

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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In the Matter of the Application of

SALVATORE J. GRECO, individually and as host and publisher
of THE SAL GRECO SHOW,

VERIFIED PETITION

Petitioner,

Index No.

For a Judgment Pursuant to Article 78 of the Civil Practice Law
and Rules,

-against-

THE CITY OF NEW YORK and JESSICA S. TISCH,
in her official capacity as Police Commissioner
of the City of New York

Respondents.

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Petitioner SALVATORE J. GRECO, by his attorneys, THE SANDERS FIRM, P.C.,
respectfully alleges as follows:

PRELIMINARY STATEMENT

1. This hybrid proceeding pursuant to CPLR article 78 and CPLR 3001 challenges respondents' established policy and practice of providing only a partial and incomplete public account of disciplinary proceedings involving members of the New York City Police Department.

2. Respondents maintain several public-facing disciplinary resources, including the Officer Profile Portal, the Trial Decision Library, annual discipline reports, and annual reports concerning penalties imposed outside the NYPD Disciplinary System Penalty Guidelines, commonly known as the Discipline Matrix.

3. Respondents describe accountability and transparency as essential to public confidence and describe the Trial Decision Library as a means for the public to review trial decisions together with the Police Commissioner's final determination.

4. Respondents state that the Trial Decision Library displays decisions from 2008 to the present, but expressly acknowledge that they are still working to include additional decisions. Respondents do not identify the omitted decisions, explain their omission, or publish a complete index showing which final trial determinations are and are not available.

5. Respondents' incomplete disclosure is not limited to omitted trial decisions. The NYPD resolves a substantial number of formal disciplinary matters through negotiated settlements, pleas, stipulations, command disciplines, and other nontrial mechanisms for which no equivalent public repository exists.

6. The NYPD's 2024 Discipline Report states that settlement terms are based upon disciplinary precedent, the Discipline Matrix, and the employee's disciplinary history, and that the Police Commissioner makes the final disciplinary determination whether a matter ends through settlement or trial.

7. In 2024, respondents reported 93 trial dispositions and 141 settlements among matters submitted through the Office of the Deputy Commissioner of Trials. Settlements therefore represented approximately 60 percent of the combined trial and settlement dispositions reported for that year.

8. Yet respondents do not provide uniform public access to the complete existing records constituting or supporting negotiated dispositions, including executed agreements, final approvals, charges resolved, penalties imposed, supporting memoranda, matrix-deviation records, and related implementing orders.

9. Respondents' public systems also do not provide a complete and traceable account of serious misconduct allegations that were investigated but did not result in publicly identifiable

charges, a published trial decision, or a disclosed negotiated disposition, including matters ending through resignation or retirement.

10. Public Officers Law § 86(6) defines law-enforcement disciplinary records to include any record created in furtherance of a disciplinary proceeding, including complaints, allegations, charges, the disposition of any disciplinary proceeding, and the final written opinion or memorandum supporting the disposition and discipline imposed.

11. Public Officers Law § 86(7) provides that a disciplinary proceeding begins with the commencement of an investigation and includes any subsequent hearing or disciplinary action. The statutory classification therefore does not depend upon whether formal charges were served, whether the matter proceeded to trial, or whether the employee resigned or retired.

12. Petitioner does not challenge lawful, particularized redactions required or authorized by statute. He challenges categorical nonpublication and the absence of a complete public accounting of which disciplinary records exist, which have been disclosed, and how serious matters were resolved.

13. Respondents' 2024 Discipline Report states that discipline must be administered fairly and equitably and defines equity as holding employees accountable regardless of rank, demographic, assignment, or tenure.

14. Aggregate statistics concerning race, gender, settlements, trials, and matrix deviations do not permit meaningful case-level comparison of similarly situated matters or testing of respondents' official claims of transparency and equity.

15. Respondents' calendar-year 2025 matrix-deviation report identifies 36 deviations among 1,021 cases involving 1,150 respondents, but does not identify the underlying matters,

applicable matrix penalties, penalties imposed, direction or reason for the departures, or whether the matters were settled or tried.

