



POLICE DEPARTMENT

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In the Matter of the Disciplinary Proceedings :

- against - :

Lieutenant Thomas Fabrizi :

Tax Registry No. 938464 :

Manhattan Court Section :

FINAL

ORDER

OF

DISMISSAL
-----X

Lieutenant Thomas Fabrizi, Tax Registry No. 938464, having been served with written notice, has been tried on written Charges and Specifications numbered C-031120, as set forth on form P.D. 468-121, dated February 4, 2025 and amended on June 30, 2025. After a review of the entire record, Respondent, having pleaded Guilty, is found Guilty of the charged misconduct.

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 Lieutenant Thomas Fabrizi from the Police Service of the City of New York.


HONORABLE JESSICA S. TISCH
POLICE COMMISSIONER

EFFECTIVE: 7/18/25

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POLICE DEPARTMENT

July 8, 2025

-----X

In the Matter of the Charges and Specifications	:
- against -	:
Lieutenant Thomas Fabrizi	:
Tax Registry No. 938464	:
Manhattan Court Section	:

-----X

Case No.
C-031120

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

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

APPEARANCES:

For the Department: Daniel Maurer, Esq.
Department Advocate's Office
One Police Plaza, Room 402
New York, NY 10038

For the Respondent: Howard Tanner, Esq.
Tanner & Ortega, LLP
299 Broadway – Suite 1700
New York, NY 10007

To:

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

CHARGES AND SPECIFICATIONS

1. Lieutenant Thomas Fabrizi, on numerous occasions on or about and between July 14, 2023, and February 29, 2024, while assigned to the Major Case Squad, transported unauthorized civilians in a Category III Department vehicle for non-Department and unofficial reasons.

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

PROHIBITED CONDUCT

2. Lieutenant Thomas Fabrizi, on or about and between July 14, 2023, and February 29, 2024, while assigned to the Major Case Squad, while using a Category III Department vehicle for unauthorized and personal reasons, improperly used Department gasoline.

A.G. 304-06, Page 5, Paragraph 30

PROHIBITED CONDUCT

3. Lieutenant Thomas Fabrizi, on numerous occasions from July 14, 2023, to February 29, 2024, while assigned to the Major Case Squad, applied for and received 580 hours and 53 minutes of cash overtime compensation for overtime he did not perform, either not appearing for overtime assignment or arriving late and/or leaving early, totaling \$68,018.30.

A.G. 304-05, Page 1, Paragraph 2

PERFORMANCE ON
DUTY

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

PROHIBITED CONDUCT

4. Lieutenant Thomas Fabrizi, on numerous occasions from July 14, 2023, to February 29, 2024, while assigned to the Major Case Squad, failed to appear for his regularly scheduled tour, arrived late and/or left early, receiving unearned compensation for approximately 415 hours and 6 minutes of straight time, totaling \$32,271.60.

A.G. 304-05, Page 1, Paragraph 2

PERFORMANCE ON
DUTY

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

PROHIBITED CONDUCT

5. Lieutenant Thomas Fabrizi, on a daily basis from July 14, 2023, to February 29, 2024, while assigned to the Major Case Squad, used a Category III Department vehicle for personal use without authority or permission to do so. *(As amended)*

A.G. 304-06, Page 5, Paragraph 30

PROHIBITED CONDUCT

A.G. 325-19

CATEGORY I, II, III
VEHICLE USAGE
AUTHORIZATION

6. Lieutenant Thomas Fabrizio, on numerous occasions from July 14, 2023, to February 29, 2024, while assigned to the Major Case Squad, falsified Department records, namely Over Time Reports, Command Log entries, and electronic Attendance Application Entries.

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

PROHIBITED CONDUCT

7. Lieutenant Thomas Fabrizio, on numerous occasions from July 14, 2023, to February 29, 2024, while assigned to the Major Case Squad, made or caused to be made false entries in New York City's CityTime database.

