OFFICE OF THE POLICE COMMISSIONER
ONE POLICE PLAZA • ROOM 1400

July 23, 2025

Memorandum for: Deputy Commissioner, Trials

Re: **Police Officer Michael Nankervis**
Tax Registry No. 969247
114 Precinct
Disciplinary Case No. 2024-30705
PODS Case No. C-031024

The above-named member of the service appeared before Assistant Deputy Commissioner Anne E. Stone on April 3, 2025, and was charged with the following:

DISCIPLINARY CASE NO. 2024-30705

1. Said Police Officer Michael Nankervis, while assigned to the 75 Precinct and on duty, on or about September 21, 2023, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department, in that: while transporting a handcuffed prisoner who was not wearing a seatbelt, said Police Officer operated the vehicle at a high rate of speed and unnecessarily used the breaks, causing said handcuffed prisoner's face to strike the vehicle's partition.

A.G. 304-06, Page 1, Paragraph 1 **PROHIBITED CONDUCT**

2. Said Police Officer Michael Nankervis, while assigned to the 75 Precinct and on duty, on or about September 21, 2023, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department, in that: said Police Officer lifted a rear cuffed prisoner from the floor by the handcuff chain and carried said prisoner that way without providing proper support to the handcuffed prisoner's body.

A.G. 304-06, Page 1, Paragraph 1 **PROHIBITED CONDUCT**

In a Memorandum dated May 12, 2025, Assistant Deputy Commissioner Stone found Police Officer Michael Nankervis Not Guilty of Specification No. 1 and Guilty of Specification No. 2 in Disciplinary Case No. 2024-30705 (PODS Case No. C-031024). Having read the Memorandum and analyzed the facts of this matter, I approve the findings but disapprove the penalty.

I have considered the totality of the circumstances and issues concerning the misconduct for which Police Officer Nankervis has been found Guilty and deem that a greater penalty is warranted. Based on the facts and circumstances of this incident and

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taking into account his prior discipline history, the penalty will be a forfeiture of fifteen (15) days and training.

It is therefore directed that Police Officer Nankervis forfeit fifteen (15) vacation days and will attend Department Training on the use of force, as a disciplinary penalty.

Jessica S. Tisch
Police Commissioner

POLICE DEPARTMENT

May 12, 2025

In the Matter of the Charges and Specifications	:	Case No.
- against -	:	2024-30705
Police Officer Michael Nankervis	:	
Tax Registry No. 969247	:	
114 Precinct	:	

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

Before: Honorable Anne E. Stone
Assistant Deputy Commissioner Trials

APPEARANCES:

For the Department: Joanna Berlin, Esq.
Jamie Moran, Esq.
Department Advocate's Office
One Police Plaza, Room 402
New York, NY 10038

For the Respondent: Michael Martinez, Esq.
Worth, London & Martinez, LLP
111 John Street, Suite 640
New York, NY 10038

To:

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

CHARGES AND SPECIFICATIONS

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REPORT AND RECOMMENDATION

The above-named member of the Department appeared before me on April 3, 2025. Respondent, through his counsel, entered a plea of Not Guilty to the subject charges. The Department called Sergeant Heather McKiernan as a witness and introduced video evidence of the incident. Respondent called Police Officers Tristan Isoldi and Carolyn Fuentes, and 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 Not Guilty of Specification 1, Guilty of Specification 2, and recommend the forfeiture of 10 vacation days and that Respondent attend training.

SUMMARY OF FACTS

This case arises from the arrest and subsequent transport of [redacted] (herein after "T.M."), by members of the 75 Precinct, including Respondent, on September 21, 2023. The following is a summary of facts which are not in dispute.

On the date in question, Police Officer Tristan Isoldi and his partner, responded to a 911 call of a "violent EDP" at a shelter for homeless women located at 74 Eldert Lane. Police Officer Isoldi and three other officers encountered T.M., who was accused of urinating on the bed of another resident. Based upon T.M.'s "erratic" behavior, Police Officer Isoldi determined that she posed a danger to both herself and others and should be taken to the hospital for evaluation as an emotionally disturbed person ("EDP"). He handcuffed her behind her back and, along with the other officers, escorted her to the lobby to await the arrival of an ambulance. In the elevator, T.M. kicked Police Officer Isoldi in the lower part of his leg. (Tr. 66-70; Dept. Ex. 8, multi-cam body-worn camera footage, at 00:00-05:18*)*

