POLICE DEPARTMENT
NEW YORK, N.Y. 10038
DEPUTY COMMISSIONER-TRIALS

October 23, 2026

Eric Sanders, Esq.
The Sanders Firm, P.C.
30 Wall Street, 8th Floor
New York, NY 10005

Re: Police Officer Shatorra Foster
Disciplinary Case No. C-030622

Dear Mr. Sanders:

A draft copy of the report and recommendation in the above-referenced disciplinary matter is enclosed for your review. Pursuant to *Fogel v. Board of Education*, 48 A.D.2d 925 (2d Dept. 1975), you may submit written comments concerning the findings of fact, conclusions of law or recommendations set forth therein. These comments must be restricted to the evidence adduced at trial. *See* 38 RCNY §15-06(c)

Please be advised that all comments must be emailed to [redacted] or hand delivered to the Office of the Deputy Commissioner - Trials, One Police Plaza, Room 920, New York, NY 10038, by the close of business on November 4, 2026. Any extension of the deadline will be granted only upon written application to DCT and for good cause shown.

All comments will be forwarded to the Police Commissioner, along with the Trial Commissioner's final report and recommendation. If any material changes are made in the Trial Commissioner's final report to the Police Commissioner, you will be notified. If you do not wish to submit any comments, or if no response is received from you by the deadline, the decision will be submitted to the Police Commissioner without your comments. The final action taken by the Police Commissioner will become a matter of record.

If you have any questions, please contact DCT at [redacted]

Sincerely,

Rosemarie Maldonado
Deputy Commissioner – Trials

POLICE DEPARTMENT

In the Matter of the Disciplinary Proceedings	:	
- against -	:	FINAL
Police Officer Shatorra Foster	:	ORDER
Tax Registry No. 966063	:	OF
Communications Section	:	DISMISSAL

Police Officer Shatorra Foster, Tax Registry No. 966063, having been served with written notice, has been tried on written Charges and Specifications numbered C-030622, as set forth on form P.D. 468-121, dated December 18, 2024, and after a review of the entire record, Respondent is found Guilty of the charged misconduct.

Now therefore, pursuant to the powers vested in me by Section 14-115 of the Administrative Code of the City of New York, I hereby DISMISS Police Officer Shatorra Foster from the Police Service of the City of New York.

HONORABLE JESSICA S. TISCH
POLICE COMMISSIONER

EFFECTIVE:

POLICE DEPARTMENT

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In the Matter of the Charges and Specifications	:	Case No.
- against -	:	C-030622
Police Officer Shatorra Foster	:	
Tax Registry No. 966063	:	
Communications Section	:	

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At: Police Headquarters
One Police Plaza
New York, NY 10038

Before: Honorable Rosemarie Maldonado
Deputy Commissioner Trials

APPEARANCES:

For the Department: David Green & Parmida Enkeshafi, Esqs.
Department Advocate's Office
One Police Plaza, Room 402
New York, NY 10038

For Respondent: Eric Sanders, Esq.
The Sanders Firm, P.C.
30 Wall Street, 8th Floor
New York, NY 10005

To:

HONORABLE JESSICA S. TISCH
POLICE COMMISSIONER
ONE POLICE PLAZA
NEW YORK, NY 10038

CHARGES AND SPECIFICATIONS

1. Said Detective[1] Shatorra Foster, while assigned to the Office of the First Deputy Commissioner, on or about and between December 2023 and September 2024, while both on duty and off duty, engaged in conduct prejudicial to the good order, efficiency, or discipline of the Department, in that said Detective intentionally, and for no legitimate purpose, engaged in a course of conduct directed at a specific person or persons, identity known to the Department, and knew or reasonably should have known that said conduct was likely to cause reasonable fear of material harm to the physical health, safety, or property of such person or persons, and member of such person or persons' immediate family, or a third party with whom such person or persons were acquainted, or was likely to cause such person or persons to reasonably fear that her employment, business, or career was threatened, where such conduct consisted of appearing, telephoning, or initiating communication or contact at such person or persons' place of employment or business, and said Detective was informed previously and clearly to cease such conduct.