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

PROHIBITED CONDUCT

8. Lieutenant Thomas Fabrizio, while assigned to the Major Case Squad, on approximately twenty-nine (29) occasions from July 18, 2023, to February 2, 2024, engaged in off-duty employment with McCann Protective Security Company without having applied for and received permission and authorization from the Department, and on twenty-five (25) of those occasions said unauthorized off-duty employment was engaged in while Lieutenant Fabrizio was supposed to be on duty performing an overtime assignment, and on two (2) of those occasions said unauthorized off-duty employment was engaged in while Lieutenant Fabrizio was supposed to be on duty performing his regular tour duties.

A.G. 304-05, Page 1, Paragraph 2

PERFORMANCE ON
DUTY

A.G. 332-04

UNIFORMED MEMBER –
OFF DUTY
EMPLOYMENT

9. Lieutenant Thomas Fabrizio, while assigned to the Major Case Squad, on numerous occasions from July 18, 2023, to February 23, 2024, conducted personal business while on duty and on Department time, going shopping, running personal errands, spending time with his family, and dropping off and picking up his children from a relative's residence in Queens County.

A.G. 304-05, Page 1, Paragraph 2

PERFORMANCE ON
DUTY

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

PROHIBITED CONDUCT

REPORT AND RECOMMENDATION

The above-named member of the Department appeared before me on June 30, 2025.

Respondent, through his counsel, entered pleas of Guilty to Specifications 1 through 9 of the

charged misconduct, and testified in mitigation of the penalty. A stenographic transcript of the trial record has been prepared and is available for the Police Commissioner's review. I have also considered the contents of Respondent's post-hearing submission dated July 3, 2025. Having evaluated all the evidence in this matter, I recommend that Respondent be terminated from this Department.

SUMMARY OF EVIDENCE IN MITIGATION

Respondent testified that he and his wife are the parents of two daughters, the older of whom was diagnosed with a form of autism in 2016, at the age of three. At the time of her diagnosis, Respondent's daughter had been attending a PreK-3 program in Queens, where his mother resides¹. Respondent sought a school equipped to provide the supportive services his daughter required and decided upon another school in Queens. This arrangement meant that his older daughter, and eventually his younger daughter, would have to be transported from their home outside the city to Queens, then return home at the end of the day (T. 16-17, 20-25).

While Respondent and his wife are both lieutenants with this Department, they made the decision that Respondent would be the primary caretaker for their two children (T. 30-31). During the period of the charged misconduct, from July 14, 2023, to February 29, 2024, Respondent was assigned to the Major Case Unit in Manhattan where he supervised four sergeants and sixteen detectives; his wife was assigned to the School Safety Division. Respondent acknowledged that while he considered relocating from outside New York City to Queens to accommodate his older daughter's educational needs, he chose not to do so. Similarly, he never considered requesting a posting at a Queens command within the Detective Bureau.

¹ Respondent, his wife and their daughters reside in Rockland County.

Respondent admitted that he improperly utilized a Department vehicle to carry out his plan to transport his children from his home to their school in Queens in the morning and return them to their residence in the evening. While Respondent testified that he sought approval for his Category III vehicle to be reclassified as a Category I vehicle, he acknowledged that even if his request had been granted by the Chief of Department, transporting his children to and from school in a Department vehicle violated the Administrative Guide procedures for Department vehicles. He further admitted, through his pleas and his testimony, that his children were not authorized to be passengers in a Department vehicle; that he improperly used Department gasoline for personal use; and that he used the vehicle for other personal errands, such as shopping, dropping off and picking up his children from a relative's home in Queens, and spending time with his family, all in violation of Department rules (T. 31-37, 42-43; Dept. Ex. 5, 6, 7).

Respondent admitted that he signed into work from a Department tablet at times when he was not physically at work but maintained that he did so to review DD-5s, and other work, of the detectives and sergeants he supervised. He asserted that even during the times when he was not at work, he did not permit his family duties to interfere with his obligations with this Department to the extent that his work suffered (T. 37-38).

