

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X
JONATHAN VARELA

Plaintiff,

-against-

Summons

Index No.

Jury Demand

THE CITY OF NEW YORK, JESSICA S. TISCH, ANTHONY
S. GAZIS, JUAN O. MORAN, DWAYNE A. WATSON,
STEVEN J. LANE, MICHAEL M. HANNA, MICHAEL
HINES, YEHUDA GOLDBERG, and BRIAN A. ULLOA

Defendants
-----X

To the Defendant named above:

You are hereby summoned and required to serve a written answer to the attached Verified Complaint upon the Plaintiff's attorney at the address below.

If this Summons is personally delivered to you within the State of New York, you must serve your answer within twenty (20) days after such service, exclusive of the service date.

If this Summons is served upon you in any other manner authorized by law, you must serve your answer within thirty (30) days after service is complete, as provided by the New York Civil Practice Law and Rules.

Should you fail to appear or answer within the applicable period stated above, judgment may be entered against you by default for the relief demanded in the Verified Complaint, without further notice.

Venue is designated in Bronx County pursuant to CPLR § 504(3) because defendant THE CITY OF NEW YORK is a party to this action, the events complained of occurred within the City of New York, and plaintiff designates Bronx County as the place of trial.

Venue is also proper pursuant to CPLR § 503(a) because plaintiff resides in Bronx County.

Venue is further proper pursuant to CPLR § 503(a) because a substantial part of the events and omissions giving rise to this action occurred in Bronx County, including the alleged stop, seizure, arrest, detention, precinct processing, Central Booking transport, and criminal-court appearance arising from the June 8, 2026 incident.

Venue is further proper because the injuries, damages, and employment consequences alleged herein occurred in, were caused in, or were felt in Bronx County.

Upon information and belief, one or more individual defendants resides in Bronx County, works in Bronx County, conducts NYPD business in Bronx County, is assigned to duties connected to Bronx County, or participated in Department operations, command review, investigation, arrest processing, disciplinary review, or employment-related decision-making materially connected to Bronx County.

Although certain NYPD command, Police Commissioner, Patrol Services Bureau, Internal Affairs Bureau, Department Advocate, personnel, disciplinary, and administrative operations involving defendant JESSICA S. TISCH and other Department decisionmakers may be located in New York County or elsewhere within the City of New York, venue remains properly designated in Bronx County pursuant to CPLR §§ 503(a) and 504(3).

Dated: June 16, 2026
New York, N.Y.

Respectfully submitted,

By: s/Eric Sanders
Attorney for Plaintiff JONATHAN VARELA

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DEFENDANT ADDRESSES

THE CITY OF NEW YORK
c/o New York City Law Department
Office of the Corporation Counsel
100 Church Street
New York, New York 10007

JESSICA S. TISCH; ANTHONY S. GAZIS, STEVEN J. LANE, and MICHAEL M.
HANNA
c/o New York City Police Department
Legal Bureau
One Police Plaza
New York, N.Y. 10038

JUAN O. MORAN
c/o New York City Police Department
46th Precinct
2120 Ryer Avenue
Bronx, N.Y. 10457

DWAYNE A. WATSON
c/o New York City Police Department
44th Precinct
2 E 169th Street
Bronx, N.Y. 10452

MICHAEL HINES, YEHUDA GOLDBERG, and BRIAN A. ULLOA
c/o 40th Precinct
567 E 149th Street
Bronx, N.Y. 10455

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

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JONATHAN VARELA

Plaintiff,

-against-

Verified Complaint

Index No.

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THE CITY OF NEW YORK, JESSICA S. TISCH, ANTHONY
S. GAZIS, JUAN O. MORAN, DWAYNE A. WATSON,
STEVEN J. LANE, MICHAEL M. HANNA, MICHAEL
HINES, YEHUDA GOLDBERG, and BRIAN A. ULLOA

Defendants
-----X

Plaintiff JONATHAN VARELA, by his attorney THE SANDERS FIRM, P.C.,
complaining of defendants THE CITY OF NEW YORK, JESSICA S. TISCH, ANTHONY S.
GAZIS, JUAN O. MORAN, DWAYNE A. WATSON, STEVEN J. LANE, MICHAEL M.
HANNA, MICHAEL HINES, YEHUDA GOLDBERG, and BRIAN A. ULLOA, alleges as
follows:

INTRODUCTION

Plaintiff JONATHAN VARELA is a Hispanic New York City Police Department police
officer. On June 8, 2026, while off duty, he arrived home in Bronx County, parked his vehicle,
and proceeded toward the residence where he and his mother lived.

After plaintiff had parked and entered or approached the lobby area of his residential
building, defendants YEHUDA GOLDBERG and BRIAN A. ULLOA claimed that the
encounter was related to a vehicle stop. Plaintiff had not been pulled over while operating his
vehicle, had not been ordered to stop before parking, and had not been told while driving that
any police officer was initiating a vehicle stop.

When defendant GOLDBERG demanded identification, plaintiff asked the reason for the stop. Plaintiff did not immediately identify himself as an NYPD officer because the encounter was occurring in a public area of his residential building, in a high-crime area, and he had legitimate safety concerns about publicly exposing his member-of-service status where he and his mother lived.

That conduct did not constitute Obstructing Governmental Administration. Plaintiff did not use intimidation, physical force, physical interference, independently unlawful conduct, false identification, flight, or any act that obstructed, impaired, or prevented an official police function.

Nevertheless, plaintiff was handcuffed, immediately identified himself as a member of the service, and had his NYPD identification provided by a witness present at the scene. That witness, Police Officer Naomi Mercedes, was also a Hispanic New York City Police Department police officer who was off duty at the time. Rather than reassess the arrest after plaintiff's identity and member-of-service status were confirmed, defendant GOLDBERG stated, in substance, that it was "too late."

Defendant MICHAEL HINES, a Field Training Unit sergeant, arrived at the scene and had an immediate supervisory opportunity to stop, correct, or void the arrest. By then, plaintiff's identity was confirmed, his member-of-service status was known, and the alleged OGA predicate rested on nothing more than plaintiff questioning an after-the-fact vehicle-stop claim and not immediately identifying himself as an NYPD officer in a public residential lobby.

The arrest was not voided. Plaintiff was transported to the 40th Precinct, processed, fingerprinted, photographed, denied Desk Appearance Ticket treatment, transported to Bronx

Central Booking, and held for approximately fifteen hours. At arraignment, the OGA charge was dismissed.

The Department then converted a legally defective arrest into an employment event. Plaintiff was suspended without pay, placed on modified duty, and directed to surrender his firearms, shield, and Department identification. Supervisory, command, investigative, and disciplinary personnel had repeated opportunities to protect plaintiff's liberty and employment rights. Instead, they permitted, ratified, or failed to correct the false arrest, biased investigation, prolonged detention, and immediate employment punishment.

This case concerns discriminatory policing and discriminatory employment treatment of a Hispanic NYPD officer during and after an off-duty encounter in the Bronx neighborhood where he lived. Defendants' conduct violated the New York Civil Rights Law, the New York State Human Rights Law, the New York City Human Rights Law, the New York City Administrative Code's prohibition against bias-based profiling.

JURISDICTION AND VENUE

1. This Court has subject matter jurisdiction over this action pursuant to Article VI of the New York State Constitution, the New York Civil Rights Law, the New York State Human Rights Law, Executive Law § 290 et seq., the New York City Human Rights Law, Administrative Code of the City of New York § 8-101 et seq., and New York City Administrative Code § 14-151.

2. This Court has personal jurisdiction over defendants THE CITY OF NEW YORK, JESSICA S. TISCH, ANTHONY S. GAZIS, JUAN O. MORAN, DWAYNE A. WATSON, STEVEN J. LANE, MICHAEL M. HANNA, MICHAEL HINES, YEHUDA GOLDBERG, and BRIAN A. ULLOA pursuant to CPLR §§ 301 and 302 because defendants

reside in, are domiciled in, are employed in, conduct business in, exercise official authority in, and/or committed acts or omissions complained of within the State of New York.

3. Venue is designated in Bronx County pursuant to CPLR § 504(3) because defendant THE CITY OF NEW YORK is a party to this action, the events complained of occurred within the City of New York, and plaintiff designates Bronx County as the place of trial.

4. Venue is also proper pursuant to CPLR § 503(a) because plaintiff resides in Bronx County.

5. Venue is further proper pursuant to CPLR § 503(a) because one or more defendants resides in Bronx County, works in Bronx County, conducts Department business in Bronx County, is assigned to duties connected to Bronx County, or has material operational, supervisory, command, investigative, arrest-processing, disciplinary, or employment-related ties to Bronx County.

6. Venue is further proper because material events, effects, Department operations, employment consequences, and damages connected to this action occurred in, were directed from, were connected to, or were felt in Bronx County.

7. Venue is also proper because the events complained of occurred within the City of New York, including Bronx County and New York County.