16. Petitioner Salvatore J. Greco is the host and publisher of The Sal Greco Show and regularly reports on NYPD administration, misconduct, discipline, discrimination, public integrity, and governmental accountability.

17. Respondents' incomplete disclosure practices impair petitioner's ability to investigate reported misconduct, identify final outcomes, compare similarly situated matters, evaluate possible favoritism or disparate treatment, and report accurately upon the exercise of NYPD disciplinary authority.

18. Petitioner does not ask this Court to determine whether any identified employee committed alleged misconduct or whether any particular penalty was appropriate. The representative matters pleaded below demonstrate the inability of respondents' public systems to reveal what was investigated, what was found, and how the matter ended.

19. Petitioner seeks declarations concerning the legal status of omitted disciplinary records, annulment of respondents' categorical and selective disclosure practices, and an order directing respondents to establish a lawful process for identifying and treating those records, subject to lawful exemptions and reasonable administrative implementation.

20. Petitioner does not ask the Court to design a particular website or database. Respondents may retain reasonable discretion concerning mechanics, format, sequencing, and timing, but may not treat entire categories of disciplinary records as outside the governing statutory framework.

PARTIES

21. Petitioner SALVATORE J. GRECO is a natural person who presently resides in the State of Florida.

22. Petitioner is the host and publisher of The Sal Greco Show, through which he reports upon and comments on NYPD administration, employee misconduct, disciplinary practices, discrimination, public integrity, and governmental accountability.

23. Petitioner seeks the records and information at issue for investigation, analysis, reporting, commentary, and dissemination to the public.

24. Petitioner brings this proceeding individually and in his capacity as host and publisher of The Sal Greco Show.

25. Respondent THE CITY OF NEW YORK is a municipal corporation organized under the laws of the State of New York and acts through its agencies, officers, employees, and policymakers, including the New York City Police Department and the Police Commissioner.

26. The New York City Police Department is a non-suable agency of the City and is therefore not named separately.

27. The City is responsible for the policies, practices, recordkeeping systems, public-disclosure systems, and administrative actions challenged in this proceeding and maintains, controls, or possesses the disciplinary records and related data at issue.

28. Respondent JESSICA S. TISCH is the Police Commissioner of the City of New York and is sued solely in her official capacity.

29. As Police Commissioner, respondent Tisch is the head of the NYPD, possesses final authority over NYPD disciplinary determinations and penalties, and is responsible for the administration and supervision of the challenged disclosure practices.

30. Respondent Tisch has authority, directly or through subordinate officials, to direct the identification, maintenance, review, redaction, disclosure, and publication of NYPD disciplinary records and to correct categorical omissions from the Department's public systems.

JURISDICTION AND VENUE

31. This Court has subject-matter jurisdiction over this special proceeding and hybrid declaratory-judgment action pursuant to CPLR articles 4 and 78 and CPLR 3001.

32. Pursuant to CPLR 7803(1), the Court may determine whether a body or officer failed to perform a duty enjoined upon it by law.

33. Pursuant to CPLR 7803(3), the Court may determine whether administrative action was made in violation of lawful procedure, affected by an error of law, arbitrary and capricious, or an abuse of discretion.

34. CPLR 3001 authorizes the Court to declare the rights and other legal relations of parties to a justiciable controversy.

35. Venue is proper in New York County pursuant to CPLR 506(b) because respondent Tisch maintains her principal official office in New York County, the challenged practices are administered there, and the material governmental acts and omissions occurred there.

THE GOVERNING DISCLOSURE FRAMEWORK

36. Before June 12, 2020, Civil Rights Law § 50-a treated specified police personnel records used to evaluate officers toward continued employment or promotion as confidential absent consent or a court order.

37. In *Matter of New York Civil Liberties Union v. New York City Police Department*, 32 N.Y.3d 556 (2018), the Court of Appeals held that written NYPD disciplinary decisions were

protected under former § 50-a and explained that policy objections to the statute's breadth were for the Legislature.