Respondent also admitted that he sought and received overtime compensation, as well as "straight-time" compensation, for hours where he was either not present for his assignment, arrived late or departed early, during these periods where he was conducting personal business. His guilty pleas, supported by documentary evidence received during the mitigation hearing, established that he received cash overtime compensation for 580 hours and 30 minutes that he

did not work, totaling \$68,018.30. He also received “straight-time” compensation for 415 hours and 6 minutes that he did not work, totaling \$32,271.60 (T. 38-40; Dept. Ex. 1, 2, 3, 4).

Respondent also admitted that he engaged in off-duty employment, for which he sought, but did not receive authorization, on twenty-nine occasions. On twenty-five of those occasions, he falsely reported that he was on duty performing an overtime assignment; on two of those occasions, he falsely reported that he was on duty performing his regular tour duties. Despite this obvious conflict, he asserted that his off-duty employment did not interfere with the performance of his Department duties (T. 41-42; Dept. Ex. 4).

Respondent further admitted that to obtain the above-described compensation to which he was not entitled, he falsified overtime reports, Command Log entries, and electronic Attendance Application entries. Finally, Respondent admitted that he submitted false entries in New York City’s CityTime database.

Respondent testified at length about the significant financial stress he encountered once he began parenting a child with special needs. According to Respondent, one of the reasons he and his wife elected to enroll their daughter at a school in Queens, rather than in their resident school district, was the cost of engaging a caregiver for their daughter while they both worked. Respondent also testified that he had graduate school loan repayment obligations, in addition to providing financial assistance to his sister-in-law’s family (T. 43-45).

Respondent testified that he entered a previous marriage as a means of assisting a friend with grave medical issues. After supporting her for four years until she could receive a double-lung transplant, she filed for divorce, leaving him financially battered (T. 45-48).

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.

Respondent, who was appointed to the Department on July 11, 2005, has pled guilty to: (1) transporting unauthorized civilians in a Category III vehicle for non-Department and unofficial reasons; (2) improperly using Department gasoline while using a Category III vehicle for unauthorized and personal reasons; (3) applying for and receiving 580 hours and 53 minutes of cash overtime for overtime he did not perform, totaling \$68,018.30; (4) receiving unearned compensation for 415 hours and 6 minutes of straight time, totaling \$32,271.60; (5) using a Category III vehicle for personal use; (6) falsifying Department records; (7) making or causing to be made false entries in the CityTime database; (8) engaging in unauthorized off-duty employment, including times when he was supposed to be performing overtime assignments and regular tour duties; and (9) conducting personal business while on duty.

The Department Advocate has recommended termination.

The penalty range for offenses charged as conduct prejudicial to the good order and efficiency of this Department (transporting unauthorized civilians in a Category III vehicle for non-Department and unofficial reasons; applying for and receiving 580 hours and 53 minutes of cash overtime for overtime he did not perform; receiving unearned compensation for 415 hours and 6 minutes of straight time; falsifying Department records; making or causing to be made

false entries in the CityTime database; and conducting personal business while on duty) is a mitigated penalty of training to an aggravated penalty of termination (Disciplinary Guidelines, p. 46).

This Tribunal is sensitive to the tremendous emotional and financial challenges involved with parenting a child with special needs. I credit Respondent's testimony to the extent he has a genuine desire to be a good father to his daughters, as well as being a supportive spouse. I further acknowledge that decisions regarding parenting, in general, are personal and may vary from one family to another.

With that said, the evidence establishes that Respondent chose to engage in a pattern of fraud and theft of services to resolve his family obligations. Under these circumstances, his daughter's condition is not mitigating, particularly when claiming \$90,000 of NYPD income while the Uniformed Member of Service is at another private sector job.

Respondent's misuse of a Department vehicle appears to have been a prioritization of personal convenience over compliance with Department rules and regulations. He could have foregone the benefits of having access to a Department vehicle for transportation to and from work and driven his children to Queens in a personal vehicle.

