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Luca Powell

Cuny Graduate School of Journalism

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After NYPD: Scores of New York City Police Officers With Substantiated Complaints Move To New Public Safety Jobs.

By Arno Pedram and Luca Powell

In the summer of 2020, Dwayne Chandler, a [private security guard](#), was dining at [a sushi restaurant](#) in the Queens neighborhood of Howard Beach when he got in an argument with another customer. He pulled out his gun and fired, and struck a bystander.

The bullet pierced his lower back, sending him to the hospital, unable to feel his legs or move his toes. The Queens [district attorney filed](#) a [felony](#) charge of first degree assault, criminal weapon possession and reckless endangerment, facing up to 25 years in prison.

One other detail stood out: Chandler is a retired New York Police Department officer.

Not only that, during his time at the NYPD, Chandler, a 17-year veteran who worked as part of an elite anti-crime plainclothes unit, was the subject of two separate accusations of excessive use-of-force that were substantiated by the Civilian Complaint Review Board, according to recently released documents. Other records show that Chandler was part of a 1994 shootout that left an innocent bystander dead that police supervisors later deemed justified.

In the wake of the nation's 2020 summer protests about policing and use of force, New York State made public the Civilian Complaint Review Board records documenting complaints against police officers, including those at the NYPD, an agency with just over [34,000 officers](#). Those records showed that officers with substantiated accusations of misconduct and use-of-force were able to remain at the department and get promoted.

The New York City Civilian Complaint Review Board documents show something else: A New York City News Service review found at least 81 former NYPD officers with substantiated accusations of wrongdoing have been able to get jobs at other public law enforcement agencies -- ranging from campus guards and other police departments -- as well as related, licensed careers like being private investigators and security workers.

A few, like Chandler, run into trouble in their new lines of work.

61 of the 81 wandering officers identified by the New York City News Service left the NYPD for a job at another police department, as near as Long Island to as far as the suburbs of Denver, Colorado.

The Nassau Police Department in Long Island has hired at least 17 officers who were directly named in lawsuits while at the NYPD or in substantiated allegations from the CCRB. Suffolk County Police Department hired at least ten such officers, and the New York State Police has hired at least eight.

TK CCRB COMMENT

[TK POLICE DEPARTMENT RIGHT TO REPLY]

And *The New York City News Service* found at least 12 officers with substantiated complaints or lawsuits who've moved into jobs in private security in New York State. Some of these got other jobs with public agencies, and work as guards at high schools and universities.

SUBHEAD: A SYSTEM WITH LITTLE CHECKING

Police departments have wide discretion on who they hire, even cops who have been decertified in another city, according to Janine Kava, a spokesperson for New York State's Department of Criminal Justice Services. The *New York City News Service* contacted numerous police agencies. All have so far declined to discuss how they evaluate complaints and lawsuits as part of their hiring process.

The *NYCNS* reached out to NYPD [4](#) separate times in the past three months, but the NYPD has so far declined to comment.

Among those who have moved to another police department is Joseph Burnside.

On a freezing Saturday night of February 7, 2015 in a Bushwick, Brooklyn apartment building by Linden St and Central Ave, Benjamin Cruz was thrown to the floor of a hallway by a crew of five police officers. Among the officers was officer Joseph G. Burnside. At least two officers kicked Cruz's head and his body, according to a lawsuit Cruz later filed. The officers then handcuffed him tightly, causing cuts, bruises and swelling of his wrists.

The officers brought him to an emergency room and wrote up a report blaming Cruz for his injuries. They filed no charges against him.

Cruz was left with headaches, dizziness, contusions, bruises, cuts, bleeding, pain and suffering. He could not work for months.

A year later, Cruz filed a civil lawsuit alleging excessive use of force and violation of his civil rights. In 2017, New York City settled the case for \$750,000. The agency and its officers denied wrongdoing.

In 2017, Officer Burnside left the NYPD. He moved to the Rockville Centre Police Department, where he makes about \$20,000 more a year than he did at the NYPD.

Burnside DECLINED COULD NOT BE REACHED FOR COMMENT

In November, [Gov. Andrew Cuomo told reporters at a press conference](#) would work to make it harder for police officers to move from one department to another if they have a troubling history.

“If a police officer is not qualified or does not perform to the standards for one police agency, that doesn’t mean you take a person who acted unprofessionally and you go let him work in another police department,” Cuomo said.

The New York governor’s statements came in the wake of [revelations published in the Albany Times-Union](#) that an upstate police officer facing discipline for sexually propositioning a woman he arrested for shoplifting was able to resign and seek employment in other police departments.

[Update whether Cuomo’s proposal has been enacted. A sentence or graph on its status.]

Advocates and scholars of police reform say that police departments across the country should do more to flag problem officers leaving their employment. Among the cases they point to is [Timothy Loehmann](#), the Cleveland police officer who shot Tamir Rice in 2014. Loehmann had joined the Cleveland police force even though at his prior job, a police department in Missouri, he had [resigned while still under investigation](#).