38. The Legislature thereafter repealed Civil Rights Law § 50-a in its entirety through Chapter 96 of the Laws of 2020 and simultaneously amended the Freedom of Information Law to define law-enforcement disciplinary records and establish specific redaction rules.

39. Public Officers Law § 84 declares that government is the public's business and that public access permits informed judgments concerning official conduct.

40. Public Officers Law § 86(4) defines a record broadly as information kept, held, filed, produced, or reproduced by, with, or for an agency in any physical form.

41. Public Officers Law § 86(6) defines law-enforcement disciplinary records as any record created in furtherance of a law-enforcement disciplinary proceeding, including, but not limited to, complaints, allegations, charges, employee names, trial or hearing transcripts and exhibits, the disposition of any disciplinary proceeding, and the final written opinion or memorandum supporting the disposition and discipline imposed.

42. Public Officers Law § 86(7) defines a law-enforcement disciplinary proceeding as the commencement of any investigation and any subsequent hearing or disciplinary action conducted by a law-enforcement agency.

43. The statutory definition is not confined to formal trials, records created by the Office of the Deputy Commissioner of Trials, or written trial decisions.

44. A settlement, plea, stipulation, command discipline, final approval, supporting memorandum, matrix-deviation record, implementing directive, or related record falls within § 86(6) when it constitutes a disposition or was created in furtherance of the investigation, disciplinary action, resolution, or implementation of discipline.

45. Under FOIL, agency records are presumptively available unless the agency establishes that the record or a portion falls within a specifically enumerated exemption.

46. Public Officers Law §§ 87(4-a), 87(4-b), 89(2-b), and 89(2-c) establish targeted redaction rules for disciplinary records disclosed in response to a request, including specified personal information and technical infractions.

47. Those provisions do not establish a categorical exemption for records arising from matters resolved by settlement rather than trial and do not alter the classification of records under § 86(6).

48. In *Matter of NYP Holdings, Inc. v. New York City Police Department*, 43 N.Y.3d 357 (2025), the Court of Appeals held that former § 50-a did not create a vested right to perpetual confidentiality and that records created before repeal are governed by the disclosure law in effect when the agency responds to the request.

49. NYP Holdings confirms that respondents may not rely upon the former confidentiality regime as an independent basis for withholding disciplinary records after repeal.

THE NYPD DISCIPLINARY AND PUBLIC-DISCLOSURE SYSTEMS

50. NYPD disciplinary matters may originate through internal investigations, complaints, supervisory action, or referrals from outside entities, including the Civilian Complaint Review Board.

51. Depending upon the nature and seriousness of the alleged misconduct, the Department may use corrective instruction, training, command discipline, formal charges and specifications, negotiated disposition, Department trial, or another authorized process.

52. The 2024 Discipline Report explains that command discipline permits commanding officers to adjudicate specified misconduct without formal charges before the Office of the Deputy Commissioner of Trials and may result in warning, admonishment, or forfeiture of accrued time.

53. Where formal charges are pursued, a uniformed member may contest the charges at a department trial or acknowledge the charged misconduct and accept a proposed penalty through settlement.

54. The 2024 Discipline Report states that settlement terms are based upon relevant disciplinary precedent, the Discipline Matrix, and the employee's disciplinary history.

55. Once accepted and finally approved, a negotiated settlement resolves the charges and determines the discipline imposed.

56. When a matter proceeds to trial, the Trial Commissioner issues a report addressing the charges, evidence, findings of fact, applicable policies and law, and a recommended penalty where guilt is found.

57. The Police Commissioner possesses final authority to determine charges and impose discipline following either settlement or trial.

58. Exhibit 1 reports 93 trial dispositions, 141 settlements, and 15 resignations while matters remained active during 2024.

59. Respondents maintain formal disciplinary information in a case-management database and use that information to report intake, active matters, duration, dispositions, penalties, separations, recidivism, and demographics.

60. Respondents therefore can identify matters resolved by settlement, matters resulting in trial dispositions, matters involving resignation, and matters producing matrix deviations.