8. The principal encounter-based events occurred in Bronx County, including plaintiff's arrival at his residence, the alleged after-the-fact vehicle-stop claim, the lobby encounter, the seizure of plaintiff, the handcuffing of plaintiff, the arrest of plaintiff for Obstructing Governmental Administration, plaintiff's transport to the 40th Precinct, plaintiff's precinct processing, the alleged failure to void the arrest, plaintiff's fingerprinting and

photographing, the denial of Desk Appearance Ticket processing, plaintiff's transport to Bronx Central Booking, and the dismissal of the OGA charge at arraignment.

9. Material command, Police Commissioner, Patrol Services Bureau, Internal Affairs Bureau, personnel, disciplinary, and related NYPD operations involving defendant JESSICA S. TISCH, defendant ANTHONY S. GAZIS, defendant JUAN O. MORAN, defendant DWAYNE A. WATSON, defendant STEVEN J. LANE, defendant MICHAEL M. HANNA, and other Department decisionmakers occurred in, were directed from, or were connected to Bronx County, New York County, or elsewhere within the City of New York.

10. Venue is additionally proper pursuant to CPLR § 509 because Bronx County is a proper county selected by plaintiff, defendant THE CITY OF NEW YORK is a party, the complained-of events occurred within the City of New York, and defendants are subject to the jurisdiction of this Court.

PROCEDURAL REQUIREMENTS

11. This Court has subject matter jurisdiction over this action pursuant to Article VI of the New York State Constitution, the New York Civil Rights Law, the New York State Human Rights Law, Executive Law § 290 et seq., the New York City Human Rights Law, Administrative Code of the City of New York § 8-101 et seq., New York City Administrative Code § 14-151, and the common law of the State of New York.

12. This Court has personal jurisdiction over defendants THE CITY OF NEW YORK, JESSICA S. TISCH, ANTHONY S. GAZIS, JUAN O. MORAN, DWAYNE A. WATSON, STEVEN J. LANE, MICHAEL M. HANNA, MICHAEL HINES, YEHUDA GOLDBERG, and BRIAN A. ULLOA pursuant to CPLR §§ 301 and 302 because defendants

reside in, are domiciled in, are employed in, conduct business in, exercise official authority in, and/or committed acts or omissions complained of within the State of New York.

13. Venue is designated in Bronx County pursuant to CPLR § 504(3) because defendant THE CITY OF NEW YORK is a party to this action, the events complained of occurred within the City of New York, and plaintiff designates Bronx County as the place of trial.

14. Venue is also proper pursuant to CPLR § 503(a) because plaintiff JONATHAN VARELA resides in Bronx County.

15. Venue is also proper pursuant to CPLR § 503(a) because a substantial part of the events and omissions giving rise to this action occurred in Bronx County, including the alleged stop, seizure, handcuffing, arrest, detention, precinct processing, Central Booking transport, and criminal-court appearance arising from the June 8, 2026 incident.

16. Venue is further proper pursuant to CPLR § 503(a) because plaintiff's injuries, damages, loss of liberty, reputational harm, employment consequences, suspension without pay, modified-duty placement, surrender of firearms, shield, and Department identification, and related damages occurred in, were caused in, were connected to, or were felt in Bronx County.

17. Venue is further proper pursuant to CPLR § 503(a) because, upon information and belief, one or more defendants resides in Bronx County, works in Bronx County, conducts NYPD business in Bronx County, is assigned to duties connected to Bronx County, or has material operational, supervisory, command, investigative, arrest-processing, disciplinary, or employment-related ties to Bronx County.

18. Venue is also proper because the complained-of events occurred within the City of New York, including Bronx County and New York County.

19. The principal incident-based events occurred in Bronx County, including plaintiff's arrival at his residence, the alleged after-the-fact vehicle-stop claim, the lobby encounter, the seizure of plaintiff, the handcuffing of plaintiff, the arrest of plaintiff for Obstructing Governmental Administration, plaintiff's transport to the 40th Precinct, plaintiff's precinct processing, the alleged failure to void the arrest, plaintiff's fingerprinting and photographing, the denial of Desk Appearance Ticket processing, plaintiff's transport to Bronx Central Booking, and the dismissal of the OGA charge at arraignment.

20. Material command, Police Commissioner, Patrol Services Bureau, Internal Affairs Bureau, Department Advocate, personnel, disciplinary, and related NYPD operations involving defendant JESSICA S. TISCH, defendant ANTHONY S. GAZIS, defendant JUAN O. MORAN, defendant DWAYNE A. WATSON, defendant STEVEN J. LANE, defendant MICHAEL M. HANNA, and other Department decision-makers occurred in, were directed from, or were connected to New York County, Bronx County, or elsewhere within the City of New York.

21. Venue is additionally proper pursuant to CPLR § 509 because Bronx County is a proper county selected by plaintiff, defendant THE CITY OF NEW YORK is a party, the complained-of events occurred within the City of New York, and defendants are subject to the jurisdiction of this Court.

PLAINTIFF

22. Plaintiff JONATHAN VARELA is a Hispanic male and a resident of Bronx County, New York.

23. At all relevant times, plaintiff was employed by the New York City Police Department as a police officer and was a member of the service.

24. At all relevant times, plaintiff was qualified for his position as a New York City Police Department police officer and was entitled to the same constitutional, statutory, civil, and employment protections afforded to other members of the service.

25. On June 8, 2026, plaintiff was off duty, in civilian attire, and returning to the Bronx residence where he and his mother lived.

26. Plaintiff had legitimate safety concerns about publicly identifying himself as a New York City Police Department police officer in the lobby or common area of his residential building, particularly because the encounter occurred where he and his mother lived and, in an area, where publicly exposing his member-of-service status could create personal and family safety risks.

27. Plaintiff did not commit Obstructing Governmental Administration and did not engage in intimidation, physical force, physical interference, independently unlawful conduct, false identification, flight, document destruction, or any conduct that obstructed, impaired, or prevented an official police function.

28. Plaintiff was nevertheless handcuffed, arrested, transported to the 40th Precinct, processed, fingerprinted, photographed, denied Desk Appearance Ticket processing, transported to Bronx Central Booking, and held in custody for approximately fifteen hours.

29. At arraignment, the Obstructing Governmental Administration charge lodged against plaintiff was dismissed.

30. Following the arrest, plaintiff was suspended without pay, placed on modified duty status, and directed to surrender his firearms, shield, and Department identification.

31. As a direct and proximate result of defendants' conduct, plaintiff suffered loss of liberty, humiliation, emotional distress, reputational harm, lost compensation, employment injury, disciplinary exposure, loss of Department privileges and authority, and other damages.

32. Plaintiff brings this action to vindicate his rights under the New York Civil Rights Law, the New York State Human Rights Law, the New York City Human Rights Law, New York City Administrative Code § 14-151, and New York common law.

DEFENDANTS

33. Defendant THE CITY OF NEW YORK is a municipal corporation organized and existing under the laws of the State of New York.

34. Defendant THE CITY OF NEW YORK operates the New York City Police Department and is sued because the events complained of were committed by NYPD members, supervisors, command personnel, investigative personnel, disciplinary personnel, agents, servants, and employees acting in the course of NYPD operations.

35. Defendant JESSICA S. TISCH is the Police Commissioner of the New York City Police Department. Defendant TISCH is sued because she has ultimate supervisory, administrative, policymaking, and disciplinary authority over NYPD members of the service, including authority under New York City Administrative Code § 14-115, and because plaintiff's suspension, modified-duty placement, surrender of firearms, shield, and Department identification, and related employment consequences were imposed through NYPD authority subject to her command. Defendant TISCH is sued in her individual and official capacities.

36. Defendant ANTHONY S. GAZIS is a Deputy Chief with the New York City Police Department assigned to the Patrol Services Bureau. Defendant GAZIS is sued because he was notified of, involved in, approved, directed, or permitted the command-level action that

followed plaintiff's arrest, including plaintiff's suspension, modified-duty placement, surrender of firearms, shield, and Department identification, and related employment consequences.

Defendant GAZIS is sued in his individual and official capacities.

37. Defendant JUAN O. MORAN is a Deputy Inspector with the New York City Police Department assigned to, or serving in a duty capacity for, Patrol Borough Bronx South. Defendant MORAN is sued because he was notified of, involved in, reviewed, approved, or permitted the Patrol Borough Bronx South command response to plaintiff's arrest, detention, processing, and related employment consequences. Defendant MORAN is sued in his individual and official capacities.

38. Defendant DWAYNE A. WATSON is a Captain with the New York City Police Department serving as Patrol Borough Bronx South Duty Captain. Defendant WATSON is sued because he responded to, reviewed, documented, approved, or permitted Department action following plaintiff's arrest, including the suspension, modified-duty placement, surrender of firearms, shield, and Department identification, and related employment consequences. Defendant WATSON is sued in his individual and official capacities.