Respondent and his partner, Police Officer Carolyn Fuentes, arrived in a marked RMP equipped with a partition between the front and rear seats. When they came in, T.M. and the other officers were waiting in the lobby for EMS. T.M. was crying and yelling at the officers. She repeatedly refused to sit in a chair as instructed by Police Officer Isoldi and Police Officer Randal Graham. As the officers were trying to make her sit, she stood up and kicked at Police Officer Isoldi, missing him and hitting the wall. Police Officer Isoldi then decided to place her under arrest for kicking him in the elevator and attempting to do so again. Although T.M. was already handcuffed, several officers, including Respondent, struggled with her, eventually placing her face down on the floor. Respondent, Police Officer Isoldi, and Police Officer Graham then lifted T.M. from the floor. The body-worn camera footage shows Respondent pulling T.M.

up by the handcuff chain, causing her to cry out. (Tr. 71-75, 105-06, 127-29; Dept. Ex. 8 at 05:35-10:38)

It is uncontested that Respondent held the handcuff chain initially with his right hand then quickly switched to his left, while moving T.M. to the sidewalk near the RMP. At no point did he use two hands to support her. There is a disagreement amongst the parties about when Police Officers Graham and Isoldi began supporting T.M.'s weight. Once on the sidewalk, Respondent let go of the handcuffs in order to unlock the vehicle, while other officers carried her to the rear passenger door. (Tr. 40, 130-31, 145; Dept. Ex. 8 at 10:38-11:07)

Once there, the officers put T.M. on her feet and attempted to place her in the back seat. She braced her legs against the door frame and resisted being seated inside. Ultimately two officers pushed her inside from the passenger's side of the car while Respondent pulled her onto the car seat from the driver's side. None of the officers secured T.M. with a seatbelt. Respondent sat in the driver's seat and Police Officer Fuentes sat in the front passenger seat. Before Respondent began to drive, T.M. laid on her back and began striking the window with her sneaker-clad feet. Respondent got out, opened the rear car door and removed T.M.'s shoes while she repeatedly kicked at him, striking him once in the forehead. (Tr. 76-77, 106-10, 132-35; Dept. Ex. 8 at 11:07-12:02; Dept Ex. 7, multi-cam body-worn camera footage, at 07:46-08:04)

Respondent returned to the front seat and began driving to the precinct, which was approximately two miles away. Respondent drove faster than the 25 miles per hour speed limit, at one point reaching a speed of 47 miles per hour with the lights and sirens activated. During the ride, T.M. moved around considerably, screaming and crying and periodically kicking at the windows. At one point, T.M. spat through the open partition into the front seat. Approximately three minutes into the transport, T.M. cried out "Ow, my face, my face." Another minute passed

and T.M. screamed, "You're driving fast on purpose, you hurt my mouth." After arriving at the precinct, the Desk Officer asked T.M. why she was requesting medical attention and she replied, "[Respondent] hit my head in the van." T.M. was taken to the hospital. However, no medical records were entered into evidence. (Tr. 83, 113-17, 137-38, 142; Dept. Ex. 7 at 08:04-12:52; Dept. Ex. 3A, Police Officer Fuentes body-worn camera, at 12:52-15:23; Dept. Exs. 9A & 9B, AVL reports)

ANALYSIS

The Department called Sergeant Heather McKiernan to the stand. She testified that she investigates force complaints for the Internal Affairs Bureau. Sergeant McKiernan received this case after Lieutenant John Kountouris reviewed the Threat, Resistance, Injury Report ("TRI"), which had been prepared by Respondent, and then watched body-worn camera footage from the incident.[1] Lieutenant Kountouris had reported that during the drive from the shelter to the precinct, Respondent appeared to intentionally engage the brakes twice, causing T.M. to hit her face on the partition. (Tr. 21- 22; Dept. Exs. 1, 2A, 2B)

With regard to the allegations about Respondent's driving, Sergeant McKiernan testified that she reviewed Respondent's body-worn camera footage, as well as that of Police Officer Fuentes, who was also in the car. Police Officer Fuentes was seated in the passenger seat and her recording showed Respondent driving. Sergeant McKiernan explained that a review of the Automatic Vehicle Location Device ("AVL") installed in the RMP revealed that during the drive to the precinct, the car's speed ranged from zero to forty-seven miles per hour at approximately 02:34 hours while on Sheperd Avenue. She asserted, without specifying the exact timestamps,