THE TRIAL DECISION LIBRARY IS EXPRESSLY INCOMPLETE

61. Respondents describe the Trial Decision Library as an accountability and transparency measure permitting the public to view trial decisions together with the Police Commissioner's final determination.

62. Respondents state that the library displays decisions involving active, retired, and separated members and currently contains decisions from 2008 to the present.

63. Respondents also state that they are working to include additional decisions.

64. That representation establishes that the library does not presently contain every trial decision and final Police Commissioner determination within the period it purports to cover.

65. Respondents do not identify the omitted decisions, the number or years of those decisions, the reason for omission, or a schedule for publication.

66. Respondents do not publish a complete index identifying each disciplinary trial, each Trial Commissioner report, each final Police Commissioner determination, and whether the corresponding decision is publicly available.

67. Petitioner does not challenge lawful redactions protecting personal identifying information, medical information, sealed records, sex-crime victim information, or other statutorily protected material.

68. Petitioner challenges the omission of nonexempt portions of trial decisions and final determinations and the absence of a complete accounting of the decisions that remain unavailable.

NEGOTIATED DISPOSITIONS LACK EQUIVALENT PUBLIC DISCLOSURE

69. Respondents do not maintain a public repository equivalent to the Trial Decision Library for final matters resolved by settlement, plea, stipulation, command discipline, or other nontrial disposition.

70. The Officer Profile Portal displays selected information concerning certain charges, dispositions, and penalties, but summary fields are not equivalent to the underlying records constituting or supporting a final disposition.

71. Respondents' systems do not provide uniform access to all existing executed settlement agreements, pleas, stipulations, final approvals, supporting recommendations, memoranda, or other records created in furtherance of negotiated dispositions.

72. Those systems also do not identify systematically which charges were admitted, withdrawn, reduced, amended, dismissed, or otherwise resolved through negotiation.

73. To the extent respondents created or maintain records concerning the factual basis, applicable matrix, disciplinary precedent, disciplinary history, aggravating or mitigating circumstances, deviation, or reason for the selected penalty, those records are not made available through a system equivalent to the Trial Decision Library.

74. Respondents' public systems likewise do not provide a complete account of transfers, reassignments, removals from assignment, dismissal probation, monitoring conditions, repayment obligations, forfeiture of time, or other employment consequences imposed as part of or in connection with a disciplinary disposition.

75. The absence of complete records prevents the public from determining whether abbreviated profile information fully reflects the terms, factual basis, and actual employment consequences of the resolution.

76. Because settlements outnumbered trial dispositions in 2024, selective publication of trial decisions omits the larger category of those reported final outcomes from equivalent public review.

**RESPONDENTS' OFFICIAL REPRESENTATIONS CONCERNING
TRANSPARENCY AND EQUITY**

77. Exhibit 1 states that the NYPD seeks to maintain a disciplinary process that is fair, effective, timely, transparent, and equitable.

78. Respondents define disciplinary equity as holding employees accountable regardless of rank, demographic characteristics, assignment, or tenure.

79. Respondents identify the Officer Profile Portal and publication of trial decisions as proactive transparency measures.

80. Neither system provides a complete inventory of all investigations, charges, trials, settlements, final determinations, command disciplines, closure determinations, resignations, retirements, or other disciplinary outcomes.

81. Exhibit 1 publishes aggregate race and gender information concerning closed disciplinary matters but does not connect those categories to particular allegations, charges, histories, settlement terms, findings, matrix penalties, deviations, final penalties, or related employment consequences.

82. Aggregate reporting therefore does not permit meaningful case-level comparison of whether similarly situated employees received comparable investigative, charging, settlement, adjudicative, and disciplinary treatment.

83. Petitioner does not allege that the aggregate statistics independently establish discrimination or favoritism. He alleges that the records necessary to test respondents' claims of transparency and equity are not fully available.

DISCIPLINE MATRIX AND DEVIATION REPORTING

84. New York City Administrative Code § 14-186 requires the NYPD to establish and publish an advisory disciplinary matrix identifying violations, penalties, aggravating circumstances, mitigating circumstances, and other relevant factors.