39. Defendant STEVEN J. LANE is a Lieutenant with the New York City Police Department assigned to Internal Affairs Bureau Group 9. Defendant LANE is sued because he participated in, conducted, supervised, documented, or reviewed the Internal Affairs Bureau response, investigation, or interview process concerning plaintiff after plaintiff's arrest and immediate employment consequences. Defendant LANE is sued in his individual and official capacities.

40. Defendant MICHAEL M. HANNA is a Sergeant with the New York City Police Department assigned to Internal Affairs Bureau Group 9. Defendant HANNA is sued because he

participated in, conducted, supervised, documented, or reviewed the Internal Affairs Bureau response, investigation, or interview process concerning plaintiff after plaintiff's arrest and immediate employment consequences. Defendant HANNA is sued in his individual and official capacities.

41. Defendant MICHAEL HINES is a Sergeant with the New York City Police Department assigned to the 40th Precinct Field Training Unit. Defendant HINES is sued because he responded to the scene, was informed that plaintiff was a member of the service, exercised supervisory authority over the Field Training Unit members involved, and permitted plaintiff's arrest, transport, detention, or processing to continue. Defendant HINES is sued in his individual and official capacities.

42. Defendant YEHUDA GOLDBERG is a Police Officer with the New York City Police Department assigned to the 40th Precinct Field Training Unit. Defendant GOLDBERG is sued because he participated in the challenged encounter, alleged vehicle-stop claim, demand for identification, seizure, handcuffing, arrest, transport, processing, and charging of plaintiff on June 8, 2026. Defendant GOLDBERG is sued in his individual and official capacities.

43. Defendant BRIAN A. ULLOA is a Police Officer with the New York City Police Department assigned to the 40th Precinct Field Training Unit. Defendant ULLOA is sued because he participated in, assisted with, approved, continued, or failed to stop the challenged encounter, alleged vehicle-stop claim, seizure, handcuffing, arrest, transport, processing, or charging of plaintiff on June 8, 2026. Defendant ULLOA is sued in his individual and official capacities.

44. At all relevant times, the individual defendants were employees, agents, servants, representatives, officers, supervisors, managers, command personnel, investigative personnel,

disciplinary personnel, or policymakers of defendant THE CITY OF NEW YORK and the New York City Police Department.

45. At all relevant times, the individual defendants acted under color of law, within the scope of their employment, and/or with actual or apparent authority derived from their positions with defendant THE CITY OF NEW YORK and the New York City Police Department.

BACKGROUND

STATISTICAL PROFILE OF THE 40TH PRECINCT AREA AND ZIP CODE 10454

46. The 40th Precinct is the southernmost NYPD precinct in the Bronx and serves Port Morris, Mott Haven, and Melrose. The incident involving plaintiff JONATHAN VARELA occurred within the 40th Precinct area and in the Bronx community where plaintiff resided.

47. ZIP Code 10454 is a material demographic reference point for the area surrounding the incident. Although ZIP Code 10454 is not coextensive with the entire 40th Precinct, it covers a substantial portion of the Port Morris and Mott Haven area and provides relevant neighborhood context for the allegations in this action.

48. According to United States Census Bureau American Community Survey data reported for ZIP Code 10454, the area has a population of approximately 39,570 residents within approximately 1.1 square miles, producing a population density of approximately 37,328 persons per square mile.

49. ZIP Code 10454 is overwhelmingly a community of color. Its reported race-and-ethnicity profile is approximately 71% Hispanic, approximately 22% Black, approximately 2% white, and approximately 1% Asian.

50. Plaintiff is Hispanic. The off-duty NYPD police officer witness present at the scene, Police Officer Naomi Mercedes, is also Hispanic.

51. ZIP Code 10454 also reflects substantial socioeconomic vulnerability. The reported median household income is approximately \$24,086. The reported poverty rate is approximately 45.2%. The reported per capita income is approximately \$21,216. The reported foreign-born population is approximately 29.1%.

52. These demographic facts are material because plaintiff alleges that defendants did not treat him as an off-duty NYPD police officer returning home to the Bronx residence where he and his mother lived. Instead, defendants treated him as a presumptively suspicious Hispanic man in a heavily policed Bronx neighborhood, converted an alleged after-the-fact vehicle-stop claim into a seizure inside or near his residential building, and escalated the encounter into an arrest for Obstructing Governmental Administration without a lawful predicate.

53. The NYPD's own precinct-level data supplies additional enforcement context. NYPD Quality-of-Life data for the 40th Precinct reported 51,163 year-to-date 911 calls, 9,247 year-to-date 311 calls, and 3,830 year-to-date vehicle-related calls for the reporting period ending June 7, 2026.

54. NYPD Quality-of-Life data for the 40th Precinct also reported 2,551 year-to-date illegal-parking calls, 499 year-to-date double-parking calls, and 73 year-to-date dangerous-driving calls for the reporting period ending June 7, 2026.

55. NYPD TrafficStat data for the 40th Precinct reported 3,193 year-to-date moving summonses, 2,652 year-to-date hazardous summonses, 186 year-to-date red-light summonses, 237 year-to-date improper-turn summonses, and 268 year-to-date tinted-window summonses for the reporting period ending June 7, 2026.

56. NYPD TrafficStat data for the 40th Precinct also reported that, for the week ending June 7, 2026, moving summonses increased from 61 in 2025 to 126 in 2026, hazardous summonses increased from 42 in 2025 to 107 in 2026, red-light summonses increased from 3 in 2025 to 14 in 2026, and improper-turn summonses increased from 1 in 2025 to 11 in 2026.

57. NYPD CompStat data for the 40th Precinct reported 1,395 major crime complaints year-to-date for the reporting period covering June 8, 2026 through June 14, 2026, including 247 robberies, 470 felony assaults, 390 grand larcenies, and 639 misdemeanor assaults year-to-date.

58. The publicly available NYPD vehicle-stop reporting framework also supplies relevant enforcement context. NYPD vehicle-stop data is reported by precinct and is disaggregated by race, gender, age, and precinct of occurrence.

59. NYPD vehicle-stop data for the first quarter of 2026 reported 3,919 vehicle stops in the 40th Precinct, 2,855 summonses, 282 vehicle-related arrests, 78 vehicle searches, 74 seizures, and 3 reported force incidents.

60. NYPD vehicle-stop data for the fourth quarter of 2025 reported 3,382 vehicle stops in the 40th Precinct, 2,532 summonses, 197 vehicle-related arrests, 111 vehicle searches, 68 seizures, and 3 reported force incidents.

61. NYPD stop-question-and-frisk data for 2025 reported 1,066 stops in the 40th Precinct. Of those stops, 608 involved persons identified as Black, 272 involved persons identified as White Hispanic, and 131 involved persons identified as Black Hispanic.

62. In the same 2025 stop-question-and-frisk data, Black, White Hispanic, and Black Hispanic persons together accounted for 1,011 of the 1,066 reported stops in the 40th Precinct.

63. NYPD stop-question-and-frisk data for 2025 further reported that 686 of the 1,066 reported stops in the 40th Precinct were self-initiated, 770 involved frisks, 390 involved searches, 192 resulted in arrests, 60 resulted in summonses, and 92 involved reported handcuffing.

64. NYPD stop-question-and-frisk data for the fourth quarter of 2025 reported 107 stops in the 40th Precinct, including 39 arrests and 5 summonses.

65. NYPD stop-question-and-frisk data for the first quarter of 2026 reported 100 stops in the 40th Precinct, including 25 arrests and 2 summonses.

66. NYPD Level 2 encounter data for 2025 reported 1,520 Level 2 encounters occurring in the 40th Precinct. Of those encounters, 1,436 were self-initiated, 71 were based on radio runs, and 13 were based on a complainant or witness on scene.

67. NYPD Level 2 encounter data for 2025 further reported that 87 Level 2 encounters in the 40th Precinct resulted in arrests, 27 resulted in summons-related enforcement, and 3 involved reported force.

68. Public analysis of NYPD enforcement data has reported substantial racial disparities in traffic enforcement, including disproportionate stops of Black and Latino drivers and increased use of vehicle stops as an enforcement tool.

69. The statistical profile is not pled to establish liability by numbers alone. It is pled as material context for plaintiff's allegations that defendants acted within a heavily policed Bronx command where Hispanic and Black residents, motorists, pedestrians, and off-duty members of the service are subject to frequent enforcement activity.

70. Against that demographic and enforcement background, plaintiff alleges that defendants' conduct was not an isolated administrative error. Plaintiff alleges that it reflected a

broader NYPD pattern in which officers of color, including Hispanic members of the service, are vulnerable to being treated as criminal suspects during off-duty encounters in high-enforcement neighborhoods where they live, and then subjected to institutional ratification when they challenge the legality of the encounter.