A.G. 304-06, Page 1, Paragraph 1	PROHIBITED CONDUCT
New York Penal Law §120.45(1), (2)	STALKING IN THE FOURTH DEGREE

2. Said Detective Shatorra Foster, while assigned to the Office of the First Deputy Commissioner, on or about and between December 2023 and September 2024, while both on-duty and off-duty, engaged in conduct prejudicial to the good order, efficiency, or discipline of the Department, in that said Detective, with intent to harass another person or persons, identity known to the Department, communicated, anonymously or otherwise, by telephone, by computer or any other electronic means, or by mail, or by transmitting or delivering any other form of communication, a threat to cause physical harm to, or unlawful harm to the property of, such person or persons, or a member of such person's or persons' same family or household, and said Detective knew or reasonably should have known that such communication would cause such person or persons to reasonably fear harm to such person or persons' physical safety or property, or to the physical safety or property of a member of such person or persons' same family or household.

A.G. 304-06, Page 1, Paragraph 1	PROHIBITED CONDUCT
New York Penal Law §240.30(1)	AGGRAVATED HARASSMENT IN THE SECOND DEGREE

3. Said Detective Shatorra Foster, while assigned to the Office of the First Deputy Commissioner, on or about multiple dates between July 5, 2024 and August 1, 2024, while both on duty and off duty, engaged in conduct prejudicial to the good order, efficiency, or discipline of the Department, in that said Detective, knowing that the

[1] Respondent was demoted from the rank of Detective to Police Officer on April 24, 2026.

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information she reported, conveyed, or circulated to be false or baseless, initiated or circulated a false report or warning of an alleged occurrence or impending occurrence of a crime or emergency under circumstances in which it was not unlikely that public alarm or inconvenience would result; or reported, by word or action, to an official or quasi-official agency or organization having the function of dealing with emergencies involving danger to life or property, an alleged occurrence of impending occurrence of an emergency which did not in fact occur or did not in fact exist; or gratuitously reported to a law enforcement officer or agency the alleged occurrence of an offense or incident which did not in fact occur; or an allegedly impending occurrence of an offense or incident which in fact was not about to occur; or false information relating to an actual offense or incident or to the alleged implication of some person therein.

A.G. 304-06, Page 1, Paragraph 1 — PROHIBITED CONDUCT

New York Penal Law §240.50 — FALSELY REPORTING AN INCIDENT IN THE THIRD DEGREE

4. Said Detective Shatorra Foster, while assigned to the Office of the First Deputy Commissioner, on or about multiple dates between December 2023 and September 2024, while both on duty and off duty, wrongfully and without just cause made multiple unauthorized inquiries in Department computer systems, unrelated to the official business of the Department.

P.G. 219-14, Page 1, Paragraph 2 — DEPARTMENT COMPUTER SYSTEMS

5. Said Detective Shatorra Foster, while assigned to the Office of the First Deputy Commissioner, on or about multiple dates between July 5, 2024 and August 1, 2024, while both on duty and off duty, wrongfully and without just cause used her Department-issued cellular telephone for purposes unrelated to the official business of the Department.

P.G. 219-32, Page 1, Paragraph 1 — DEPARTMENT MOBILE DIGITAL DEVICES

6. Said Detective Shatorra Foster, while assigned to the Office of the First Deputy Commissioner, on or about and between December 2023 and September 2024, while both on duty and off duty, engaged in conduct prejudicial to the good order, efficiency, or discipline of the Department, in that said Detective, intentionally and repeatedly harassed another person or persons, identity known to the Department, by following such person or persons in or about a public place or places, or by engaging in a course of conduct or by repeatedly committing acts which place such person or persons in reasonable fear of physical injury, or by engaging in a course of conduct or repeatedly committing acts

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which alarm or seriously annoy such other person or persons and which serve no legitimate purpose.

