he acknowledged that because he was operating a Category I vehicle, he was "pretty certain it requires somebody, a supervisor to handle the collision report" (T. 78, 115).

He further attempted to pay the motorist \$1,000 for the damage to his vehicle, which he admitted was not part of the Patrol Guide procedure for Department vehicles that have been involved in a vehicular accident (DE 1; T. 79, 80, 131-132, 141). It is undisputed that Police Officer Ahktar did not complete an accident report and left the scene; Respondent claimed that she asked him if he wanted to "just handle this on your own?" and then left (T. 78-79). Respondent admitted that he knew that a police report should have been prepared and that he did

not instruct Police Officer Ahktar to prepare one (T. 119). Based upon Respondent's training and experience, I find that he was aware that he should have directed Police Officer Ahktar to prepare one. I further find that his failure to correct her omission is further evidence of his intent to avoid documenting his misconduct.

Even if this Tribunal were to credit that Respondent did not affirmatively seek to abuse his authority by directing, explicitly or implicitly, that Police Officer Ahktar not complete an accident report, Respondent then took affirmative steps to disguise the fact that his girlfriend was the driver at the time of the accident. Respondent admitted in his guilty plea and on cross-examination that he was aware that **his girlfriend** should not have been a passenger, let alone a driver, of a Category I vehicle (T. 116). I infer from Respondent's admissions that he knew at all times that allowing her to be present in the vehicle was itself misconduct; the gravity of that misconduct was exponentially increased once she struck another vehicle and left the scene of the accident.

Once Respondent decided to call the borough command, he then: (1) manipulated the scene by directing his girlfriend to move far enough away from the vehicle that any officer responding to the location would assume that there was only one occupant in the vehicle, Respondent; and (2) knowingly made both a disingenuously vague factual assertion (*i.e.*, "I was involved in a collision"), and false assertions of fact (*i.e.*, identifying himself as the driver of the vehicle, and asserting "I rear-ended another car"), causing the creation of accident and collision reports which falsely identified him as the driver of the Department vehicle at the time of the collision (DE 3, 4; T. 82-85, 120-121). Respondent did not tell Captain Magliente that he had previously told Police Officer Ahktar that his girlfriend was the operator of the vehicle at the time of the accident (T. 121).

Once the encounter with Respondent and Captain Magliente ended, he drove a few blocks away, and picked up his girlfriend three minutes later (T. 125). They then drove to the 5th Precinct, where Respondent parked the damaged Department vehicle and retrieved the Department vehicle assigned to him³ (*Id.*). Respondent admitted that inside the precinct, he contacted ██████████, the proprietor of Manhattan Whiskey, the last saloon Respondent patronized with his girlfriend before the collision (T. 88). He asked whether there was a video recording of the saloon's interior, and when he learned that there was, he directed the owner to "get rid of it"⁴ (T. 54, 65, 88, 111). I find that when Respondent solicited the destruction of the video recording, he was well aware, based on his training, experience, and common sense, that the video recording had evidentiary value, either at a criminal trial or in a Departmental disciplinary hearing. I find that it was more likely than not that Respondent sought the destruction of the evidence because he was aware that it could incriminate him; this is persuasive evidence of his consciousness of guilt. This finding is buttressed by Respondent's admission that on August 17, 2022, he sent a text message to ██████████ to inquire, "if there were video, are they gone?" (T. 99).

I also note that Respondent's decision to visit his command after he had been heavily drinking is an aggravating circumstance, it clearly being contrary to good order and discipline in this Department. He ran the risk of undermining his own authority by placing himself in the presence of police officers he commanded in a diminished state. Respondent admitted that he encountered Sergeants Banfield and Johnson while he was there (T. 125).

³ There is no dispute that the Department vehicle involved in the collision was a "loaner" vehicle Respondent was given the use of while his assigned vehicle was under repair.

⁴ Captain Zaffiro testified that Respondent informed him that he had only asked ██████████ if there was video, and that ██████████ told him there was none (T. 169).