71. Plaintiff further alleges that the Department's response after the arrest compounded the discriminatory harm. Rather than voiding an unsupported arrest, correcting the false or legally defective vehicle-stop narrative, or protecting plaintiff's employment rights as a member of the service, defendants allowed the arrest to proceed, held plaintiff for approximately fifteen hours, processed him through Bronx Central Booking, and imposed immediate employment consequences, including suspension without pay, modified-duty placement, and surrender of firearms, shield, and Department identification.

THE STREET ENCOUNTER

72. On June 8, 2026, at approximately 0100 hours, plaintiff JONATHAN VARELA arrived home in Bronx County.

73. At the time, plaintiff was off duty, in civilian attire, and returning to the residence where he and his mother lived.

74. Plaintiff parked his vehicle and proceeded toward his residence.

75. Plaintiff was not stopped while operating his vehicle.

76. Plaintiff was not pulled over by a marked police vehicle.

77. Plaintiff was not directed to stop his vehicle before parking.

78. Plaintiff was not informed, while operating his vehicle, that any police officer was initiating a vehicle stop.

79. After parking his vehicle, plaintiff walked past several uniformed NYPD officers assigned to Field Training Unit foot patrol.

80. Shortly thereafter, plaintiff was approached in the lobby or common area of his residential building by defendant YEHUDA GOLDBERG and other uniformed NYPD officers.

81. Defendant BRIAN A. ULLOA was present for, participated in, assisted with, or failed to intervene in the encounter.

82. Defendant GOLDBERG immediately demanded identification from plaintiff.

83. Plaintiff asked defendant GOLDBERG why he was being stopped.

84. Defendant GOLDBERG stated that the encounter was related to a vehicle stop.

85. Before defendant GOLDBERG made that statement, plaintiff was unaware that any NYPD officer claimed to have initiated a vehicle stop.

86. Plaintiff did not recall committing a traffic infraction.

87. Plaintiff had not been informed that he was being stopped while operating his vehicle.

88. Plaintiff had already parked his vehicle and entered or approached the lobby or common area of his residential building before defendants demanded identification.

89. Plaintiff did not immediately identify himself as a New York City Police Department police officer.

90. Plaintiff's hesitation was based on safety concerns.

91. The encounter occurred in a public area of the residential building where plaintiff and his mother lived.

92. Plaintiff was concerned that publicly identifying himself as an NYPD police officer in that location could compromise his safety and the safety of his mother.

93. Plaintiff did not physically interfere with any police officer.
94. Plaintiff did not threaten any police officer.
95. Plaintiff did not use force against any police officer.
96. Plaintiff did not flee from any police officer.
97. Plaintiff did not provide false identification.
98. Plaintiff did not destroy, conceal, or attempt to destroy or conceal evidence.
99. Plaintiff did not obstruct, impair, or prevent any official police function.
100. Plaintiff's conduct consisted of asking why he was being stopped and declining to immediately expose his member-of-service status in a public residential lobby where he had legitimate safety concerns.
101. Defendants nevertheless escalated the encounter.
102. At approximately 0110 hours, plaintiff was placed in handcuffs.
103. Upon being handcuffed, plaintiff immediately identified himself as a member of the service.
104. Police Officer Naomi Mercedes, who was present at the scene, also provided plaintiff's NYPD identification to the officers.
105. Police Officer Naomi Mercedes is a Hispanic New York City Police Department police officer and was also off duty at the time.
106. Once plaintiff identified himself as a member of the service and Police Officer Mercedes provided plaintiff's NYPD identification, defendants knew plaintiff's identity and NYPD employment status.
107. Rather than reassess the legal basis for the arrest, defendant GOLDBERG stated, in substance, that it was "too late."

108. Defendant GOLDBERG's statement that it was "too late" demonstrated that defendants were no longer making a neutral probable-cause assessment.

109. By that point, defendants had converted an alleged after-the-fact vehicle-stop claim into a custodial arrest for Obstructing Governmental Administration.

110. No lawful basis existed to arrest plaintiff for Obstructing Governmental Administration.

111. Plaintiff did not engage in intimidation, physical force, physical interference, independently unlawful conduct, or any conduct that obstructed an official police function.

112. Defendants' decision to handcuff and arrest plaintiff was based on plaintiff's challenge to the claimed vehicle-stop narrative and his failure to immediately identify himself as a police officer in a public area of his own residential building.

113. Plaintiff alleges that defendants treated him as a presumptively suspicious Hispanic man in a heavily policed Bronx neighborhood rather than as an off-duty NYPD police officer returning home to the residence where he and his mother lived.

Use this as the next Background subsection. It starts at paragraph 113 following the street-encounter section.

**POST-ARREST INVESTIGATION, PRECINCT REVIEW,
AND DISCIPLINARY ACTION**

114. After plaintiff was handcuffed and identified as a member of the service, defendants had immediate notice that the encounter involved an off-duty Hispanic NYPD police officer returning to his Bronx residence.

115. Defendants also had notice that plaintiff's NYPD identification had been provided by Police Officer Naomi Mercedes, a Hispanic off-duty New York City Police Department police officer who was present at the scene.

116. At approximately 0113 hours, defendant MICHAEL HINES, a Sergeant assigned to the 40th Precinct Field Training Unit, arrived at the scene.

117. Plaintiff informed defendant HINES that he was a member of the service.

118. Defendant HINES was the first supervisory checkpoint after plaintiff's handcuffing and arrest.

119. Defendant HINES had a duty to determine whether plaintiff had actually been stopped while operating his vehicle, whether plaintiff had been given a lawful order before parking, whether the alleged vehicle-stop narrative was accurate, and whether probable cause existed to arrest plaintiff for Obstructing Governmental Administration.

120. Defendant HINES also had a duty to determine whether plaintiff had used intimidation, physical force, physical interference, independently unlawful conduct, flight, false identification, evidence destruction, or any conduct that obstructed an official police function.

121. Defendant HINES had enough information to stop the arrest from becoming an institutional act.

122. Defendant HINES did not void the arrest.

123. Defendant HINES did not stop plaintiff's transport to the 40th Precinct.

124. Defendant HINES did not correct the alleged vehicle-stop narrative.

125. Defendant HINES permitted plaintiff's arrest, detention, transport, and processing to continue.

126. Plaintiff was transported to the 40th Precinct.

127. At approximately 0120 hours, plaintiff arrived at the 40th Precinct.

128. When plaintiff arrived at the 40th Precinct, he had not been informed of the specific criminal charge for which he was being arrested.

129. Upon plaintiff's arrival at the 40th Precinct, the Desk Officer became an additional supervisory and arrest-processing checkpoint.

130. The Desk Officer had a duty to review the arrest, determine whether the facts alleged by defendants GOLDBERG and ULLOA established probable cause, determine whether plaintiff's conduct satisfied the elements of Obstructing Governmental Administration, and determine whether the arrest should be voided.

131. The Desk Officer also had a duty to determine whether plaintiff's identity had been confirmed, whether plaintiff's member-of-service status had been confirmed, whether continued detention was necessary, and whether plaintiff was eligible for Desk Appearance Ticket processing.

132. Plaintiff's identity had already been confirmed.

133. Plaintiff's member-of-service status had already been confirmed.

134. Plaintiff had not used force, intimidation, physical interference, flight, false identification, evidence destruction, or independently unlawful conduct to obstruct an official police function.

135. The Desk Officer had enough information to void the arrest.

136. The Desk Officer did not void the arrest.

137. The Desk Officer did not cause plaintiff to be released from custody.

138. The Desk Officer did not prevent plaintiff from being processed for a legally defective OGA charge.

139. The Desk Officer permitted plaintiff's arrest, detention, and precinct processing to continue.

140. At approximately 0200 hours, representatives from the 45th Precinct and delegates from the Police Benevolent Association arrived and spoke with plaintiff.

141. At approximately 0230 hours, defendant DWAYNE A. WATSON, the Patrol Borough Bronx South Duty Captain, arrived and spoke with plaintiff regarding the incident.

142. Defendant WATSON had a duty to review the claimed basis for the stop, the claimed basis for the arrest, the timing of plaintiff's identification as a member of the service, the fact that plaintiff's NYPD identification had been provided by another off-duty Hispanic NYPD police officer, the Desk Officer's processing review, and the absence of any lawful OGA predicate.

143. Defendant WATSON had enough information to determine that the arrest should have been voided.

144. Defendant WATSON did not void the arrest.

145. Defendant WATSON did not cause plaintiff to be released from custody.

146. Defendant WATSON did not prevent the continued processing of plaintiff through the criminal system.

147. Defendant WATSON instead participated in, documented, approved, transmitted, or permitted Department action that allowed the arrest and related employment consequences to proceed.

148. Defendant JUAN O. MORAN, a Deputy Inspector assigned to or serving in a Patrol Borough Bronx South duty capacity, was notified of, involved in, reviewed, approved, or permitted the command response following plaintiff's arrest.