85. Section 14-186(d) requires annual publication of the number and percentage of instances in which the Police Commissioner imposed a penalty different from the matrix penalty.

86. Exhibit 2 reports 36 deviations among 1,021 cases involving 1,150 respondents during calendar year 2025.

87. Exhibit 2 does not identify the underlying cases, misconduct, presumptive penalties, actual penalties, direction or magnitude of departures, reasons, or resolution mechanisms.

88. Petitioner does not allege that § 14-186(d), standing alone, requires the annual report to identify every underlying matter.

89. Petitioner alleges that aggregate compliance with § 14-186(d) does not alter the statutory classification of the underlying disciplinary dispositions and related records under Public Officers Law § 86(6).

**REPRESENTATIVE SERIOUS-MISCONDUCT MATTERS LACKING COMPLETE
PUBLICLY IDENTIFIABLE DISPOSITIONS**

90. The following matters are pleaded upon information and belief solely to illustrate that respondents' public systems do not reliably reveal whether serious allegations were investigated, substantiated, charged, settled, adjudicated, closed, or otherwise resolved. Petitioner does not ask the Court to determine whether any identified employee committed the alleged conduct.

Representative Matter	Reported or Alleged Misconduct	Reported or Alleged Department Treatment	Public-Disclosure Deficiency
RICHARD S. TAYLOR, NYPD executive	Reported allegations of timekeeping or payroll misconduct involving approximately 172 paid hours allegedly not worked during 2024 and 2025.	Reportedly resolved through a negotiated disposition involving repayment of approximately \$20,000, forfeiture or docking of time or pay, transfer, and dismissal probation.	No complete public settlement, charges resolved, factual basis, final approval, matrix analysis, deviation basis, or implementing transfer records are identifiable through respondents' public systems.
DAVID TZALL, NYPD employee associated with the Health and Wellness Division	Alleged timekeeping misconduct involving work allegedly performed for a private psychology practice during NYPD-compensated hours, involving approximately 800 hours.	Allegedly permitted to resign.	The public systems do not reveal whether the allegations were substantiated, charged, resolved in connection with resignation, required repayment, or produced a final investigative or administrative disposition.
MATTHEW J. GRAZIANO, NYPD employee associated with the Health and Wellness Division	Alleged timekeeping misconduct involving work allegedly performed for a private psychology practice during NYPD-compensated hours, involving approximately 1,000 hours.	Allegedly permitted to resign.	The public systems do not reveal whether the allegations were substantiated, charged, settled, closed, or otherwise resolved, or whether resignation affected the continuation of proceedings.
ROBERT O'HARE, NYPD executive	Alleged interference with or improper handling of a department matter concerning Sergeant Michael Merrick following Merrick's arrest for an alleged lewd public act at Pennsylvania Station.	Reportedly was not publicly disciplined or removed and later received increased Department responsibility.	The public systems do not identify whether O'Hare was investigated, whether findings were made, whether the matter was closed, or whether corrective or disciplinary action was imposed.

Representative Matter	Reported or Alleged Misconduct	Reported or Alleged Department Treatment	Public-Disclosure Deficiency
ARTAN KURTOVIC, NYPD employee	Reportedly arrested and charged with operating a motor vehicle while intoxicated in or about January 2026.	Allegedly received no publicly identifiable Department penalty.	The public systems do not reveal whether the arrest generated an Internal Affairs investigation, formal charges, command discipline, negotiated disposition, final finding, or administrative closure.
JAMES GIOVANSANTI, NYPD employee	Reportedly accumulated approximately 547 speeding violations over approximately three years despite public, community, and political complaints concerning traffic safety.	Reportedly restricted from operating a department radio motor patrol vehicle while an investigation continued, without a publicly identifiable final disposition.	The public systems do not reveal whether the conduct resulted in charges, command discipline, fitness or assignment action, negotiated resolution, final finding, or closure without discipline.
WILLIAM M. VISCARDI, former NYPD Deputy Chief assigned to the Criminal Intelligence Bureau	Reported misuse of a department vehicle by permitting relatives or acquaintances to use it for personal purposes, together with separate alleged timekeeping misconduct involving hundreds of hours over approximately two years.	Reportedly lost 25 vacation days concerning the vehicle matter and later submitted retirement papers while the separate timekeeping investigation remained pending.	The public systems do not disclose the complete vehicle-use disposition, supporting findings, matrix analysis, status of the timekeeping investigation, effect of retirement, or any final closure determination.