Respondent testified that after he retrieved his regular Department vehicle, he and his girlfriend returned to Manhattan Whiskey “to inform the people [he was] going to get together with to play karaoke that they had been in an accident and would not be joining them after all” (T. 89, 128-129). It was while he was there for the second time that he received a call from Inspector Richard DiBlasio (T. 89). According to Respondent, Inspector DiBlasio asked him if he was working, to which he responded that he did not feel well and was going home (*Id.*). DiBlasio then asked him, “Where’s home?” to which Respondent replied, “Rockland” (T. 89-90). Respondent testified further that he asked DiBlasio if he needed anything, he replied, “No, all good” (T. 90). There is no dispute that Respondent did not go home once he left Manhattan Whiskey, but proceeded to his girlfriend’s home, where he spent the night. Respondent admitted that when he told DiBlasio that he was going home, that assertion was untrue; he claimed that he made the false assertion of fact because he did not want to admit that he was going instead to his girlfriend’s home because “[i]t’s embarrassing. It’s humiliating. Everybody knows – it’s a small borough, everyone knows who’s got a family, who doesn’t” (T. 90-91).

Counsel for Respondent argued that while Respondent’s assertion that he was going home was misleading, it was not material to an investigation. I disagree. The credible, relevant evidence in the record establishes convincingly that Respondent more likely than not realized the significance of his misdirection and the impact it would have on the investigation he was aware would take place.

At the time Respondent told Inspector DiBlasio that he intended to go home, he was certainly aware that he had been involved in a vehicular collision from which he and his girlfriend had driven away. He was also aware that he had two official police encounters regarding the accident, the first of which was not conducted in accordance with Patrol Guide

procedures. He also knew that he staged a scenario during the second police encounter where he told his girlfriend to leave the area so that he could allow Captain Magliente to assume, incorrectly, that Respondent had been the driver of the vehicle at the time of the accident that he belatedly reported to him. Respondent was also aware that he had provided false information to Captain Magliente, which resulted in the preparation of a false report listing him as the driver of the vehicle at the time of the accident. Respondent was certainly aware that he had consumed 10-15 alcoholic drinks on top of his prescription medication. Finally, he was aware that some time before he had a conversation with Inspector DiBlasio, he had asked the proprietor of Manhattan Whiskey to destroy video evidence.

Based upon the totality of the circumstances, I find that Respondent's false assertion to Inspector DiBlasio was more likely than not intended to buy him time before he could be subjected to a fitness for duty evaluation. As a police executive, Respondent was certainly aware of the procedures for conducting fitness for duty evaluations, either as a commanding officer, or when serving as a duty captain. Inspector DiBlasio's inquiry was to determine Respondent's physical location so that Respondent could be examined for fitness, rather than an innocuous telephone conversation. The evidence demonstrates that after their telephone call, Inspector DiBlasio dispatched police personnel to Respondent's home, in accordance with where Respondent told him he would be (T. 97).

Respondent's false assertion to Inspector DiBlasio is consistent with, and, based upon the totality of the circumstances, part of his deliberate attempts to curate the evidence of his misconduct in the manner he did. The evidence supports a finding that the false narrative on the accident report was clearly intended to focus attention for the accident on him, rather than his girlfriend. Similarly, his request for the proprietor of Manhattan Whiskey to delete any video

recordings was more likely than not an attempt to erase his girlfriend's presence from any official inquiry. Finally, Respondent's assertion that he went back to Manhattan Whiskey to inform his friends that he was ending his night earlier than he had planned to is not credible. Respondent could have accomplished the same end with a telephone call. Based upon his efforts to manipulate the evidence of his misconduct throughout the evening, it is more likely that not that his intention was to engage in further attempts to limit the existing evidence of his misconduct.

Finally, Counsel for Respondent argues that all of the misleading actions Respondent took were calculated to prevent his soon-to-be estranged wife from finding out about his girlfriend. He argues further that a false statement made to avoid personal embarrassment regarding an interpersonal relationship is itself a potential mitigating circumstance.

First, the potential mitigating factor cited by Counsel for Respondent requires that such false statement be made where the misconduct itself is not a presumptive termination act. While the only offenses to which Respondent pled guilty which carry presumptive penalties of termination are the specifications alleging a false official statement, the totality of the circumstances presented in this case weight decisively against applying this potential mitigating factor. Respondent pled guilty to four specifications of misconduct involving a dishonest attempt to cover up evidence of his misconduct and the presence of his girlfriend. This was not an ill-advised denial during an official Department interview where a Respondent denies an illicit relationship after being confronted with evidence of its existence; it was a deliberate, persistent attempt to erase as much evidence of Respondent's misconduct and his girlfriend's involvement as possible. Under the circumstances presented in this case, no such mitigation is warranted.

