

Eric Sanders

From: Eric Sanders [REDACTED]
Sent: Wednesday, June 24, 2026 06:26
To: 'GREEN, DAVID'; 'ABDELHADI, AUSAMA'; 'ROSTOLDER, MATTHEW'; 'JOHNSON, JAMAL'; 'CARRINGTON, ALISON'
Cc: 'RAHMAN, TAREK'; 'HERNANDEZ, DIEGO'; 'SLATER, NANCY'; 'MALONEY, CHRISTINE'
Subject: RE: Department's Motion in Limine regarding NYPD v. Police Officer Shatorra Foster, Disciplinary Case No. C-030622
Attachments: Motion in Limine.pdf
Importance: High

Dear Commissioner Maldonado:

I represent Police Officer Shatorra Foster in the above-captioned disciplinary matter. This email is submitted in opposition to the Department's June 24, 2026 Motion in Limine.

The Department's motion should be denied. In substance, the Department asks the Trial Commissioner to preclude respondent from introducing unspecified "collateral issues" or, alternatively, to require respondent to make advance offers of proof before presenting witness testimony. The request is procedurally and substantively improper. It identifies no specific witness, document, testimony, subject matter, exhibit, or factual category for preclusion. It therefore does not present a concrete evidentiary issue for adjudication. Instead, it seeks a broad advisory ruling that would improperly restrict respondent's ability to defend against the Charges and Specifications.

That is particularly inappropriate here because the Department itself drafted expansive, intent-based charges. The Charges and Specifications allege, among other things, that respondent engaged in a course of conduct directed at one or more persons, that she acted "intentionally," that she acted "for no legitimate purpose," that she knew or reasonably should have known certain consequences would follow, that she allegedly made false or baseless reports, and that she allegedly used Department systems and devices for non-Department purposes. Those allegations place context, motive, credibility, bias, prior communications, legitimate purpose, investigative selectivity, witness relationships, complainant conduct, and the reasonableness of alleged fear directly at issue.

The Department cannot convert those issues into "collateral issues" merely by labeling them as such. Where the Department charges stalking, harassment, aggravated harassment, false reporting, and alleged misuse of Department resources, respondent must be permitted to test the Department's proof, confront its witnesses, develop bias and motive, challenge the factual predicate for the charges, and establish that her conduct had a legitimate purpose or was otherwise mischaracterized.

The Department's proposed restriction is also one-sided. It would allow the Department to present its theory of the case while forcing respondent to obtain advance permission before eliciting testimony that may be necessary to explain context, impeach witnesses, or establish a defense. That approach would impair respondent's ability to receive a fair administrative trial. Cross-examination and impeachment are not "collateral" simply because they are inconvenient to the Department's narrative. Nor may the

Department preemptively limit credibility evidence where witness credibility is likely to be central to the adjudication of these charges.

To the extent the Department objects to a particular question, document, exhibit, or witness at trial, it may make a contemporaneous objection. The Trial Commissioner can then assess the issue in its actual evidentiary context. But a blanket preclusion order, untethered to any identified evidence, would be premature and unfair.

Respondent therefore respectfully requests that the Department's Motion in Limine be denied in its entirety. In the alternative, any ruling should make clear that respondent remains free to offer evidence and conduct cross-examination concerning context, motive, credibility, bias, legitimate purpose, investigative deficiencies, selective enforcement, complainant conduct, prior communications, and any other matter bearing upon the Department's burden of proof or respondent's defenses.

Respectfully submitted,

Eric Sanders, Esq.
Attorney for Police Officer Shatorra Foster

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From: GREEN, DAVID [REDACTED]

Sent: Wednesday, June 24, 2026 06:18

To: ABDELHADI, AUSAMA [REDACTED]; ROSTOLDER, MATTHEW

[REDACTED]; JOHNSON, JAMAL [REDACTED]; CARRINGTON, ALISON

Cc: Eric Sanders [REDACTED]; RAHMAN, TAREK [REDACTED]; HERNANDEZ,

DIEGO [REDACTED]; SLATER, NANCY [REDACTED]; MALONEY, CHRISTINE

Subject: Department's Motion in Limine regarding NYPD v. Police Officer Shatorra Foster, Disciplinary Case No. C-030622

Good morning.

Please find attached the Department's Motion *in Limine* regarding **NYPD v. Police Officer Shatorra Foster**, Disciplinary Case No. C-030622, scheduled for a conference on June 30, 2026.

Thank you.

David

David H. Green



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