149. Defendant MORAN had the same core obligation as defendant HINES and defendant WATSON: to determine whether the facts supported the arrest, whether probable

cause existed for Obstructing Governmental Administration, whether the arrest should be voided, and whether plaintiff should be protected from continued detention and employment consequences flowing from a legally defective arrest.

150. Defendant MORAN had enough information, directly or through NYPD command channels, to determine that plaintiff's alleged conduct did not constitute Obstructing Governmental Administration.

151. Defendant MORAN did not void the arrest.

152. Defendant MORAN did not cause plaintiff to be released from custody.

153. Defendant MORAN did not stop the Department from using the legally defective arrest as the basis for immediate employment punishment.

154. Defendant ANTHONY S. GAZIS, a Deputy Chief assigned to the Patrol Services Bureau, was notified of, involved in, approved, directed, or permitted the command-level action following plaintiff's arrest.

155. Defendant GAZIS had the same core obligation as defendant HINES, defendant WATSON, and defendant MORAN: to determine whether the facts supported the arrest, whether probable cause existed for Obstructing Governmental Administration, whether the arrest should be voided, and whether plaintiff should be protected from continued detention and employment consequences flowing from a legally defective arrest.

156. Defendant GAZIS had enough information, directly or through NYPD command channels, to determine that plaintiff's alleged conduct did not constitute Obstructing Governmental Administration.

157. Defendant GAZIS did not void the arrest.

158. Defendant GAZIS did not cause plaintiff to be released from custody.

159. Defendant GAZIS did not stop the Department from using the legally defective arrest as the basis for immediate employment punishment.

160. At approximately 0245 hours, defendant STEVEN J. LANE and defendant MICHAEL M. HANNA, assigned to Internal Affairs Bureau Group 9, arrived and conducted a GO-15 interview.

161. At the time of the GO-15 interview, plaintiff was under arrest, in NYPD custody, and facing immediate Department discipline and employment consequences.

162. The GO-15 interview occurred while plaintiff was being treated as both a criminal arrestee and a disciplinary subject.

163. Plaintiff was placed in the coercive position of being questioned through Department disciplinary procedures while the criminal arrest remained unresolved.

164. Upon information and belief, plaintiff was questioned pursuant to Department interviewing procedures while under threat of employment consequences if he failed to answer questions concerning the incident.

165. Under *Garrity v. New Jersey*, 385 U.S. 493 (1967), compelled statements obtained from a public employee under threat of job forfeiture may not be used against that employee in a criminal prosecution.

166. Defendants' decision to conduct a GO-15 interview while plaintiff remained under arrest created an improper overlap between the criminal case and the Department's disciplinary process.

167. Upon information and belief, plaintiff was not given *Miranda* warnings before questioning designed to elicit statements concerning the same incident for which he had been arrested.

168. To the extent defendants questioned plaintiff while he was in custody about facts relating to the alleged OGA arrest without *Miranda* warnings, defendants disregarded the safeguards required for custodial interrogation.

169. To the extent defendants questioned plaintiff under Department compulsion while the criminal charge remained pending, defendants disregarded the protections recognized by *Garrity*.

170. Defendant LANE and defendant HANNA had a duty to conduct a fair and unbiased investigation, preserve the separation between compelled disciplinary questioning and criminal prosecution, examine whether the arrest was legally supported, and determine whether plaintiff was being subjected to employment consequences based on a false or legally defective enforcement narrative.

171. Defendant LANE and defendant HANNA did not correct the arrest narrative.

172. Defendant LANE and defendant HANNA did not cause plaintiff's release.

173. Defendant LANE and defendant HANNA did not protect plaintiff from immediate employment consequences flowing from the legally defective OGA charge.

174. At approximately 0330 hours, plaintiff was informed that he was being charged with Obstructing Governmental Administration and two Vehicle and Traffic Law violations.

175. At approximately 0330 hours, plaintiff was also notified that he was suspended for thirty days without pay, placed on modified duty status, and directed to surrender his firearms, shield, and Department identification card.

176. The suspension without pay, modified-duty placement, and surrender of firearms, shield, and Department identification were imposed before any neutral adjudication of the arrest and before any finding that plaintiff had obstructed governmental administration.

177. Defendant JESSICA S. TISCH, as Police Commissioner, possessed the ultimate statutory disciplinary authority over plaintiff and all NYPD members of the service pursuant to New York City Administrative Code § 14-115.

178. Under New York City Administrative Code § 14-115, defendant TISCH possessed the ultimate legal authority and responsibility to ensure that NYPD disciplinary power was not used to ratify a false arrest, perpetuate a biased investigation, impose discriminatory employment consequences, or punish a member of the service without a lawful factual and legal predicate.

179. Defendant TISCH, directly or through delegated NYPD command, disciplinary, Internal Affairs Bureau, Patrol Services Bureau, Department Advocate, and supervisory channels, had the ultimate legal obligation to protect plaintiff's employment rights after the Department developed information showing that the OGA arrest lacked a lawful basis.

180. Defendant TISCH did not ensure that plaintiff's arrest was voided.

181. Defendant TISCH did not ensure that the biased investigation was corrected.

182. Defendant TISCH did not ensure that plaintiff's employment rights were protected from discipline based on a legally defective arrest.

183. Defendants used NYPD command, investigative, and disciplinary authority to convert a legally defective arrest into immediate employment punishment.

184. Defendants failed to protect plaintiff's employment rights as a Hispanic member of the service after plaintiff challenged the legal basis for the alleged vehicle stop and arrest.

185. At approximately 0500 hours, plaintiff was fingerprinted and photographed.

186. At that time, plaintiff was informed that he would not be issued a Desk Appearance Ticket and would instead be transported to Bronx Central Booking for arraignment.

187. Plaintiff's identity had already been confirmed.

188. Plaintiff's NYPD employment status had already been confirmed.

189. Plaintiff was not accused of using force, intimidation, physical interference, false identification, flight, evidence destruction, or any independently unlawful conduct that obstructed an official police function.

190. Despite those facts, defendants continued to hold plaintiff in custody.

191. At approximately 1420 hours, plaintiff was transported from the 40th Precinct to Bronx Central Booking by members assigned to the 40th Precinct.

192. At approximately 1600 hours, plaintiff appeared before a judge.

193. During that proceeding, the charge of Obstructing Governmental Administration was dismissed.

194. Plaintiff remained in custody for approximately fifteen hours, from approximately 0110 hours until his appearance before the judge at approximately 1600 hours.

195. The dismissal of the OGA charge confirmed that defendants had no lawful basis to continue treating plaintiff as a criminal arrestee for Obstructing Governmental Administration.

196. The post-arrest investigation did not operate as a safeguard.

197. The post-arrest investigation operated as an institutional ratification mechanism.

198. Rather than voiding the unsupported arrest, correcting the false or legally defective vehicle-stop narrative, separating compelled disciplinary questioning from the criminal process, or protecting plaintiff's employment rights, defendants allowed plaintiff to be processed through custody, Central Booking, and immediate Department punishment.

199. Plaintiff alleges that the post-arrest investigation was biased, incomplete, and discriminatory because it credited the enforcement narrative of defendants GOLDBERG and

ULLOA, ignored the absence of a lawful OGA predicate, disregarded plaintiff's safety-based explanation for not immediately identifying himself in a public residential lobby, and failed to protect plaintiff as a Hispanic member of the service.

200. Plaintiff further alleges that defendants' post-arrest conduct caused independent damages, including prolonged loss of liberty, suspension without pay, modified-duty placement, surrender of firearms, shield, and Department identification, reputational harm, emotional distress, disciplinary exposure, and other employment-related injuries.

CONCLUSION

201. This case is not about a good-faith traffic encounter.

202. Plaintiff was not stopped while operating his vehicle.

203. Plaintiff was not ordered to stop before parking.

204. Plaintiff was not informed while driving that defendants were initiating a vehicle stop.

205. Plaintiff was confronted only after he had parked and entered or approached the lobby or common area of the Bronx residence where he and his mother lived.

206. Plaintiff asked why he was being stopped.

207. Plaintiff did not immediately identify himself as an NYPD police officer because he had legitimate safety concerns about publicly disclosing his member-of-service status in a public area of the building where he and his mother resided.

208. Plaintiff's conduct did not constitute Obstructing Governmental Administration.

209. Plaintiff did not use intimidation.

210. Plaintiff did not use physical force.

211. Plaintiff did not physically interfere with any official police function.

212. Plaintiff did not flee.

213. Plaintiff did not provide false identification.

214. Plaintiff did not conceal or destroy evidence.

215. Plaintiff did not commit any independently unlawful act that obstructed governmental administration.

216. Once plaintiff was handcuffed, plaintiff immediately identified himself as a member of the service.

217. Police Officer Naomi Mercedes, a Hispanic off-duty NYPD police officer present at the scene, also provided plaintiff's NYPD identification to defendants.

218. From that point forward, defendants knew plaintiff's identity, knew plaintiff's member-of-service status, and knew or should have known that the claimed OGA predicate was legally defective.