Second, if hiding the existence of his girlfriend from his soon-to-be estranged spouse was truly Respondent's motivation, he is not immune from discipline because he chose to make decisions in an effort to protect his legal position in a future divorce proceeding. Third, had Respondent followed all the applicable Patrol Guide procedures that evening, there is no indication that his wife would have found out what happened, including his girlfriend's involvement, unless he informed her. There was no suggestion by Respondent that his wife was somehow privy to Department records, enabling her to discover his dalliance. Moreover, Respondent did not seem to be concerned about maintaining a discrete relationship with his girlfriend, as he visited several drinking establishments with her, and brought her to socialize with friends of his at Manhattan Whiskey, a captain and a sergeant, both of whom were off-duty. Respondent conceded both of them knew his girlfriend and knew that he was married (T. 113-114).

What is clear is that Respondent spent an evening drinking and driving a Department vehicle with a civilian who was not authorized to be in the vehicle, either as a passenger or a driver. Any reasonable executive in Respondent's position would have been aware that those facts could lead to Departmental discipline. Once Respondent's girlfriend hit a third-party's vehicle, any reasonable Member of Service, let alone an executive, would have been aware that he faced the prospect of grave sanctions. It is more plausible that Respondent was desperately attempting to limit the damage to his professional standing with this Department, which was under immediate threat, rather than to protect his legal position at a future divorce proceeding, which may not have happened at all. Based upon Respondent's testimony, the morning of August 16, 2022, was not the first time he informed his wife that he wanted a divorce. According to him, she "browbeat" him into backing off his initial request. It would be

speculative and irrelevant for this Tribunal to opine on what an eventual divorce proceeding might entail. Based upon all the evidence in the record, I find that Respondent's actions were calculated to protect himself from Departmental discipline and loss of his professional standing.

I note that the totality of the misconduct to which Respondent pled guilty was not the result of a split-second decision in a fluid scenario. Before he engaged in each act of misconduct, he had the opportunity to reflect on his contemplated actions; that he nevertheless undertook them evinces his intentionality and his recklessness. Because of Respondent's training and experience in this Department, especially his experience in leadership positions, he had to have appreciated the gravity of his misconduct, yet chose to engage in it despite the potential consequences.

There is also no dispute that Respondent's misconduct was publicized in the media (T. 135, 166). I find that the facts of this case are of such character to undermine the public's trust in this Department's ability to enforce standards of behavior among its members.

I further find that Respondent's actions are likely to undermine his ability to function in any leadership role in this Department. I note that Respondent involved at least four unwitting Members of Service in his pattern of deceit. It is difficult to see how he can continue to command the respect of police officers when the evidence establishes that he knowingly violated the Patrol Guide to serve his personal interests and had no compunction about duping his fellow police officers to do so.

Respondent called retired Deputy Chief Joseph Dowling to testify in mitigation. Chief Dowling testified that he is the former Commanding Officer of the Grand Larceny Division in the Detective Bureau (T. 177-178). Over a 32-year career, Chief Dowling served as the

commanding officer of the 33rd and 52nd Precincts; the Patrol Borough Bronx adjutant; commanding officer of a borough-wide enforcement unit; and a zone commander in Detective Bureau Bronx (T. 178-179). He was temporarily assigned to help develop the Violence Reduction Task Force, which eventually became the Gun Violence Prevention Division (T. 179).

Chief Dowling testified that he first met Respondent in 2011 when he was the commanding officer of the 52nd Precinct and Respondent was the anti-crime sergeant at the 49th Precinct. Dowling had the occasion to observe Respondent's supervisory skills at various crime scenes and was impressed with the caliber of his work. When Respondent was promoted to lieutenant in 2013, he was assigned to the 52nd Precinct and worked for Chief Dowling. Dowling assigned him as the special operations lieutenant and continued to be impressed by Respondent's performance of professional duty (T. 179-182).

In November 2015, Chief Dowling was working on creating the Grand Larceny Division and requested that Respondent be transferred to his command. By that time, Respondent had been promoted to captain and had completed the FBI Academy. Dowling testified that Respondent was instrumental in the creation and later success of the division by contributing his mentoring, training, management, and planning skills. He described Respondent as a "game changer" who was focused on the mission, brought out the best in his personnel and earned the respect of his peers and supervisors (T. 187-193).