In New York state, police can be decertified but the list is not publicly posted like license revocations for other professions. Officers are decertified when they are fired for cause through a 2016 regulation that removes their training certification, rather than formally add them to a list of decertified officers as the state does for doctors, for example.

New York City Civilian Review Board complaints are not a reason enough for decertification. In fact, this summer, [Gothamist](#) examined CCRB records and found that one in nine NYPD officers on the job despite substantiated complaints of misconduct. [BuzzFeed News found in 2018](#) found more than 300 officers remained on the job despite misdeeds like trying to sell drugs, threatening to kill someone, lying under oath and beating up two men. A [New York Times story](#) documented that some officers the subject of substantiated complaints have been promoted.

“It shows you the limitation,” says Roger Goldman. “What you really need in New York is what most other states have which is - should we decertify – not just because you’ve been fired for cause – but because you’ve committed serious misconduct.”

In other states, decertification can come [quicker]. In Oregon and Arizona, crimes of moral turpitude can lead to decertification ---- like being caught lying under oath.

SUBHEAD: LICENSED PROFESSIONS: SECURITY GUARDS

Some officers identified by the New York City News Service found work as security guards with private companies or public agencies. These positions require state licenses.

Among them is Anthony J. Egan.

On Thursday, Dec. 29, 2011, Richard Caprario was sitting in his car. The weather was clear but temperatures were around freezing. The car was idling at the corner of Davis and Castleton avenues in Staten Island.

At around 1:15 am, two police officers ordered him out of his car. The reason was unclear. In a lawsuit, the reason was unspecified. In a civil [complaint](#) filed by Caprario, he alleged two officers, Anthony J. Egan and Richard V. DiGangi, pushed him to the ground. They punched him in the head, handcuffed him, and continued to kick him in the face. After 30 minutes in the back of a police cruiser, they issued him two summonses for disorderly conduct and let him go.

The ensuing \$150,000 settlement would be the second which named Officer Anthony Egan, following a 2012 case where the city paid out \$90,000. In that lawsuit, Egan stood accused of punching a suspect in the face while handcuffed to a hospital bed. In a third [lawsuit](#) settled for \$37,801, Anthony Egan was among four officers who beat two black men, Jamal Macnish and [Lawrence Wagner](#), outside [Wagner's home](#) on 96 Elizabeth St, in Staten Island.

In all three cases, the police and Egan denied wrongdoing.

In 2018, Egan resigned from the NYPD after 10 years. Egan had accrued 25 complaints, according to the Civilian Complaint Review Board. Nine were found to be substantiated. Separately, he was involved in cases where the city paid \$277,000 to settle three lawsuits.

Egan found employment as a high-end bodyguard for a security agency in midtown Manhattan. Then he was a security agent for a New York consulting agency. In November 2019, he settled into a job as a campus peace officer at Hunter College, a public university, meaning he was back on the public payroll.

[TK Anthony Egan right to reply]

About 170,000 security guards are licensed in New York state by the The New York Department of State. But while it [does ask](#) whether the applicant has worked in law enforcement, the agency does not examine a police disciplinary records before granting licenses to former officers to work as security guards.

The city's Administration for Children's Services (ACS) has hired former police officers to investigate sensitive cases of child abuse. ACS has hired at least 6 officers with misconduct records, including Dwayne Chandler, who worked there in 2018, public payroll records show.

Beyond criminal background checks, the agency said it does not examine whether an officer had substantiated claims of misconduct while in uniform.

[TK ACS QUOTE]

[G4S Comment]

In other lines of licensed professions, illicit actions might well have led to losing state certification.

“If you looked at every profession in New York that’s regulated – I promise you that you could lose your license as a professional whether you’ve been convicted or not,” said Roger Goldman, a professor of law at the University of St. Louis and a national expert on police licensing.

New York is not alone. In one study in the Yale Law Journal, researchers found that in Florida, 3 percent of active police officers had been fired by another department. That percentage likely bears out across the country, the paper suggests. It could also be higher in states where it’s more difficult to be decertified as a police officer.

Ben Grunwald, one of the co-authors of the paper and an associate professor of Law at Duke University, described New York’s current legislation as lax.

“It really isn’t capturing that many officers,” said Grunwald.

Until this past year, prospective employers had little way of knowing whether an NYPD officer faced substantiated serious complaints. Civilian review board complaints were kept private. This past summer, in the wake of the George Floyd-related protests over policing, New York repealed a section of its State Civil Rights law, known as 50-A. Under the law, police departments had argued that employee personnel records were confidential, effectively barring misconduct records from public view.

Despite a legislative repeal of the law in 2020, the records are still technically under seal while a collection of unions, including police unions and firefighters unions, have sued to keep them private.

Other public records, like civil lawsuits, did not affect officers from getting new jobs. Lawyers who try these cases say this is partly because most civil suits end in settlements which absolve officers of wrongdoing, and partly because civil suits have become seen as routine at the NYPD.

“These are mostly industries that are going to be highly deferential to police - how much credit are they going to give to something that they’ve just viewed as part of the job?” said Jennvine Wong, a lawyer at Legal Aid NYC who specializes in police misconduct.

“It’s par for the course,” Wong said.