219. Defendant MICHAEL HINES had the first supervisory opportunity to stop the arrest from continuing.

220. The Desk Officer at the 40th Precinct had the next arrest-processing opportunity to void the arrest.

221. Defendant DWAYNE A. WATSON had an additional command-level opportunity to void the arrest and prevent continued processing.

222. Defendant JUAN O. MORAN had an additional command-level obligation to ensure that plaintiff was not held, processed, or disciplined based on a legally defective arrest.

223. Defendant ANTHONY S. GAZIS had an additional command-level obligation to ensure that plaintiff was not held, processed, or disciplined based on a legally defective arrest.

224. Defendants STEVEN J. LANE and MICHAEL M. HANNA had an obligation to conduct a fair and unbiased Internal Affairs Bureau investigation and to preserve the separation between compelled disciplinary questioning and the unresolved criminal arrest.

225. Defendant JESSICA S. TISCH, as Police Commissioner, had the ultimate statutory disciplinary authority and responsibility under New York City Administrative Code § 14-115 to ensure that NYPD disciplinary power was not used to ratify a false arrest, perpetuate a biased investigation, or impose discriminatory employment consequences upon a member of the service.

226. None of those safeguards protected plaintiff.

227. Instead, defendants permitted a legally defective arrest to become a prolonged detention, a Central Booking prosecution, an Internal Affairs Bureau matter, and an immediate employment punishment.

228. Plaintiff was held in custody for approximately fifteen hours.

229. Plaintiff was fingerprinted and photographed.

230. Plaintiff was denied Desk Appearance Ticket processing.

231. Plaintiff was transported to Bronx Central Booking.

232. Plaintiff was suspended without pay.

233. Plaintiff was placed on modified duty.

234. Plaintiff was directed to surrender his firearms, shield, and Department identification.

235. At arraignment, the Obstructing Governmental Administration charge was dismissed.

236. The dismissal confirmed that defendants had no lawful basis to continue treating plaintiff as a criminal arrestee for Obstructing Governmental Administration.

237. Defendants' conduct caused plaintiff separate and cumulative injuries: loss of liberty, humiliation, emotional distress, reputational harm, lost compensation, employment injury, loss of Department authority and privileges, disciplinary exposure, and other damages.

238. Plaintiff alleges that defendants' conduct reflected discriminatory policing, biased investigation, discriminatory employment treatment, and institutional ratification of a false arrest against a Hispanic NYPD police officer returning home in the Bronx neighborhood where he lived.

239. Defendants' conduct violated plaintiff's rights under the New York Civil Rights Law, the New York State Human Rights Law, the New York City Human Rights Law, New York City Administrative Code § 14-151, and New York common law.

240. Plaintiff seeks all available legal and equitable relief, including compensatory damages, punitive damages where permitted, statutory damages, lost compensation, attorneys' fees, costs, interest, and such other and further relief as the Court deems just and proper.

VIOLATIONS AND CLAIMS ALLEGED

COUNT I New York Civil Rights Law § 40-c Discrimination in Civil Rights Against All Defendants

241. Plaintiff repeats and realleges each preceding paragraph as if fully set forth herein.

242. Plaintiff is Hispanic and is protected from discrimination in the exercise of his civil rights based on race, color, national origin, Hispanic ethnicity, and/or perceived race or ethnicity.

243. Defendants discriminated against plaintiff in the exercise of his civil rights by subjecting him to racially and ethnically biased policing, seizure, arrest, detention, investigation, and employment treatment.

244. Defendants GOLDBERG and ULLOA participated in the initial discriminatory encounter by asserting an alleged after-the-fact vehicle-stop narrative, demanding identification from plaintiff inside or near his residential building, escalating the encounter after plaintiff questioned the basis for the stop, and causing or participating in plaintiff's handcuffing, arrest, transport, processing, and OGA charge.

245. Defendant HINES participated in the discrimination by failing to stop, correct, or void the arrest after plaintiff was identified as a member of the service, after plaintiff's NYPD identification was provided by another Hispanic off-duty NYPD police officer, and after the absence of a lawful OGA predicate was apparent.

246. The Desk Officer participated in the discrimination by failing to void the arrest at the precinct, failing to correct the legally defective OGA charge, and permitting plaintiff's continued detention, processing, fingerprinting, photographing, and denial of Desk Appearance Ticket treatment.

247. Defendant WATSON participated in the discrimination by reviewing, documenting, approving, transmitting, or permitting the continued arrest, processing, detention, suspension, modified-duty placement, surrender of firearms, shield, and Department identification, and related employment consequences.

248. Defendant MORAN participated in the discrimination by failing to ensure that plaintiff was not held, processed, investigated, or disciplined based on a legally defective arrest and biased enforcement narrative.

249. Defendant GAZIS participated in the discrimination by failing to stop the command-level use of plaintiff's legally defective arrest as the basis for suspension without pay, modified-duty placement, surrender of firearms, shield, and Department identification, and related employment consequences.

250. Defendants LANE and HANNA participated in the discrimination by conducting, supervising, documenting, or reviewing an Internal Affairs Bureau process that failed to correct the false or legally defective arrest narrative and failed to protect plaintiff's employment rights.

251. Defendant TISCH participated in, ratified, permitted, or failed to correct the discriminatory use of NYPD disciplinary authority, including authority under New York City Administrative Code § 14-115, after plaintiff was subjected to a false arrest, biased investigation, and immediate employment punishment.

252. Defendant THE CITY OF NEW YORK is liable for the discriminatory acts and omissions of its NYPD officers, supervisors, command personnel, investigative personnel, disciplinary personnel, agents, servants, and employees acting within the scope of their employment.

253. As a direct and proximate result of defendants' conduct, plaintiff suffered loss of liberty, humiliation, emotional distress, reputational harm, lost compensation, suspension without pay, modified-duty placement, surrender of firearms, shield, and Department identification, disciplinary exposure, and other damages.

COUNT II
New York Civil Rights Law § 79-n
Bias-Related Violence, Intimidation, or Coercion
Against All Defendants

254. Plaintiff repeats and realleges each preceding paragraph as if fully set forth herein.

255. Plaintiff is Hispanic and is protected under New York Civil Rights Law § 79-n based on race, color, national origin, Hispanic ethnicity, ancestry, and/or perceived race or ethnicity.

256. Defendants intentionally selected plaintiff for coercive and intimidating law-enforcement action in whole or in substantial part because of plaintiff's actual or perceived race, color, national origin, Hispanic ethnicity, and/or ancestry.

257. Defendants GOLDBERG and ULLOA used actual and apparent police authority to seize, handcuff, arrest, transport, process, and charge plaintiff after plaintiff questioned the alleged vehicle-stop narrative and did not immediately identify himself as an NYPD officer in a public residential lobby.

258. Defendant HINES used supervisory authority to permit the coercive arrest and transport to continue after plaintiff's identity and member-of-service status were confirmed and after the claimed OGA predicate was legally deficient.

259. The Desk Officer used precinct arrest-processing authority to permit plaintiff's continued detention, processing, fingerprinting, photographing, denial of DAT treatment, and Central Booking transport.

260. Defendants WATSON, MORAN, and GAZIS used command authority to permit the arrest, detention, processing, investigation, and immediate employment punishment to continue rather than voiding the arrest and protecting plaintiff's rights.

261. Defendants LANE and HANNA used Internal Affairs Bureau authority to subject plaintiff to an investigative process while he was under arrest, in custody, and exposed to criminal and disciplinary consequences.

262. Defendant TISCH, directly or through delegated disciplinary authority, permitted NYPD disciplinary power to be used in a manner that ratified the false arrest, perpetuated the biased investigation, and imposed discriminatory employment consequences upon plaintiff.

263. Defendant THE CITY OF NEW YORK is liable for the bias-related intimidation and coercion committed or permitted by NYPD officers, supervisors, command personnel, investigative personnel, disciplinary personnel, agents, servants, and employees acting within the scope of their employment.

264. As a direct and proximate result of defendants' conduct, plaintiff suffered loss of liberty, intimidation, coercion, humiliation, emotional distress, reputational harm, lost compensation, employment injury, disciplinary exposure, and other damages.

COUNT III
New York State Human Rights Law
Executive Law § 296
Race, Color, National Origin, and/or Hispanic Ethnicity Discrimination
Against All Defendants

265. Plaintiff repeats and realleges each preceding paragraph as if fully set forth herein.

266. Plaintiff is Hispanic and was employed by the New York City Police Department as a police officer and member of the service.

267. Defendant THE CITY OF NEW YORK was plaintiff's employer within the meaning of the New York State Human Rights Law.

268. Defendants discriminated against plaintiff in the terms, conditions, and privileges of employment because of his race, color, national origin, Hispanic ethnicity, ancestry, and/or perceived race or ethnicity.