As a supervisor, Respondent had the flexibility to adjust the beginning and end of his tours, but that would not have obviated his obligation to work a full day. Instead, he attempted to rationalize his misconduct by performing some of his supervisory duties remotely while at another job.

First, this rationalization ignores the reality that the mission of a sworn Member of Service is to provide police services to the City of New York. While Respondent's assignment as a supervisor in the Major Case Unit certainly involved reviewing reports, his primary mission

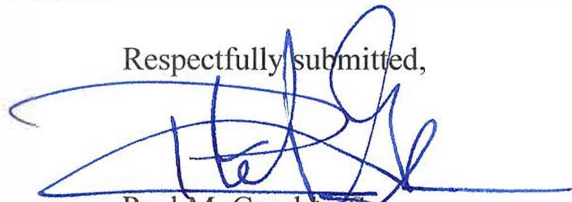
was to be prepared, on a moment's notice, to provide police services whenever and wherever this Department determined that he was needed. Second, his false reporting of his duty status enabled him to obtain financial benefits he did not earn. Finally, Respondent's engagement in unauthorized off-duty employment for compensation, while on Department time for which he was already being compensated, can only be explained by cupidity.

Based on the totality of the evidence in this record, Respondent's actions were contrary to good order, efficiency, and discipline in this Department. His submission of false entries in police records and the City Time database facilitated the acquisition of \$100, 289.90 in ill-gotten gains. In addition, his failure to perform his duties in-person, at his appointed place of assignment, deprived this Department and the people of the City of New York of the experience of a seasoned police executive. Finally, the manner in which he misused a Department vehicle, even if motivated in part by the welfare of his family, evinced a lack of integrity that is inconsistent with continued service.

While I credit Respondent's acceptance of responsibility, as evidenced by his Guilty pleas, as well as some evidence of mitigation, their mitigating effect is greatly outweighed by the aggravating factors in this case. Among these factors are: (1) the nature of the misconduct allowed time for deliberate reflection; (2) Respondent's receipt of a personal benefit from the misconduct; (3) the false documentation submitted; (4) the adverse impact upon the Department with regard to its mission, reputation and credibility and relationship with the community, and the impact on public trust and fisc; (5) conduct demonstrating a pattern of behavior that indicates an inability to adhere to Department rules and regulations; and (6) Respondent's position as a supervisor.

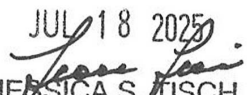
This Tribunal is aware that its recommendation to the Police Commissioner may have a dramatic impact upon Respondent's future pension rights. Nevertheless, based upon this record, I recommend that Respondent forfeit the equivalent of 415 hours and six minutes he did not work in penalty days; and repay 580 hours and 53 minutes of overtime pay he wrongfully received, as restitution. I further recommend the forfeiture of 10 penalty days for Specification 5 and 20 penalty days for Specification 8. Finally, I recommend the imposition of the aggravated penalty of termination for Specifications 1, 3, 4, 6, 7 and 9.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Paul M. Gamble, Sr.', is written over a horizontal line.

Paul M. Gamble, Sr.
Assistant Deputy Commissioner Trials

APPROVED

JUL 18 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
LIEUTENANT THOMAS FABRIZI
TAX REGISTRY NO. 938464
DISCIPLINARY CASE NO. C-031120

Respondent was appointed to the Department on July 11, 2005. On his three most recent annual performance evaluations, he received 4.5 ratings of “Extremely Competent” for 2018, 2019, and 2024. He has been awarded five medals for Meritorious Police Duty and eleven medals for Excellent Police Duty.

Respondent has no formal disciplinary history. In connection with the instant matter, he was suspended without pay from January 22, 2025 through February 20, 2025. He remains suspended with pay to date.

For your consideration.

Paul M. Gamble, Sr.
Assistant Deputy Commissioner Trials