91. The table is representative and not exhaustive.

92. The absence of criminal prosecution does not determine whether conduct constituted Department misconduct, whether a disciplinary investigation commenced, or whether records were created in furtherance of a disciplinary proceeding.

93. Resignation or retirement does not erase complaints, investigative records, findings, recommendations, closure determinations, or other records already created in furtherance of a disciplinary proceeding.

94. These matters demonstrate the practical inability of petitioner and the public to trace serious allegations from agency notice through investigation and final disposition.

RESPONDENTS' SYSTEMIC AND CONTINUING PRACTICE

95. Respondents maintain an established practice of publishing selected trial decisions and abbreviated profile information while omitting other trial decisions and failing to provide equivalent access to negotiated dispositions and other final disciplinary records.

96. The challenged practice is not based solely upon individualized determinations that particular statutory exemptions apply to particular portions of particular records.

97. The practice permits the procedural mechanism of resolution to determine the extent of public visibility.

98. It prevents meaningful comparison between settled and adjudicated outcomes, obscures the implementation of matrix deviations, and prevents testing of whether employees accused of comparable misconduct received comparable treatment.

99. It presents an incomplete account of NYPD accountability and restores through administrative design a substantial measure of the opacity that the repeal of Civil Rights Law § 50-a was intended to eliminate.

INJURY TO PETITIONER

100. Petitioner reports upon NYPD administration, misconduct, discipline, employment practices, civil rights, and institutional accountability.

101. Petitioner cannot report accurately upon the disciplinary system using only the subset of matters producing published trial decisions or abbreviated profile entries.

102. Without the omitted records and a complete accounting, petitioner cannot determine reliably which allegations were investigated, which charges were served or modified, how matters were resolved, what penalties or employment consequences were imposed, whether matrix deviations increased or reduced discipline, or whether similarly situated employees received comparable treatment.

103. These injuries are concrete, continuing, and directly affect petitioner's newsgathering, investigation, analysis, publication, and commentary activities.

104. Petitioner seeks to disseminate the information to the public concerning the exercise of governmental disciplinary authority and the accountability of a publicly funded law-enforcement agency.

**PROCEDURAL POSTURE AND ABSENCE OF AN
ADEQUATE ALTERNATIVE REMEDY**

105. Petitioner challenges an established and continuing governmental policy and practice concerning the scope and administration of respondents' public disciplinary-disclosure systems, not merely the withholding of one identified record.

106. Requiring serial requests for individual records would not correct the underlying categorical practice, the incomplete Trial Decision Library, or the absence of an inventory identifying omitted disciplinary matters.

107. The controversy is ripe because respondents presently maintain the challenged systems, presently publish selected records, presently omit other categories, and presently impair petitioner's reporting activities.

108. The Verified Petition constitutes a demand that respondents correct the challenged policy and treat omitted records consistently with their statutory classification. Any opposition defending the existing practice will constitute a refusal.

109. At minimum, an actual controversy exists under CPLR 3001 concerning the legal classification of the omitted records and respondents' authority to exclude them categorically from equivalent public treatment.

FIRST CAUSE OF ACTION
Article 78 - Mandamus to Compel (CPLR 7803[1])

110. Petitioner repeats and realleges paragraphs 1 through 109 as though fully set forth herein.

111. Public Officers Law § 86(6) defines law-enforcement disciplinary records to include records created in furtherance of disciplinary proceedings and expressly includes the disposition of any disciplinary proceeding.