269. The discriminatory employment treatment included a biased investigation, failure to void a legally defective arrest, suspension without pay, modified-duty placement, surrender of firearms, shield, and Department identification, disciplinary exposure, reputational harm, and related employment consequences.

270. Defendant THE CITY OF NEW YORK is directly, vicariously, and strictly liable because the discriminatory employment actions were imposed, approved, ratified, continued, or left uncorrected by NYPD supervisors, managers, command personnel, investigative personnel, disciplinary personnel, and final or delegated disciplinary authority.

271. Defendants GOLDBERG and ULLOA caused or contributed to the discriminatory employment harm by initiating, continuing, or supporting the alleged after-the-fact vehicle-stop narrative, seizure, arrest, and OGA charge that became the basis for plaintiff's Department discipline.

272. Defendant HINES caused or contributed to the discriminatory employment harm by failing to stop, correct, or void the arrest after plaintiff's identity and member-of-service status were confirmed.

273. The Desk Officer caused or contributed to the discriminatory employment harm by failing to void the arrest at the precinct and permitting plaintiff to be processed under a legally defective OGA charge.

274. Defendants WATSON, MORAN, and GAZIS caused or contributed to the discriminatory employment harm by permitting command-level use of a legally defective arrest as the basis for plaintiff's continued detention, investigation, suspension without pay, modified-duty placement, surrender of firearms, shield, and Department identification, and related employment consequences.

275. Defendants LANE and HANNA caused or contributed to the discriminatory employment harm by participating in an Internal Affairs Bureau process that failed to correct the false or legally defective arrest narrative and failed to protect plaintiff from discipline based on that narrative.

276. Defendant TISCH caused, permitted, ratified, or failed to correct the discriminatory employment harm by allowing NYPD disciplinary authority, including authority under New York City Administrative Code § 14-115, to be used against plaintiff without a lawful factual and legal predicate.

277. The individual defendants are liable under Executive Law § 296(6) because they aided, abetted, incited, compelled, coerced, or personally participated in the discriminatory practices alleged herein.

278. Defendants treated plaintiff less favorably than similarly situated non-Hispanic and/or non-minority members of the service and created a hostile, stigmatizing, and discriminatory employment environment.

279. Defendants' conduct was more than trivial, petty, or inconvenient because plaintiff lost pay, lost Department authority, lost access to firearms, surrendered his shield and Department identification, was placed on modified duty, was exposed to discipline, and suffered reputational injury within the Department.

280. As a direct and proximate result of defendants' conduct, plaintiff suffered lost compensation, employment injury, emotional distress, humiliation, reputational harm, disciplinary exposure, and other damages.

281. Plaintiff is entitled to all relief available under the New York State Human Rights Law.

COUNT IV
New York State Human Rights Law
Executive Law § 296(7)
Retaliation
Against All Defendants

282. Plaintiff repeats and realleges each preceding paragraph as if fully set forth herein.

283. Plaintiff engaged in protected activity by challenging the legality and truthfulness of the alleged vehicle-stop narrative, opposing the biased and discriminatory treatment imposed upon him, and contesting the use of a legally defective arrest as the basis for Department discipline and employment punishment.

284. Defendants knew that plaintiff challenged the alleged stop, the OGA arrest, the false or legally defective arrest narrative, and the Department's use of that arrest as an employment-disqualifying event.

285. Defendants retaliated against plaintiff because he questioned, opposed, and refused to accept the false or legally defective premise that he had obstructed governmental administration.

286. Defendants GOLDBERG and ULLOA retaliated by escalating the encounter, causing or participating in plaintiff's arrest, and advancing the OGA charge after plaintiff questioned the basis for the stop.

287. Defendant HINES retaliated by permitting plaintiff's arrest, transport, and detention to continue after plaintiff's identity and member-of-service status were confirmed.

288. The Desk Officer retaliated by failing to void the arrest, permitting precinct processing to continue, denying plaintiff DAT treatment, and allowing plaintiff to be transported to Bronx Central Booking.

289. Defendants WATSON, MORAN, and GAZIS retaliated by permitting command-level action that continued the arrest, prolonged plaintiff's custody, and converted the arrest into immediate employment punishment.

290. Defendants LANE and HANNA retaliated by participating in an Internal Affairs Bureau process while plaintiff remained under arrest and while the Department was imposing immediate employment consequences.

291. Defendant TISCH retaliated, permitted retaliation, ratified retaliation, or failed to correct retaliation by allowing NYPD disciplinary authority to be used against plaintiff after he challenged the legality and truthfulness of the arrest narrative.

292. Defendant THE CITY OF NEW YORK is directly and vicariously liable because the retaliatory conduct was committed, approved, ratified, continued, or left uncorrected by NYPD officers, supervisors, command personnel, investigative personnel, disciplinary personnel, agents, servants, and employees acting within the scope of their employment and through actual or delegated Department authority.

293. The individual defendants are liable under Executive Law § 296(6) because they aided, abetted, incited, compelled, coerced, or personally participated in the retaliatory practices alleged herein.

294. Defendants' retaliation would reasonably deter a member of the service from opposing discriminatory policing, biased investigation, false arrest, discriminatory employment treatment, or the use of a legally defective arrest as the basis for Department punishment.

295. As a direct and proximate result of defendants' retaliation, plaintiff suffered prolonged loss of liberty, humiliation, emotional distress, reputational harm, lost compensation,

suspension without pay, modified-duty placement, surrender of firearms, shield, and Department identification, disciplinary exposure, and other damages.

296. Plaintiff is entitled to all relief available under the New York State Human Rights Law.

COUNT V
New York City Administrative Code § 14-151
Bias-Based Profiling
Against All Defendants

297. Plaintiff repeats and realleges each preceding paragraph as if fully set forth herein.

298. Plaintiff is Hispanic and is protected from bias-based profiling based on actual or perceived race, color, ethnicity, national origin, and/or ancestry.

299. Defendants engaged in bias-based profiling by relying, in whole or in part, on plaintiff's actual or perceived race, color, ethnicity, national origin, ancestry, and/or presence in a heavily policed Bronx neighborhood as a determinative factor in initiating, continuing, escalating, approving, ratifying, or failing to correct the police action against him.

300. Defendants GOLDBERG and ULLOA engaged in bias-based profiling by treating plaintiff as suspicious after an alleged after-the-fact vehicle-stop claim, demanding identification inside or near his residential building, escalating the encounter after plaintiff questioned the basis for the stop, and causing or participating in plaintiff's handcuffing, arrest, transport, processing, and OGA charge.

301. Defendant HINES engaged in, permitted, or failed to correct bias-based profiling by allowing plaintiff's arrest, transport, and detention to continue after plaintiff's identity and member-of-service status were confirmed and after the absence of a lawful OGA predicate was apparent.

302. The Desk Officer engaged in, permitted, or failed to correct bias-based profiling by failing to void the arrest at the precinct and permitting plaintiff to be processed under a legally defective OGA charge.

303. Defendants WATSON, MORAN, and GAZIS engaged in, permitted, or failed to correct bias-based profiling by allowing the arrest, detention, investigation, and employment punishment to continue through command-level action.

304. Defendants LANE and HANNA engaged in, permitted, or failed to correct bias-based profiling by participating in an Internal Affairs Bureau process that credited the defective enforcement narrative and failed to protect plaintiff from employment consequences based on that narrative.

305. Defendant TISCH engaged in, permitted, ratified, or failed to correct bias-based profiling by allowing NYPD disciplinary authority to be used against plaintiff after a legally defective and biased enforcement narrative had been advanced.

306. Defendant THE CITY OF NEW YORK is liable for the bias-based profiling committed, approved, ratified, continued, or left uncorrected by NYPD officers, supervisors, command personnel, investigative personnel, disciplinary personnel, agents, servants, and employees.

307. As a direct and proximate result of defendants' conduct, plaintiff suffered loss of liberty, humiliation, emotional distress, reputational harm, lost compensation, suspension without pay, modified-duty placement, surrender of firearms, shield, and Department identification, disciplinary exposure, and other damages.

308. Plaintiff is entitled to all relief available under New York City Administrative Code § 14-151.

COUNT VI
New York City Human Rights Law
Administrative Code § 8-107
Race, Color, National Origin, and/or Hispanic Ethnicity Discrimination
Against All Defendants

309. Plaintiff repeats and realleges each preceding paragraph as if fully set forth herein.

310. Plaintiff is Hispanic and was employed by the New York City Police Department as a police officer and member of the service.

311. Defendant THE CITY OF NEW YORK was plaintiff's employer within the meaning of the New York City Human Rights Law.

312. Defendants treated plaintiff less well, at least in part, because of his actual or perceived race, color, national origin, Hispanic ethnicity, ancestry, and/or perceived race or ethnicity.

313. The discriminatory treatment included a biased investigation, failure to void a legally defective arrest, suspension without pay, modified-duty placement, surrender of firearms, shield, and Department identification, disciplinary exposure, reputational harm, and related employment consequences.