Chief Dowling testified that Respondent was always honest in their dealings and was honest with his personnel. He found the misconduct which formed the basis of the charges before this Tribunal to be out of character for Respondent. Dowling testified that Respondent has personally expressed remorse to him. He testified further that, in his view, Respondent was a "rising star" in this Department and that his separation from it would be a loss (T. 200-203).

Chief Dowling authenticated two of Respondent's performance evaluations which he had endorsed as a reviewer (T. 203-204; Resp. D, E).

On cross-examination, Chief Dowling conceded that Respondent, through his own actions, had harmed his reputation and that of the Department. He conceded further that Respondent placed individuals in danger as a result of his misconduct (T. 212-213).

Retired Captain Christopher Zaffiro testified that he retired from this Department after 21 years of service. He described Respondent as his "closest friend on the planet." According to Zaffiro, they met in college at SUNY Albany in 1998; during their college years they were roommates. After graduation in 2002, they shared an apartment in Yonkers until 2010, when Zaffiro married (T. 145-147).

Captain Zaffiro became a police officer in 2003 and Respondent became a banker. After a time, Respondent shared with Zaffiro that he was unfulfilled in banking, although he was progressing professionally. Zaffiro encouraged him to become a police officer and he did so. After Respondent graduated from the Police Academy in 2005, they found themselves working together in the 9th Precinct (T. 56, 147-149). According to Zaffiro, Respondent seemed to be more mature than his peers and impressed them, as well as his supervisors, with his approach to policing (T. 149-152).

Captain Zaffiro testified that Respondent discussed the charges he has now pled guilty to with him and admitted that he "made a really stupid decision" (T. 153). Zaffiro testified further that Respondent had a contentious marriage in which his wife was "difficult," and often found fault with Respondent for innocuous behavior. According to Zaffiro, she would throw tantrums and threaten Respondent with divorce, limiting his ability to see his children and preventing him from collecting his police pension (T. 153-157).

Captain Zaffiro testified that in the months before the events of August 16, 2022, Respondent was under significant stress, based on his command responsibilities at the 5th Precinct and the degenerating state of his marriage. During that time, he met [REDACTED] and began dating her (T. 158). Zaffiro testified that he advised Respondent not to condone any irrational behavior on his wife's part. According to Zaffiro, on the occasions when Respondent took a more assertive posture with her, their relationship improved temporarily. He testified further that Respondent was unable to consistently apply that approach, opining that Respondent had an irrational fear of his wife (T. 159-160). Captain Zaffiro testified that Respondent's actions on August 16, 2022, do not align with the person he knew him to be (T. 162).

On cross-examination, Captain Zaffiro testified that he discussed the events of August 16, 2022, with Respondent before he ever read about the incident in the newspaper (T. 165-166). According to Zaffiro, Respondent told him that after going out drinking with his girlfriend, he wanted to go back to the 5th Precinct and asked her to drive him there (T. 166-167). As she drove, they had a "fender bender," which led to him conversing with police officers on the scene. Zaffiro testified that Respondent told him that the two police officers on scene were new and did not know what they were doing, so he decided to notify the duty captain. Respondent told Zaffiro that he eventually had a conversation with Captain Magliente, then later had a conversation with Inspector DiBlasio. As Zaffiro described it,

"He talks to Magliente. Whatever they say. He says I don't know. And at some point, DiBlasio, Richard DiBlasio, he was the – the – I don't know if he's the duty inspector. He had been transferred to patrol borough – I believe, at the time. Whatever Magliente says to him because he doesn't – Magliente, I don't know if he's new or doesn't know what he's doing, notifies DiBlasio. DiBlasio calls [Respondent], I believe, to ask him like what's going on. And [Respondent] tells him, yeah, I'm leaving or whatever."

(T. 167-168).

Respondent submitted 28 letters of support from various individuals who know Respondent on a personal or professional basis (Resp. Ex. A-1 to A-28). These writers include former colleagues, family members, and members of communities Respondent served as part of his official duties, his former wife and a therapist. The letters uniformly attest to Respondent's character and exemplary performance of duty. Respondent also offered a statement of remorse, which he read into the record during his testimony (Resp. Ex. C). Respondent's Exhibit D is a summary of the evidence in mitigation prepared by Counsel for Respondent; I received it in evidence as a supplement to Counsel for Respondent's opening statement and summation.