[1] On the TRI report, Respondent noted that T.M. made a complaint of substantial pain and was removed to the hospital because of a pre-existing illness. (Dept. Exs. 2A, 2B)

that there were two instances during the body-worn camera footage when Respondent braked unnecessarily, causing T.M.'s face to collide with the partition. Sergeant McKiernan stated that her investigation revealed nothing which would have required Respondent to drive at such a high speed or to use the brakes in the manner he did. She opined that there were no exceptional or emergency circumstances surrounding the transport. (Tr. 34-39; Dept. Ex. 7 at 08:19-13:13)

Sergeant McKiernan detailed that while investigating the allegations about Respondent's driving, she saw body-worn camera footage which showed Respondent lifting T.M. by the handcuff chain with one hand when she was being moved from the lobby to the police vehicle. She noted that throughout the encounter, Respondent continuously held onto the chain and never supported T.M.'s body with his other hand. (Tr. 30-32) Sergeant McKiernan acknowledged that Respondent was not carrying T.M. by himself; Police Officer Graham was holding her feet and Police Officer Isoldi was holding her left arm. (Tr. 39-40)

Respondent took the stand and testified that because of the volume of prior arrests and violent encounters at 74 Eldert Lane, he went to provide backup to the responding sector. He described T.M. was, "[s]creaming, yelling obscenities, not making sense sometimes, fighting." (Tr. 125-27) When the decision was made to arrest T.M., Respondent recalled that, "she threw herself on the ground." (Tr. 128) He explained that Police Officer Isoldi lifted T.M. by her arm while Police Officer Graham was carrying her legs. When asked about his role Respondent stated, "I just had my [left] hand on the handcuff chain to just try to help guide the center most part of her." (Tr. 129-30) He denied holding T.M. up, "straining," carrying her weight, or feeling her drop when he let go of the chain to unlock the car. (Tr. 131)

During cross-examination, Respondent conceded that NYPD officers are not trained to pick people up by the handcuff chain and contended that for tactical reasons he would not do so

in a "normal situation." Respondent asserted that the events unfolded so quickly that he "wasn't thinking" and "I just grabbed whatever was near me and helped guide her." However, Respondent reiterated that he was not, "bearing the weight when she was lifted off the ground." (Tr. 145-47)

Respondent recalled that it took "three of us" to place T.M. into the vehicle and acknowledged that because she was already "kicking and flailing," he did not attempt to secure her with a seat belt. Respondent recounted that before he started driving, T.M. was "laying on her back and kicking [the back window] as hard as she can, trying to break it." Thinking that she might succeed and jump out, Respondent returned to the back of the vehicle to remove T.M.'s shoes. He detailed that while he was taking her sneakers off T.M. started kicking, striking him once in the forehead with her socked foot. (Tr. 132-35)

Respondent returned to the driver's seat where he had previously magnetically attached his body-worn camera to the partition to "keep an eye on" T.M. He recalled thinking, "we have to get back to the precinct... safely and fastly" to get the situation under control. Respondent admitted driving the most direct route to the precinct, "as fast as I could, as safely as I could." He described T.M.'s behavior during the ride as "volatile" as she continued to kick the window and at one point spat at the officers. He explained that police officers are allowed to break traffic laws during emergency situations and are allowed to drive through clear intersections after slowing down to look for other vehicles or pedestrians. (Tr. 137-40)

Respondent contended that T.M.'s behavior created a sense of urgency about the situation which was "still out of hand." He testified, "[w]e have to go to the precinct, we have to get this under control." Respondent asserted that these concerns led him to drive faster when he "had a clear shot," utilizing the brakes when he came to an intersection. (Tr. 140-41) Respondent denied

having any near misses with other cars or pedestrians. He recalled that T.M. complained about her mouth being hurt but stated that he did not observe any injuries and was not informed by his partner that T.M. was injured. (Tr. 142-43)

When asked during cross-examination, Respondent stated that he did not remember if he slowed down for speed bumps on the route to the precinct. He conceded that he heard T.M. yelling that Respondent was driving fast on purpose, and that he did not slow down. (Tr. 148-49)