A.G. 304-06, Page 1, Paragraph 1	PROHIBITED CONDUCT
New York Penal Law §240.25	HARASSMENT IN THE FIRST DEGREE
New York Penal Law §240.26(2)	HARASSMENT IN THE SECOND DEGREE

REPORT AND RECOMMENDATION

The above-named member of the Department appeared before me on September 8 and 9, 2026. Respondent, through her counsel, entered a plea of Not Guilty to the subject charges. The Department called Sergeant Trevlyn Headley and Sergeant Christopher Morano as witnesses. Respondent testified on her own behalf. A stenographic transcript of the trial record has been prepared and is available for the Police Commissioner's review. Having evaluated all of the evidence in this matter, I find Respondent Guilty of the charged misconduct and recommend a penalty of Termination.

Introduction

On July 5, 2024, Sergeant Trevlyn Headley (hereinafter "Headley") called the Internal Affairs Bureau (IAB) Command Center to report that the police had come to her home in response to a 311 complaint. That complaint stated as follows:

> PERSON IN [apartment] SOUNDS LIKE THEY ARE HURTING SOMEONE A LOT OF SCREAMING AND SOMEONE SAYING CALL THE COPS. Everyday at night. (Dept. Ex. 31)

In all, five additional 311 complaints were filed reporting false allegations of violence occurring at Headley's residence.

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Headley also informed IAB that over a seven-month period, she had received alarming text messages from about 50 different phone numbers she did not recognize. Headley told IAB that she did not know who was sending the texts but believed, based on the information contained therein, that they were from someone within the Department.

The investigation led IAB to conclude that Respondent was the likely source of both the fake 311 complaints and the anonymous text messages. First, the IAB investigation discovered that Respondent used the NYPD Domain Awareness System (DAS) on her Department phone to access all six of the fake 311 jobs targeting Headley within 30 seconds of each having been reported. (Dept. Ex. 31; Tr. 110-18) Second, IAB uncovered evidence that the text messages Headley received had originated from the Pinger App, which allows users to send texts from randomly generated phone numbers. (Dept. Exs. 1-29, 32; Tr. 20, 110-21, 244-45) IAB further ascertained that, at times when Respondent was on duty at One Police Plaza, relevant Pinger texts were sent via NYPD Wi-Fi or from a number of IP addresses linked to One Police Plaza. (Dept. Exs. 33, 36; Tr. 128-32) Third, a photograph included in Headley's anonymous text threads was traced to a One Police Plaza security camera which had been accessed from the office where Respondent worked. (Tr. 133-34) Fourth, IAB ascertained that Headley and Respondent had a physically intimate relationship that ended by July 2024.

On September 5, 2024, Respondent was interviewed by IAB pursuant to A.G. 304-10. During her interview, Respondent admitted to:

- Sending six fake 311 jobs to Headley's apartment despite not being in the vicinity of that location at the time they were sent and not knowing what was occurring when she did so.[2]

[2] At the interview, Respondent admitted to filing two separate jobs on July 11, 2024. Only the first one is in evidence as part of Department's Exhibit 31.

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- Using the Pinger App to create approximately 40 anonymous phone numbers to send numerous anonymous text messages to Headley, including at least one screenshot obtained from Department security cameras.[3]
- Anonymously contacting other members of the Department to warn them about Headley via Pinger.
- Running the attendance app for the Police Commissioner's Office to determine whether Headley was at work.
- Playing back video of Headley on NYPD cameras in the First Deputy Commissioner's Office without authorization.

(Dept. Ex. 42 at 13-23, 27-34)

At trial, Respondent again admitted to the conduct enumerated above. Respondent explained that she had engaged in this behavior because she "wanted to hurt [Headley] how she hurt me." Specifically, Respondent alleged at trial that Headley, a superior officer, had abused and sexually assaulted her and that, as a result, she had "acted out" by "lashing out." (Tr. 228, 236, 250, 274) Respondent did not report the alleged abuse or sexual assault during her IAB interview.

