



**THE POLICE COMMISSIONER
CITY OF NEW YORK**

**MEMORANDUM IN SUPPORT OF NYPD'S DEVIATION FROM
THE DISCIPLINARY SYSTEM PENALTY GUIDELINES**

Re: Disciplinary Case No. 2022-27668 / PODS Case No. C-031790 regarding Police Officer Richard Castellano

Date: September 10, 2025

This disciplinary matter was investigated by the Civilian Complaint Review Board ("CCRB") which involved allegations that Police Officer Richard Castellano wrongfully used force against an individual and was discourteous towards the individual. CCRB has determined that a downward deviation from the Disciplinary System Penalty Guidelines is warranted.

I concur with the downward deviation for the reasons articulated by CCRB in the attached correspondence.

Therefore, a penalty consisting of Training, as negotiated by CCRB, will be imposed in this matter.


Jessica S. Tisch
Police Commissioner



ERIC L. ADAMS
MAYOR

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March 7, 2025

The Honorable Jessica S. Tisch
Police Commissioner
New York City Police Department
One Police Plaza
New York, NY 10038

Re: CCRB v. Police Officer Richard Castellano (Tax Reg #957429, DADS #2022-27668)

Commissioner Tisch:

A negotiated settlement of a dismissal of the charge along with a penalty of Training was agreed upon and signed by all parties on January 14, 2025.

On September 21, 2021 at West 1690th Street in the Bronx, an individual named [REDACTED] was stopped by a number of officers for riding a scooter without license plates. Police Officer Castellano was one of the officers who participated in the stop. During the stop, body-worn camera captured Mr. [REDACTED] standing immediately in front of Police Officer Castellano while he is talking to one of the officers. Police Officer Castellano pushes the Mr. [REDACTED] against a van and states "Stop fucking bumping into me." Mr. [REDACTED] was not actively aggressively and had done nothing to justify this use of force by Police Officer Castellano. Similarly, the use of discourteous language by Police Officer Castellano served no legitimate police function.

For the charge of discourtesy, the disciplinary matrix lists a mitigated penalty of training, a presumptive penalty of the forfeiture of five (5) vacation days, and an aggravated penalty of the forfeiture of ten (10) vacation days. For the charge of non-deadly force with no injury, the disciplinary matrix lists a mitigated penalty of the forfeiture of five (5) vacation days, a presumptive penalty of the forfeiture of ten (10) vacation days, and an aggravated penalty of the forfeiture of Termination.

The negotiated settlement deviates from the penalties listed in the NYPD disciplinary guidelines as to the charge of non-deadly force with no injury for the following reasons:

Officer Castellano's ten years of service, lack of any prior disciplinary history, and the fact that he received a score of 10 out of 10, well above standards, in his most recent evaluation. Therefore, given the totality of the circumstances, the CCRB recommends a

dismissal of the specifications with the further recommendation that Officer Castellano receive Training.

Respectfully submitted,

Brian Arthur

Brian Arthur, Esq.
Deputy Chief Prosecutor
Civilian Complaint Review Board