



POLICE DEPARTMENT

February 24, 2026

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In the Matter of the Charges and Specifications :
- against - :
Detective Dmaine Freeland :
Tax Registry No. 941208 :
Candidate Assessment Division :
-----X

Case No.
C-031381

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, Esq.
Department Advocate's Office
One Police Plaza, Room 402
New York, NY 10038

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

COURTESY • PROFESSIONALISM • RESPECT

CHARGES AND SPECIFICATIONS

1. Said Detective Dmaine Freeland, while assigned to the Candidate Assessment Division, on or about and between June 17, 2023, and September 19, 2023, on three (3) separate dates, wrongfully posted a picture depicting himself in uniform to his personal social media account.

A.G. 304-20, Page 1, Paragraph 3

PERSONAL SOCIAL
MEDIA ACCOUNTS
AND POLICY

2. Said Detective Dmaine Freeland, while assigned to the Candidate Assessment Division, on or about and between July 1, 2021, and November 24, 2023, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department, to wit: said Detective wrongfully drove an unregistered and uninsured vehicle with an improper license plate affixed.

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

PROHIBITED CONDUCT

REPORT AND RECOMMENDATION

The above-named member of the Department appeared before me on February 4, 2026. Respondent, through his counsel, entered a plea of Guilty to 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. Having evaluated all the evidence in this matter, I find Respondent Guilty in accordance with his pleas. I further recommend that Respondent forfeit 45 vacation days and be placed on a one-year period of dismissal probation.

SUMMARY OF EVIDENCE IN MITIGATION

Respondent testified that he has been a Member of Service since July 10, 2006. In his off-duty hours, he is also a pastor at a church in Brooklyn. He testified that a significant segment of his congregation are young men who received his disclosure to them that he was a New York City police officer with some skepticism. He claimed that, to dispel their wariness, he made

several videos in uniform and posted them to social media. He asserted that his social media presence has always promoted messages of empowerment and positive perspectives on law enforcement. Respondent admitted that he was aware of the Department social media policy but insisted that none of his postings portrayed the Department in a negative light.

Respondent testified further that he and his wife owned a 2011 Mercedes Benz. In July 2021, he surrendered the New York registration on this vehicle after accumulating 28 citations, totaling \$3,102.27, which he had not paid. At that time, the COVID lockdown had begun, and Respondent was assigned to a COVID taskforce. His daughter was also identified as suffering from a serious medical condition. This confluence of events led to a decision for his wife to relocate temporarily to Alabama, where she had family, for the benefit of their daughter. To facilitate that relocation effort, Respondent gave her the Mercedes for her use in Alabama, fully expecting that she would register the vehicle in that state.

Respondent testified that his wife and daughter returned to New York on August 20, 2021; once they resumed living together, he was the primary operator of the Mercedes. At that time, the vehicle still bore Alabama license plates. He testified that he had no knowledge of the information his wife provided to the licensing authorities in Alabama for the car's registration and made no inquiries regarding maintaining its registration in accordance with either Alabama or New York law.

On September 28, 2023, Respondent was involved in a motor vehicle accident involving the Mercedes and another car. When police responded to document the accident, a check of police indices revealed that the Mercedes' Alabama registration had expired on November 12, 2021, and that the car was uninsured, in violation of New York law. It was also revealed that since Respondent resumed operating the vehicle in New York, he had accumulated 16 violations,

totaling \$1,400.00, which he had not paid. Respondent testified that since he was alerted to the true status of the Mercedes, he has satisfied all outstanding citations and registration fees.

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 10, 2006, has pleaded guilty to: (1) wrongfully posting pictures depicting himself in uniform to his personal social media account on three occasions; and (2) wrongfully driving an unregistered and uninsured vehicle with an improper license plate affixed.

The Department Advocate has recommended a penalty of 45 vacation days and one-year disciplinary probation. I concur with their recommendation.

The presumptive penalty for violating social media guidelines is a Schedule "C" command discipline and up to 20 penalty days. In 2020, Respondent was issued a Schedule "C" command discipline for posting multiple pictures and a video of himself in uniform, forfeiting six vacation days. Accordingly, under the progressive discipline rubric, the second incident involving the same misconduct or misconduct carrying an equal or greater presumptive penalty than the prior act of misconduct, shall result in a penalty increase to 20-30 days and dismissal probation (*Matrix*, p. 12).

The presumptive penalty for causing the incorrect insurance rate to be applied is a Schedule “C” command discipline and up to 20 penalty days.

The evidence in this case establishes that, rather than comply with unambiguous Department rules concerning the use of personal social media accounts, Respondent prioritized his own interests. He admitted that he engaged in this misconduct having been previously disciplined for the same acts in 2020. Respondent testified that he made three posts, in uniform, as a means of portraying Members of Service in a positive light to his target audience of young men associated with his church.