Respondent called Police Officer Tristan Isoldi to testify on his behalf. Police Officer Isoldi described T.M. "stomping" on his leg in the elevator of the shelter as he was escorting her to the lobby. While not seriously injured, he remembered feeling pain for the rest of the tour. In spite of that, Police Officer Isoldi testified that his plan was to wait for the ambulance and that he "wasn't planning on putting her [under] arrest." (Tr. 66-70)

Police Officer Isoldi recalled that while waiting in the lobby, T.M.'s behavior continued to be erratic, and she refused to sit down. After she attempted to kick him a second time, he decided to arrest her. Police Officer Isoldi stated that T.M. was rear-handcuffed and placed on the floor. He described her as "very petite" and alleged that she was not "willingly getting up" and was "intentionally staying on the ground." (Tr. 70, 74)

Police Officer Isoldi recounted putting his right arm underneath T.M.'s shoulder as Police Officer Graham attempted to lift her by the legs. Although he knew that Respondent was assisting, Officer Isoldi contended that he was unaware of Respondent's position during their attempts to lift her up. Police Officer Isoldi claimed he did not look to his left, at Respondent, because he was "just trying to do my part by lifting her up." (Tr. 74, 96)

During cross-examination Police Officer Isoldi conceded that in his five years with the Department he has never raised a person off of the floor by a handcuff chain. He opined that Respondent was just doing "his part" in "trying to lift her up off the ground." (Tr. 95-97)

Police Officer Carolyn Fuentes also took the stand on Respondent's behalf. She recalled seeing Respondent and Police Officers Isoldi and Graham physically carrying T.M. out of the lobby, but did not observe Respondent lift the woman by the handcuff chain. After reviewing the body-worn camera footage, Officer Fuentes acknowledged that Respondent had lifted her by the handcuff chain. During cross-examination, Police Officer Fuentes agreed that officers are not trained to pick up rear-handcuffed prisoners by the chain and are instructed not to do so. Instead, officers are taught to pick people up by arms, torso, or other body parts. She also admitted that she has never picked up a prisoner by the handcuff chain when they are rear-handcuffed. When asked why she refrains from doing so, she replied, "I just don't." (Tr. 107, 119-23) After being probed further, she claimed, "Honestly, I don't think I would do that. I would just try to basically guide them out by taking their arms or something." (Tr. 122)

With regard to driving to the precinct, Police Officer Fuentes explained that she was seated facing the rear. She recounted T.M. repeatedly kicking the window. Police Officer Fuentes described Respondent "safely" accelerating to get to the command quickly because the situation was "already out of hand" and that T.M. spat through the partition. She conceded that the car braked "abruptly" when approaching intersections and that although she observed T.M. "throwing herself around and just flailing in the back," she did not see her strike the partition. Police Officer Fuentes heard T.M. say, "You hurt my mouth," but did not observe any injuries. (Tr. 112, 114-15, 117, 119, 137)

Specification 2: Lifting by Handcuff Chain

Respondent stands charged with engaging in conduct prejudicial to the good order and discipline of the Department when he lifted T.M. from the floor by the chain of the handcuffs without properly supporting her body. It is undisputed that Respondent held the chain with only one hand. The parties disagree about whether Respondent yanked T.M. up from the floor unsupported or if she was lifted by the other officers and he simply "guided" them. The answer to this question is central to the determination of Respondent's guilt in this matter. For the reasons set forth below, I find that Respondent wrongfully used force when he used the chain of the handcuffs to pull T.M. from the floor, causing her arms to be pulled at an unnatural angle before she was properly supported by the other officers.

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, the presence of a hostile crowd or agitators, the size, age and condition of the subject, as well as the total number of officers present.