314. Defendant THE CITY OF NEW YORK is strictly, directly, and vicariously liable under the New York City Human Rights Law because the discriminatory acts were committed, approved, ratified, continued, or left uncorrected by NYPD supervisors, managers, command personnel, investigative personnel, disciplinary personnel, and final or delegated disciplinary authority.

315. Defendants GOLDBERG and ULLOA caused or contributed to the discriminatory employment harm by initiating, continuing, or supporting the alleged after-the-

fact vehicle-stop narrative, seizure, arrest, and OGA charge that became the basis for plaintiff's Department discipline.

316. Defendant HINES caused or contributed to the discriminatory employment harm by failing to stop, correct, or void the arrest after plaintiff's identity and member-of-service status were confirmed.

317. The Desk Officer caused or contributed to the discriminatory employment harm by failing to void the arrest at the precinct and permitting plaintiff to be processed under a legally defective OGA charge.

318. Defendants WATSON, MORAN, and GAZIS caused or contributed to the discriminatory employment harm by permitting command-level use of a legally defective arrest as the basis for plaintiff's continued detention, investigation, suspension without pay, modified-duty placement, surrender of firearms, shield, and Department identification, and related employment consequences.

319. Defendants LANE and HANNA caused or contributed to the discriminatory employment harm by participating in an Internal Affairs Bureau process that failed to correct the defective arrest narrative and failed to protect plaintiff from discipline based on that narrative.

320. Defendant TISCH caused, permitted, ratified, or failed to correct the discriminatory employment harm by allowing NYPD disciplinary authority, including authority under New York City Administrative Code § 14-115, to be used against plaintiff without a lawful factual and legal predicate.

321. The individual defendants are liable under Administrative Code § 8-107(6) because they aided, abetted, incited, compelled, coerced, or personally participated in the discriminatory practices alleged herein.

322. Defendants' conduct created a hostile, stigmatizing, and discriminatory employment environment and deprived plaintiff of equal terms, conditions, and privileges of employment.

323. As a direct and proximate result of defendants' conduct, plaintiff suffered lost compensation, employment injury, emotional distress, humiliation, reputational harm, disciplinary exposure, and other damages.

324. Plaintiff is entitled to all relief available under the New York City Human Rights Law.

COUNT VII
New York City Human Rights Law
Administrative Code § 8-107(7)
Retaliation and Interference
Against All Defendants

325. Plaintiff repeats and realleges each preceding paragraph as if fully set forth herein.

326. Plaintiff engaged in protected activity by challenging the legality, truthfulness, discriminatory character, and employment use of the alleged vehicle-stop narrative, OGA arrest, biased investigation, and Department disciplinary action.

327. Defendants knew that plaintiff challenged the alleged stop, arrest, OGA charge, biased investigation, and use of the arrest as an employment-disqualifying event.

328. Defendants retaliated against plaintiff and interfered with his rights by continuing the arrest, failing to void the arrest, prolonging his custody, denying Desk Appearance Ticket processing, transporting him to Bronx Central Booking, subjecting him to Internal Affairs Bureau questioning, suspending him without pay, placing him on modified duty, directing him to surrender his firearms, shield, and Department identification, and exposing him to discipline.

329. Defendants GOLDBERG and ULLOA retaliated and interfered by escalating and advancing the arrest narrative after plaintiff questioned the alleged stop and refused to accept the false premise that he had obstructed governmental administration.

330. Defendant HINES and the Desk Officer retaliated and interfered by failing to stop, correct, or void the arrest after plaintiff's identity and member-of-service status were confirmed and after the absence of a lawful OGA predicate was apparent.

331. Defendants WATSON, MORAN, and GAZIS retaliated and interfered by permitting command-level action that prolonged plaintiff's custody and converted the legally defective arrest into immediate employment punishment.

332. Defendants LANE and HANNA retaliated and interfered by participating in an Internal Affairs Bureau process while plaintiff remained under arrest and while the Department was imposing immediate employment consequences.

333. Defendant TISCH retaliated, interfered, permitted retaliation and interference, ratified retaliation and interference, or failed to correct retaliation and interference by allowing NYPD disciplinary authority to be used against plaintiff after he challenged the legality and truthfulness of the arrest narrative.

334. Defendant THE CITY OF NEW YORK is strictly, directly, and vicariously liable because the retaliation and interference were committed, approved, ratified, continued, or left uncorrected by NYPD supervisors, managers, command personnel, investigative personnel, disciplinary personnel, and final or delegated disciplinary authority.

335. The individual defendants are liable because they aided, abetted, incited, compelled, coerced, or personally participated in the retaliatory and interfering conduct alleged herein.

336. Defendants' conduct would reasonably deter a member of the service from opposing discriminatory policing, biased investigation, false arrest, discriminatory employment treatment, or the use of a legally defective arrest as the basis for Department punishment.

337. As a direct and proximate result of defendants' conduct, plaintiff suffered prolonged loss of liberty, humiliation, emotional distress, reputational harm, lost compensation, suspension without pay, modified-duty placement, surrender of firearms, shield, and Department identification, disciplinary exposure, and other damages.

338. Plaintiff is entitled to all relief available under the New York City Human Rights Law.

JURY TRIAL

339. Plaintiff JONATHAN VARELA hereby demands a trial by jury of all issues so triable as of right.

PRAYER FOR RELIEF

WHEREFORE, plaintiff JONATHAN VARELA respectfully demands judgment against defendants THE CITY OF NEW YORK, JESSICA S. TISCH, ANTHONY S. GAZIS, JUAN O. MORAN, DWAYNE A. WATSON, STEVEN J. LANE, MICHAEL M. HANNA, MICHAEL HINES, YEHUDA GOLDBERG, and BRIAN A. ULLOA, jointly and severally where permitted by law, as follows:

- a. Declaring that defendants violated plaintiff's rights under the New York Civil Rights Law, the New York State Human Rights Law, the New York City Human Rights Law, and New York City Administrative Code § 14-151;
- b. Awarding plaintiff compensatory damages in an amount to be determined at trial;

- c. Awarding plaintiff damages for emotional distress, humiliation, embarrassment, reputational harm, loss of liberty, loss of employment rights and privileges, lost compensation, and other injuries in an amount to be determined at trial;
- d. Awarding plaintiff back pay, front pay, lost wages, lost benefits, pension-related losses, overtime-related losses, differential compensation, and all other economic damages in an amount to be determined at trial;
- e. Awarding plaintiff punitive damages against the individual defendants to the fullest extent permitted by law;
- f. Awarding plaintiff statutory damages, treble damages, civil penalties, and all other statutory remedies where authorized by law;
- g. Awarding plaintiff pre-judgment and post-judgment interest as permitted by law;
- h. Awarding plaintiff reasonable attorneys' fees, costs, disbursements, and litigation expenses as permitted by law;
- i. Awarding plaintiff equitable, declaratory, and injunctive relief, including correction, rescission, expungement, or removal of discriminatory, retaliatory, biased, false, misleading, or legally defective arrest, disciplinary, Internal Affairs Bureau, personnel, employment, command, or related NYPD records, to the fullest extent permitted by law;
- j. Awarding plaintiff such other and further relief as this Court deems just, proper, and equitable.

Dated: June 16, 2026
New York, N.Y.

Respectfully submitted,

By: s/Eric Sanders
Attorney for Plaintiff JONATHAN VARELA

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Website: <http://www.thesandersfirmpc.com>

ATTORNEY VERIFICATION

STATE OF NEW YORK

ss:

COUNTY OF WESTCHESTER

ERIC SANDERS, ESQ., affirms as follows:

I am an attorney admitted to practice in the State of New York courts. As the attorney for the plaintiff in the action, I am familiar with all the facts and circumstances.

The Verified Complaint is true to the knowledge of the affirmant, except for those matters stated to be alleged upon information and belief, and he believes those matters to be factual.

The affirmant further states that this verification is made by the affirmant and not by the Plaintiff because the Plaintiff is not within the county of Westchester, where the affirmant maintains his office.

The undersigned attorney affirms that the previous statements are true under the penalties of perjury and Rule 2106 CPLR.

Dated: June 16, 2026
New York, N.Y.

Respectfully submitted,

By: s/Eric Sanders
Attorney for Plaintiff JONATHAN VARELA

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

INDEX NO.:

JONATHAN VARELA

Plaintiff,

-against-

THE CITY OF NEW YORK, JESSICA S. TISCH, ANTHONY S. GAZIS, JUAN O.
MORAN, DWAYNE A. WATSON, STEVEN J. LANE, MICHAEL M. HANNA,
MICHAEL HINES, YEHUDA GOLDBERG, and BRIAN A. ULLOA

Defendants

SUMMONS WITH VERIFIED COMPLAINT

Duly submitted by:

By: s/Eric Sanders
Attorney for Plaintiff JONATHAN VARELA

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