112. Respondents have a duty to administer their treatment of disciplinary records consistently with the statutory definition and may not reclassify entire categories as outside that framework merely because a matter ended without trial or has not been added to a public repository.

113. Respondents may apply lawful exemptions and redactions and may retain reasonable discretion concerning implementation, but may not categorically omit all negotiated dispositions, omitted trial decisions, or related final records from meaningful treatment under the governing law.

114. Mandamus should issue directing respondents to identify the omitted categories, correct the categorical exclusion, and establish a lawful process for historical and prospective treatment of nonexempt final disciplinary records.

SECOND CAUSE OF ACTION
Article 78 - Error of Law (CPLR 7803[3])

115. Petitioner repeats and realleges paragraphs 1 through 114 as though fully set forth herein.

116. Respondents' practice treats the disposition of any disciplinary proceeding as though it were limited to published trial decisions or selected summary information.

117. That construction is contrary to the text of Public Officers Law § 86(6), which contains no exclusion for settlements, pleas, stipulations, command disciplines, Police Commissioner approvals, omitted trial determinations, or implementing records created in furtherance of discipline.

118. Respondents' categorical and selective treatment of those records is affected by errors of law and should be annulled.

THIRD CAUSE OF ACTION
Article 78 - Arbitrary and Capricious Action (CPLR 7803[3])

119. Petitioner repeats and realleges paragraphs 1 through 118 as though fully set forth herein.

120. Final trial and negotiated dispositions perform the same ultimate governmental function: each resolves a disciplinary matter and determines the discipline imposed through the authority of the Police Commissioner.

121. No rational transparency basis exists for publishing complete trial decisions while omitting other trial decisions and withholding equivalent access to negotiated dispositions and their existing supporting records.

122. It is likewise irrational to publish aggregate matrix-deviation and demographic statistics while withholding the case-level disposition records necessary to understand those figures and test respondents' claims of equity.

123. Respondents' selective disclosure practice is arbitrary and capricious, irrational, and an abuse of discretion.

**FOURTH CAUSE OF ACTION
Declaratory Judgment (CPLR 3001)**

124. Petitioner repeats and realleges paragraphs 1 through 123 as though fully set forth herein.

125. An actual and justiciable controversy exists concerning the legal status and treatment of negotiated settlements, pleas, stipulations, command disciplines, omitted trial decisions, final Police Commissioner determinations, investigative dispositions, matrix-deviation records, and related implementing orders.

126. Petitioner contends that those records fall within Public Officers Law § 86(6) when they constitute or were created in furtherance of a disciplinary proceeding, subject to lawful exemptions and redactions.

127. Respondents' present systems reflect the contrary position that those records may be omitted categorically, left unindexed, or replaced by abbreviated summaries and aggregate figures.

128. A declaration will resolve the parties' present controversy and govern respondents' future administration of NYPD disciplinary records.

PRAYER FOR RELIEF

WHEREFORE, petitioner respectfully requests that the Court enter a judgment and order:

- A. Declaring that final negotiated disciplinary settlements, pleas, stipulations, approved penalty agreements, command disciplines, and other nontrial resolutions constitute law-enforcement disciplinary records under Public Officers Law § 86(6) when they constitute or were created in furtherance of a disciplinary proceeding;

- B. Declaring that final trial decisions and Police Commissioner determinations remain law-enforcement disciplinary records regardless of whether respondents have included them in the Trial Decision Library;
- C. Declaring that complaints, investigative records, findings, closure determinations, and other records do not lose their statutory character merely because no formal charges were served or because an employee resigned or retired;
- D. Declaring that transfer orders, reassignment directives, personnel orders, matrix-deviation records, and other implementing records fall within Public Officers Law § 86(6) when created in furtherance of a disciplinary proceeding;
- E. Declaring that respondents may not categorically exclude the foregoing records solely because of the procedural manner in which a matter ended or because the records have not been added to a public repository;
- F. Annuling respondents' categorical and selective practice of publishing only a portion of final disciplinary records;
- G. Directing respondents to identify, from June 12, 2020 forward, final disciplinary matters resolved through trial, settlement, plea, stipulation, command discipline, resignation, retirement, closure, or other final action and to state whether a final disposition record exists and whether it is publicly available;
- H. Directing respondents to provide a complete index of trial decisions and final Police Commissioner determinations within the period covered by the Trial Decision Library, including the publication status of each matter;