Respondent was modified on the date of the interview. Department charges were served on Respondent in January 2025. In April 2025, Headley filed a civil lawsuit against the City of New York, the First Deputy Commissioner and Respondent alleging harassment, gender discrimination and hostile work environment. In June 2025, Respondent counterclaimed, and for the first time alleging that Headley had subjected her, a subordinate officer, to a "sustained course of coerced sexual conduct." In the counterclaim, Respondent made a specific claim that on March 14, 2024, Headley forcibly performed a sex act on her at One Police Plaza. Respondent did not report this alleged nonconsensual sex act to the NYPD or any other enforcement or oversight agency prior to filing her counterclaim. (Tr. 219, 241-45, 254)

[3] At the interview, the messages were not each read individually, but the investigator noted that they had 38 text threads from December 11, 2023 through July 11, 2024. Respondent admitted to sending all of them to Headley. (Dept. Ex. 42 at 27)

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Review of Evidence

1. *Case Presented by Department Advocate*

Headley recalled first meeting Respondent in 2023, when she was a sergeant assigned to the Police Commissioner's Office, and Respondent was a detective assigned to the First Deputy Commissioner's Office. According to Headley, they never worked in the same command and she was never Respondent's direct supervisor. (Tr. 17-18)[4]

Headley recounted that after a brief meeting at a retirement party, Respondent appeared at the Police Commissioner's Office looking for a friend. Headley informed Respondent that her friend was not at work but suggested they take a photo together and send it to her. After that encounter, Headley and Respondent began texting regularly and socializing outside of work. In or about November 2023, Headley and Respondent developed an intimate physical relationship. Headley, however, did not consider Respondent to be her "partner."[5] (Tr. 17-20, 31-32, 96-97)

Headley testified that on December 12, 2023, she received a series of text messages on her personal phone from a number she did not recognize. (Tr. 22-30) The first set of anonymous texts seemed to focus on Headley's relationship with Respondent. For example:

> So is that your new girl? Or just eye candy 🍭 ….Wonder where she work 🔦🔦🔦🔦 (Dept. Ex. 1)

> She f*cking hot and I know about 6 girls who trying get with her on the job. U could just tell me what it is and I'll leave you for good. She's fine ass hell! That's your girl? [included photo of person identified as Respondent] (Dept. Ex. 4)

> Wish I caught when she walked past and grabbed your ass and how intense you two picture was. A lot bitches was checking light bright out…."[6] She has a

[4] A.G. 304-06, Prohibited Conduct: 6. Having a romantic relationship with a subordinate member who is routinely under the direct supervision of the supervising member. Note: Romantic relationships between supervisors and subordinates who the supervisor routinely supervises will result in the transfer of one of the involved parties. Members of the service are strongly encouraged to make a notification requesting a transfer in order to avoid workplace disruption.

[5] Headley described their relationship as a "dealing-ship." (Tr. 31)

[6] Headley indicated that Light Bright was Respondent's nickname. (Tr. 61)

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> beautiful smile and she dress sexy as fuck dope swag…That's your girl?...You should wife it she sexy treble. (Dept. Ex. 8)

At trial, Headley identified another set of texts where the anonymous sender seemingly attempted to arrange encounters between Headley and Respondent. For example:

Sender:	We need to talk I already spoke to the other one where is good to meet and talk
Sender:	Not on headquarters grounds
Headley:	Pearl & John right now!
Sender:	Give me 20 I have to reach her
Headley:	Okay cool let me know when you get here
Sender:	10 minutes works for you? I reached out to her That close to work grounds with all the eyes watching right now What time works for you so I can coordinate with everyone
Headley:	Let me know what works for you and I'll adjust….. I'm confused…who are you and what role do you play in any of this? (Dept. Ex. 10)

Headley identified a thread of text messages dated on or about March 21, 2024, focusing on Respondent socializing with other members of service. Below are examples:

> Damn I guess it's true you two over and she still down there and you nowhere to be found…She got off on 6 with the cop...see leaving building on 1…[sergeant] definitely your replacement she got what's best because you was no good and never will be….She driving [sergeant] home….How you feel… (Dept. Exs. 22, 23)

From December 2023 to July 2024, Headley estimates that she continuously received texts from approximately 50 different anonymous phone numbers. Headley testified that the anonymous texts made her feel "nervous" and "hypervigilant." She recalled being "confused" and "scared" because the anonymous sender "indicated where I was or who I was communicating with." (Tr. 30, 32-33, 40, 65)