The parties do not dispute that Police Officer Isoldi had authority to arrest T.M. and that the decision was preceded by T.M. being vocally and physically uncooperative, culminating in her attempt to kick him. The officers brought her to the ground where she lay face down in handcuffs. Respondent testified that he never carried T.M.'s weight and that he was simply "guiding" her while she was fully supported by the other officers. Respondent pointed out that

her body did not drop significantly when he let go of the handcuff chain once they reached the sidewalk, because Officers Graham and Isoldi were supporting her weight. The body-worn camera footage shows that by that point, those officers were sharing the burden of carrying T.M. However, that same recording contradicts Respondent's claim that he never bore T.M.'s weight. It shows that immediately after Police Officer Isoldi announced his decision to arrest T.M., Respondent grabbed the handcuff chain and yanked her upwards, pulling her arms in an unnatural angle, causing her to cry out in pain. This happened while Police Officers Isoldi and Graham were still getting a proper hold of T.M. (Dept. Ex. 8 at 10:20-10:35, Dept. Ex. 5, Isoldi body-worn camera, at 10:20-10:35, Dept Ex. 6A, Graham body-worn camera, at 10:19-10:34)

Respondent could easily have taken a moment to strategize with the other officers about how best to carry T.M. He could have utilized two hands to lift her up by the arms, or at the very least checked that the other officers had a solid grip on her before lifting her to avoid causing her unnecessary pain. As the body-camera footage showed, this was not the type of emergency that required hasty actions without opportunity for reflection. Respondent was in the lobby of a secure private building with five other officers. The RMP was parked right out front. T.M., a petite, handcuffed woman, was lying face down on the floor with no way to get herself up. Accordingly, under these circumstances, pulling her up off the floor by the handcuff chain, causing her to cry out, was gratuitous and unnecessary.

NYPD officers have a duty of care for individuals in their custody, no matter how uncooperative and unpleasant they are. For the foregoing reasons, I find Respondent Guilty of Specification 2.

Specification 1: Reckless Driving

Respondent stands charged with engaging in conduct prejudicial to the good order and discipline of the Department by driving an arrestee, who was not secured by a seatbelt, at high speed and braking unnecessarily, causing her face to hit the partition. It is undisputed that Respondent drove above the speed limit and utilized the brakes while traveling to the precinct, and that T.M. was in the rear, not secured by a seatbelt.

At issue is whether, taking into account all of the surrounding circumstances, the Department has proven by a preponderance of the credible evidence that Respondent drove in a manner which evinced a reckless disregard for T.M.'s safety, causing her to be injured. I find that they have not.

Vehicle and Traffic Law § 1104 provides that the driver of an "authorized emergency vehicle, when involved in an emergency operation may…proceed past a red signal or a stop sign, but only after slowing down as may be necessary for safe operation; exceed the maximum speed limits so long as he does not endanger life or property; [and/or] disregard regulations governing directions of movement or turning in specified directions."

T.M. did not appear before the tribunal to testify, and no hearsay statement or medical records were presented. In the absence of this evidence, the tribunal reviewed the body-worn camera recordings of Respondent and Police Officer Fuentes which captured the transport to the precinct. At various points, T.M. exclaims that Respondent is driving at an excessive speed "on purpose" as well as complaining of pain to her face, mouth, and head. However, T.M. never referenced the partition of the RMP. The closest she came to explaining how she got hurt was telling the Desk Officer that "he hit my head in the car." In the footage of T.M. in the precinct, no injuries to her face or mouth are evident. (Dept. Ex. 3A, Fuentes BWC, at 13:54-15:34)

Each of the witnesses testified that throughout the encounter, T.M. was actively trying to escape police custody. This began when T.M. kicked Police Officer Isoldi in the elevator and continued during the drive to the precinct. Before Respondent even began driving, T.M. kicked him in the head, causing a small laceration and reinforcing that it would not have been possible, or advisable, for Respondent to attempt to secure her in a seatbelt. These accounts are consistent with the various body-worn camera footage of the incident.

Throughout the trip T.M. was agitated, throwing herself around in the backseat, kicking at the door and window, and at one point, spitting at the officers through the open partition. There was a very real possibility that T.M. might hurt herself. Given these circumstances, it was reasonable for Respondent to get her to the precinct as quickly as possible. To accomplish that, Respondent drove faster than the speed limit and ignored other rules of the road. Respondent testified that he did so because he feared T.M. might break the window of the vehicle, injuring herself and possibly escaping. He admitted that he drove through red lights at intersections, applying the brakes as he approached them. Respondent's version of events is corroborated by his body-worn camera footage which shows that several times during the journey, T.M. laid on her back and kicked the window with enough force that there is an audible bang.