Regardless of his good intentions, it is indisputable that Respondent knowingly violated the social media policy. While former Mayor DiBlasio commended him for the content of a video he posted in 2020, Respondent was well-aware that the laudatory comments had no redemptive effect: he still received discipline for it. Based upon the totality of the evidence, I find that Respondent’s testimony regarding his motivation for the posts is not evidence of mitigation. He seemed to interpret the social media policy as forbidding any negative depictions of the Department; to be clear, the policy prohibits *any* depictions of Members of Service in uniform or of Department symbols. His testimony, while provident and accepting responsibility for his actions, nevertheless begs the question of whether he understands why his actions were wrongful.

Similarly, Respondent’s testimony regarding his failure to maintain current insurance, registration and license plates on the vehicle he drove had no mitigating effect; rather, it revealed his mindset to take advantage of a situation he may not have created but had the ability to cure. At first, he claimed that his wife registered his vehicle in Alabama after she relocated there temporarily during COVID, and that he was unaware of the registration status of the vehicle once

she returned to New York in August 2021. On cross-examination, however, he conceded that once he and his wife were again cohabitating in New York, he drove it for two years and four months with out-of-state plates, never raising the issue of re-registering the car in New York. I take judicial notice of New York Vehicle and Traffic Law section 250(2), which requires non-resident motorists to register a vehicle in New York within 30 days after becoming a resident (VTL § 250[2]).

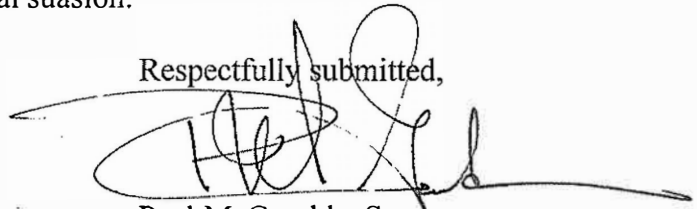
During the 28-month period in which his vehicle was unregistered and uninsured, Respondent regularly drove on the roadways of New York. In so doing, he avoided paying registration fees to the State of New York, as well as insurance premiums, and subjected other motorists to risks which the New York motor vehicle regulations are designed to mitigate. He also admitted to being a scofflaw, having received citations on the out-of-state plates, which he did not pay. Ironically, it was only when Respondent was involved in a serious collision that the true status of his vehicle was revealed to law enforcement.

I also find that there are several aggravating factors present in this case. First, Respondent is currently a 19-plus year Member of Service. His tenure in the Department, his status as a detective and his position screening prospective applicants in the Candidate Assessment Division undercut any putative mitigating evidence that his misconduct was caused by being overwhelmed by the stress of policing during the early days of COVID or being innocently motivated by a compelling social purpose.

Second, each of the charged acts of misconduct permitted time for reflection on the wrongfulness of Respondent's actions. Finally, the nature of the misconduct is such that it erodes the public's trust and confidence in this Department. The maintenance of good order and discipline requires that Respondent pay a heavy penalty for such shameless behavior.

For all the reasons set forth above, I recommend that Respondent forfeit: (a) 30 vacation days for violating the social media policy; and (b) 15 vacation days for failing to maintain insurance and current registration on his vehicle. Both penalties shall run consecutively with each other, for a total of 45 vacation days. I further recommend that Respondent be DISMISSED from the New York City Police Department, but that his dismissal be held in abeyance for a period of one (1) year pursuant to Section 14-115(d) of the Administrative Code, during which time he remains on the force at the Police Commissioner's discretion and may be terminated at any time without further proceedings. This one-year period of monitoring on dismissal probation serves to ensure that Respondent has sufficient incentive to abide by Department rules and regulations. I acknowledge that such a recommendation is rarely appropriate for a Member of Service with such long tenure, but Respondent's willful flouting of Department rules calls for more than moral suasion.

Respectfully submitted,



Paul M. Gamble, Sr.
Assistant Deputy Commissioner Trials

APPROVED

JUL 10 2026

JESSICA S. TISCH
POLICE COMMISSIONER



POLICE DEPARTMENT CITY OF NEW YORK

From: Assistant Deputy Commissioner – Trials

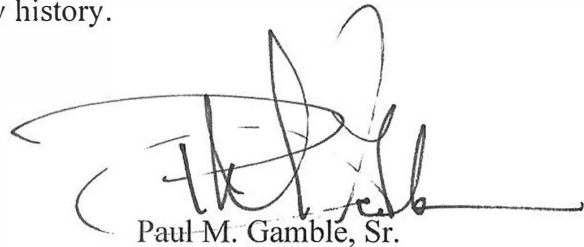
To: Police Commissioner

Subject: SUMMARY OF EMPLOYMENT RECORD
DETECTIVE DMAINE FREELAND
TAX REGISTRY NO. 941208
DISCIPLINARY CASE NO. C-031381

Respondent was appointed to the Department as a Police Officer on July 10, 2006, having previously served as a Traffic Enforcement Agent from March 27, 2002 until his appointment as a Police Officer. On his three most recent performance evaluations, he was rated "Exceptional" for 2022, 2023, and 2024. He has been awarded one medal for Meritorious Police Duty.

Respondent has no formal disciplinary history.

For your consideration.



Paul M. Gamble, Sr.
Assistant Deputy Commissioner Trials