At first, Headley did not respond and told no one about the barrage of intrusive messages. However, she eventually began to send screenshots of the texts to Respondent. Headley described Respondent's reaction as "protective" as they joined together to "figure out who [the

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sender] could possibly be." Thereafter, Respondent informed Headley that she was also receiving anonymous text messages and forwarded screenshots as proof. Headley testified that because Respondent was also a target, she did not suspect her of being the anonymous sender. Headley stated that she and Respondent "got closer because of the messages." They talked "all the time" and they shared their locations "as a safety precaution." (Tr. 30-34, 38-40, 76)

Headley's aunt and friends also became a "support team," calling her and "staying up round the clock" because she "was becoming so paranoid and frustrated." She felt afraid because she did not know how the "stalker" obtained her information and was concerned they might approach and attack. (Tr. 65-66) It then came to her attention that several colleagues and friends also began receiving anonymous texts warning that Headley was a "bad person" and admonishing them to stay away. Headley asserted that some of these longtime friends found the messages "unsettling" and "cut ties" with her out of concern that continuing the friendship would have an adverse impact on their careers. (Tr. 69-76)

Regarding the evolution of her relationship with Respondent, Headley recounted that although they discussed a "possible future," she ultimately did not want a committed relationship with Respondent. Headley testified that she felt Respondent was "dishonest" about where she was and who she was with and Headley was "not comfortable with that." According to Headley, when she expressed these doubts, Respondent "didn't like it. She wanted a relationship." They began to argue and the relationship "reduced in intensity" in or about April 2024. Headley testified that all communication with Respondent ceased in July 2024. (Tr. 35-38, 96)

At trial, Headley recounted that during the July 4, 2024 weekend, a former partner visited her home along with her sister and nieces. Fifteen minutes after they left, on-duty NYPD officers knocked on her door and informed her that there had been a 311-complaint reporting

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loud screams from her apartment. The 311 message expressed concern that someone was being hurt inside. Headley identified herself as a member of service and told the officers she was alone. She then called the IAB Command Center to report both the 311 police response to her home and the anonymous text messages she had been receiving for months. (Tr. 66-69) According to Headley, when she filed that IAB report, she had "no idea" who was sending the anonymous texts. (Tr. 77-78)

On cross-examination, Headley denied sexually assaulting Respondent or having a sexual encounter at work. In fact, she claimed to have first learned about a sexual assault accusation in June 2025, when Respondent filed a counterclaim in Headley's civil lawsuit. When asked, Headley confirmed that she took a photo of Respondent's genitals but insisted it was with Respondent's full knowledge and consent. She further denied asking Respondent for money or gifts, although she admitted requesting that Respondent purchase certain items, which she would reimburse via Zelle. (Tr. 84-86, 90-91, 93)

Headley testified that her understanding of the Department's fraternization policy was "no fraternization with a member assigned to your command," but that it was "not a problem" to fraternize with junior officers outside your own command. She agreed, however, that as a sergeant, she has the authority to discipline subordinate officers she did not directly supervise, including Respondent. Headley denied, then stated that she did not recall, looking up Respondent's disciplinary record in the CPR database. [7] She also acknowledged that she had recently been found guilty in a Department trial of "inappropriate physical contact" with a

[7] According to her CPR, in 2025, she received a letter of instruction for computer misuse, related to an underlying July 2024 investigation. This appears consistent with Morano's testimony that she received a letter of instruction for accessing Respondent's CPR. (Tr. 183)

member of service and forfeited 45 vacation days, was placed on dismissal probation and had to attend retraining on EEO policy. (Tr. 80-84, 86)

The Department Advocate also called Sergeant Christopher Morano, a Group 1 IAB investigator, as a witness. At trial, he confirmed that in July 2024, Headley "made a log," by calling the IAB Command Center regarding a fake 311 job that resulted in a police response to her residence. Morano confirmed that when Headley made the log, "she also made a complaint that she … was receiving messages from an unknown person over a course of … approximately … seven months." Although she claimed not to know who was sending the texts, she suspected someone within the Department because the person seemed to know her whereabouts while at work. He became the lead investigator in this case. (Tr. 110-11)