- I. Directing respondents to treat and disclose nonexempt final disciplinary records consistently with Public Officers Law article 6, subject to lawful and particularized exemptions and redactions;
- J. Directing respondents to submit a reasonable plan and schedule for historical and prospective compliance while retaining appropriate administrative discretion concerning format and implementation;
- K. Directing respondents to preserve relevant records, databases, indices, electronically stored information, and metadata during the pendency of this proceeding;
- L. Retaining jurisdiction as necessary to supervise compliance;
- M. Awarding petitioner costs and disbursements to the extent authorized by law; and
- N. Granting such other and further relief as the Court deems just and proper.

Dated: July 25, 2026
New York, NY

Respectfully submitted,

By: /s/Eric Sanders, Esq.
Attorney for Petitioner SALVATORE J. GRECO

THE SANDERS FIRM, P.C.
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EXHIBIT LIST

Exhibit 1

Discipline in the NYPD 2024

Exhibit 2

CY 2025 Disciplinary Matrix Deviations by the Police Commissioner

ATTORNEY VERIFICATION AND AFFIRMATION

STATE OF NEW YORK)

) ss:

COUNTY OF NEW YORK)

1. I am the attorney for petitioner SALVATORE J. GRECO in this hybrid proceeding pursuant to CPLR article 78 and action for declaratory relief pursuant to CPLR 3001.

2. I maintain my office at THE SANDERS FIRM, P.C., 30 Wall Street, 8th Floor, New York, New York 10005.

3. Petitioner presently resides in the State of Florida and is not within New York County, where I maintain my office.

4. I am familiar with the facts and circumstances set forth in the foregoing Verified Petition based upon my representation of petitioner; my communications with petitioner and other persons possessing relevant information; my investigation of the relevant facts; and my review of documents, official reports, public records, administrative materials, and other information concerning the subject matter of this proceeding.

5. Annexed to the Verified Petition are true and correct copies of the following documents:

- a. Exhibit 1, the NYPD report titled *Discipline in the NYPD 2024*; and
- b. Exhibit 2, the NYPD report titled *CY 2025 Disciplinary Matrix Deviations by the Police Commissioner*.

6. I have read the foregoing Verified Petition and know its contents.

7. The allegations contained in the Verified Petition are true to my knowledge, except as to matters alleged upon information and belief, and as to those matters, I believe them to be true.

8. This verification is made by me pursuant to CPLR 3020(d)(3) because petitioner presently resides in the State of Florida and is not within New York County, where I maintain my office.

9. The sources of my information and the grounds for my belief include petitioner's communications; reports of investigation; the documents annexed as Exhibits 1 and 2; official NYPD reports, webpages, databases, and public materials; court and administrative records; published materials; communications with persons possessing relevant information; and other records and information concerning the subject matter of this proceeding.

I affirm this 25th day of July, 2026, under the penalties of perjury under the laws of New York, which may include a fine or imprisonment, that the foregoing is true, except as to matters alleged on information and belief and as to those matters, I believe it to be true, and I understand that this document may be filed in an action or proceeding in a court of law.

Dated: July 25, 2026
New York, NY

Respectfully submitted,

By: /s/Eric Sanders, Esq.
Attorney for Petitioner SALVATORE J. GRECO

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NOTICE OF PETITION, VERIFIED PETITION AND EXHIBITS

Duly submitted by:

By: /s/Eric Sanders, Esq.
Attorney for Petitioner SALVATORE J. GRECO

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To:
Attorney(s) for:

Dated:

*Sir(s): Please take notice that the legal papers within is/are certified true and original under the jurisdiction
referenced above and are properly submitted/filed by the respective counsel so referenced.*