



**THE POLICE COMMISSIONER  
CITY OF NEW YORK**

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

**Re:** Disciplinary Case No. 2022-27664 / PODS Case No. C-031792 regarding Police Officer Frederick Daley

**Date:** September 18, 2025

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This disciplinary matter was investigated by the Civilian Complaint Review Board ("CCRB") which involved allegations that Police Officer Daley used offensive language, was discourteous, damaged property, and threatened to arrest two individuals. 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

**CIVILIAN COMPLAINT REVIEW BOARD**  
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February 24, 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 Frederick Daley (Tax Reg #950268, DADS #2022-27664)

Commissioner Tisch:

A negotiated settlement of a dismissal of the charges along with a penalty of Training was agreed upon and signed by all parties on January 13, 2025. Assistant Deputy Commissioner Paul M. Gamble Sr. endorsed the negotiated settlement on February 13, 2025.

In this case, on August 29, 2021, Officer Daley and fellow officers respond to a 911 call at 50 Hudson Place in Staten Island. A civilian named [REDACTED] had called 911 because another civilian, [REDACTED], had locked him out. When officers arrived at the location, they attempted to persuade Ms. [REDACTED] to open the door, but she refused to do so. At one point, body-worn camera captured Officer Daley stating to Ms. [REDACTED], "You fucking psycho, you let him in, you're getting arrested." This statement by Officer Daley was both offensive and discourteous and served no legitimate police function. At one point during the incident, body-worn camera captured Officer Daley kicking Mr. [REDACTED]'s door, causing damage to the door's bottom spring. Such action was unnecessary and unjustified. Mr. [REDACTED] did finally let Officer Daley and the other officers into the apartment. Before he leaves, body-worn camera captured Officer Daley stating to Ms. [REDACTED] and Mr. [REDACTED], "If I have to come back, you are both going to jail." Neither civilian had committed any crime, and it was improper for Officer Daley to threaten them with arrest.

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 the threat to arrest, the disciplinary matrix lists a mitigated penalty of the forfeiture of training, the presumptive penalty of the forfeiture of ten (10) vacation days, and the aggravated penalty of the forfeiture of twenty (20) vacation days.

For the charge of offensive language, the disciplinary matrix lists a mitigated penalty of the forfeiture of one (1) vacation day, a presumptive penalty of the forfeiture of twenty (20) vacation days, and an aggravated penalty of Termination. For the charge of damage to property, 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 twenty (20) vacation days.

The negotiated settlement deviates from NYPD disciplinary guidelines as to the charges of Offensive Language and Damage to Property for the following reasons:

Officer Daley's thirteen years of service, the fact that he received a 9 out of 10 on his most recent evaluation, and the fact that in this incident he was dealing with a volatile situation.

Respectfully submitted,

*Brian Arthur*

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