PENALTY

In order to determine an appropriate penalty, this Tribunal, guided by the Department's Disciplinary System Penalty Guidelines, considered all relevant facts and circumstances, including potential aggravating and mitigating factors established in the record. Respondent's employment history was also examined. *See* 38 RCNY § 15-07. Information from his personnel record that was considered in making this penalty recommendation is contained in an attached memorandum.

The presumptive penalty for intentionally making a false official statement is termination; the mitigated penalty is forced separation.

The presumptive penalty for either intentionally making a misleading official statement or impeding an investigation is 30 penalty days plus dismissal probation. The aggravated penalty is termination, and the mitigated penalty is the loss of 20 penalty days.

The penalty range for offenses charged as conduct prejudicial to the good order and efficiency of this Department (leaving the scene of an accident involving his Department vehicle and another motorist; utilizing a Department vehicle for purposes unrelated to official

Department business; operating a Category I Department vehicle after consuming numerous alcoholic beverages; and requesting that a videotape of Respondent and his girlfriend be deleted) is a mitigated penalty of training to an aggravated penalty of termination.

The presumptive penalty for either failing to remain at the scene of a police incident or failure to make a notification regarding a police incident is five penalty days. The aggravated penalty is ten penalty days and the mitigated penalty is one penalty day.

The penalty for permitting an unauthorized person to ride in a Department vehicle is a Schedule "A" command discipline.

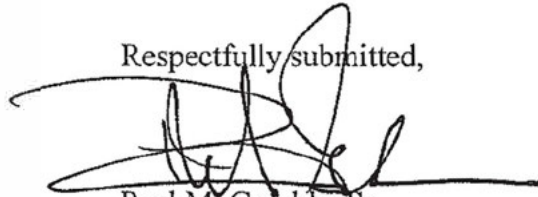
The Department Advocate has requested that this Tribunal recommend the penalty of termination based on the facts of the case and the presence of numerous aggravating factors. In contrast, Counsel for Respondent argues that the facts in the record warrant the application of a mitigated penalty of forced separation. He argues that Respondent's exemplary professional record, as well as his motivation for concealing the identity of **his girlfriend**, the driver of the Department vehicle at the time of the vehicular accident, are mitigating factors sufficient to rebut the presumptive penalty of termination. I have taken Respondent's guilty pleas and heard his testimony; heard the sworn testimony of two witnesses called by Respondent; reviewed the exhibits admitted in evidence, including 28 letters of support submitted by Respondent; and considered the arguments of counsel for both sides.

Based upon the foregoing, I find that Respondent's actions fell far below the standards expected of Members of Service, in general, and of executives in leadership positions in this Department, in particular. Having heard the testimonies of retired Deputy Chief Dowling and retired Captain Zaffiro, as well as reading the letters of support Respondent submitted, the recommendation of this Tribunal will likely be very disappointing to those who hold Respondent

in such high regard. It is beyond dispute that Respondent, up to the morning of August 16, 2022, built a professional reputation which was well-deserved. Nevertheless, the only penalty supported by the credible, relevant evidence in the record, and consistent with good order and discipline, is termination.

I therefore recommend the imposition of the presumptive penalty of termination for Specifications 5 and 6, the aggravated penalty of termination for Specifications 1, 4, 7, and 8, and the aggravated penalty of ten penalty days for Specification 2.

Respectfully submitted,



Paul M. Gamble, Sr.

Assistant Deputy Commissioner Trials

APPROVED
FEB 21 2025
Jessie Tisch
JESSICA S. TISCH
POLICE COMMISSIONER



POLICE DEPARTMENT CITY OF NEW YORK

From: Assistant Deputy Commissioner – Trials
To: Police Commissioner
Subject: SUMMARY OF EMPLOYMENT RECORD
DEPUTY INSPECTOR PAUL ZANGRILLI
TAX REGISTRY NO. 937782
DISCIPLINARY CASE NO. 2022-27053

Respondent was appointed to the Department on January 10, 2005. He has been awarded one medal for Meritorious Police Duty and two medals for Excellent Police Duty.

Respondent has no formal disciplinary history. In connection with the instant matter, he was suspended without pay from August 17 to September 15, 2022, and from June 12 to July 11, 2024.

For your consideration.

Paul M. Gamble
Assistant Deputy Commissioner Trials