Even under these circumstances, subsection (e) of Vehicle and Traffic Law § 1104 provides that officers driving in these conditions have a "duty to drive with due regard for the safety of all persons" and are not "protect[ed] from the consequences of their reckless disregard for the safety of others." The reckless disregard standard "requires evidence that the actor has intentionally done an act of an unreasonable character in disregard of a known or obvious risk that was so great as to make it highly probable that harm would follow and has done

so with conscious indifference to the outcome." (*See Saarinen v. Kerr*, 84 N.Y.2d 494, 501 [1994]).

I reviewed all of the body-worn camera recordings carefully and found two instances during the drive when T.M. complains of pain to her face or mouth. Immediately preceding the first, she and her head appear to jerk toward the window. At the same time, the RMP is driving straight, without zigzagging or braking, which makes it difficult to determine the cause of her contact with the window. (Dept. Ex 7 at 11:19-11:25) A short time later, the video shows a bump and the car jerking, after which T.M. complains of pain to her mouth. However, the footage does not show T.M.'s body fly forward and hit the partition. (*Id.* at 12:15-12:20) This is confirmed by Police Officer Fuentes's testimony that T.M. did not hit the partition. Furthermore, Police Officer Fuentes's body camera footage shows Respondent driving with both hands on the wheel, his eyes focused on the road in front of him. Respondent does not seem to swerve, or slam on the brakes, and the car does not stop suddenly. During the entire ride, Respondent appears to be focused on the task of transporting T.M. to the precinct. In contrast, most of T.M.'s movements around the backseat seem to be self-initiated. In sum, there is insufficient evidence to prove that Respondent's driving caused T.M. to hit the partition and sustain any injury. (Dept. Ex. 3A at 08:17-12:49)

Accordingly, I find that the Department has failed to prove by a preponderance of the evidence that T.M. hit the partition or injured herself due to Respondent's driving. For the forgoing reasons I find Respondent Not Guilty of Specification 1.

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 also was 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 January 6, 2020, has been found guilty of engaging in conduct prejudicial to the good order and discipline of the Department when he lifted T.M., whose hands were restrained behind her back, by the handcuff chain, before her body was properly supported.

With regard to the use of non-deadly force resulting in no injury, the Department's Disciplinary System Penalty Guidelines ("Matrix") provides for a mitigated penalty of five (5) days and a presumptive penalty of ten (10) days. (Matrix at p. 23) In the instant matter, T.M. was actively resisting being taken into custody; the duration of the force was brief, only seconds passed until Police Officers Isoldi and Graham were bearing T.M.'s weight; and the prohibited force, lifting her by the handcuff chain, was incidental to a necessary use of force, carrying an uncooperative arrestee a few feet to the RMP. For these reasons, a mitigated penalty of five (5) days is appropriate for this incident.

However, Respondent has a prior disciplinary history. He previously pled guilty to striking a handcuffed individual multiple times during a 2022 incident, and forfeited ten (10) vacation days as a penalty. It is particularly troubling that Respondent's earlier case also involved unjustified force against a handcuffed prisoner. Under the standard of progressive

discipline set forth in the Matrix, prior, similar acts of misconduct will result in an increased penalty for additional misconduct. "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 10-20 days." (Matrix at p. 12) Accordingly, a penalty of an additional five (5) vacation days is warranted here.

For the foregoing reasons, I recommend that Respondent forfeit a total of ten (10) vacation days. In addition, it is my opinion that Respondent would benefit from training on use of force.

Respectfully submitted,

Anne E. Stone
Assistant Deputy Commissioner Trials

DISAPPROVED
JUL 23 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
POLICE OFFICER MICHAEL NANKERVIS
TAX REGISTRY NO. 969247
DISCIPLINARY CASE NO. 2024-30705

Respondent was appointed to the Department on January 6, 2020. On his three most recent annual performance evaluations, he was rated "Exceeds Expectations" for 2022, 2023 and 2024. He has been awarded one medal for Meritorious Police Duty and seven medals for Excellent Police Duty.

In 2024, Respondent forfeited ten (10) vacation days after pleading guilty to using excessive force by striking a handcuffed individual multiple times in the head and shoulder, and failing to make entries related to that incident in his Activity Log. He also received Instructions in the Department's Activity Log procedure.

In connection with the instant matter, Respondent was placed on Level 1 Discipline Monitoring in April 2025. He was previously on Level 1 Discipline Monitoring from November 2023 to March 2024.

For your consideration.

Anne E. Stone
Assistant Deputy Commissioner Trials