Morano began the investigation by conducting an audit of the fake 311 jobs sent to Headley's residence and determining which members of service had accessed those specific complaints using DAS. His rationale was that it "would be suspicious" for a member of service to access a 311 job they had not been assigned to. Morano reviewed the jobs sent to Headley's residence and discovered that Respondent had used her Department cell phone to access all the 311 complaints related to Headley's home "within 30 seconds … of them coming over." He did not investigate the other officers who accessed these jobs because "[Respondent] was the consistent person who checked all of these." Moreover, at her September 2024 IAB interview, Respondent admitted that she made these specific 311 complaints and that, at the time she made them, she was "nowhere near that apartment." Respondent explained to the IAB investigators that she had filed these complaints to "annoy [Headley] or … hurt her because she felt hurt." (Tr. 111-19, 139, 142, 164-65, 171-74; *see* Dept. Ex. 31, *311 audit results*; Dept. Exs. 41, 42, *recording and transcript of Respondent's IAB interview*)

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Morano also investigated the anonymous text messages sent to Headley. He estimated that approximately 50 phone numbers were used to send hundreds of anonymous texts to Headley. He focused on the two phone numbers that were used the longest and determined that they were owned by Pinger. Pinger generates random phone numbers and allows a user to send texts and make calls from those numbers over Wi-Fi. He testified that it is "hard" to trace Pinger phone numbers because users do not need a real email address to create an account. He further explained that "the only way to sort of trace it [was] to see if those phone numbers were ever [connected] on Department Wi-Fi." Morano conferred with IAB Group 7, the computer/technology group, on how to identify the Department IP address and Wi-Fi and discovered that on 17 different occasions, the two targeted phone numbers had accessed the Department's Wi-Fi. Morano also determined, through timekeeping records, that Respondent was working on those 17 occasions. (Tr. 119-32, 152; Dept. Exs. 33, 36) In addition, the investigator found a Department security video that captured Respondent using Pinger on a day Headley had received text messages from an anonymous number. (Dept. Ex. 35; Tr. 127-28)

On the stand, Morano confirmed that, at her IAB interview, Respondent admitted to using Pinger to message Headley. Respondent also verified that she was the person in the still shot from a video capturing her using Pinger on her cell phone while working at One Police Plaza. (Dept. Ex. 35) As with the 311 calls, Morano recalled Respondent admitting that she sent the texts to "hurt" and "annoy" Headley because she herself felt "hurt." (Tr. 128, 148-50)

Morano also addressed Respondent's use of Department cameras in connection with her anonymous communications with Headley. He explained that Headley had received a photograph of her hugging Respondent and that "it appeared that that photograph had been taken from a computer screen of a [security] camera that was in One Police Plaza." Morano first

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confirmed with Headley that she had received the image on the same day that the hug occurred and then conducted an audit of who accessed that camera on that date. Morano discovered that the footage of the hug had been played back using a computer terminal in the First Deputy Commissioner's Office where Respondent worked. He also found that a computer terminal in the First Deputy Commissioner's Office had played back video of Headley sitting in her car. He could not trace the playback to a specific computer terminal or user in that office, but at her IAB interview, Respondent admitted to using a computer in the First Deputy Commissioner's Office to play back the hug between herself and Respondent. Morano noted that it was possible that Respondent had authorization to access security videos but asserted, "there's no Department purpose for taking a picture of you hugging." (Tr. 133-37, 142; *see* Dept. Exs. 37 & 38, *1PP and 1DC security camera audit*s)

Morano testified that Respondent also admitted to anonymously emailing the Police Commissioner's office nine times via the "Email the Commissioner" page on the Department's website with allegations against Headley. Most alleged that Headley was stealing time or failing to sign out. (Tr. 137-41) As Morano's investigation revealed, Respondent had looked Headley up on a Department attendance database to track her. (Tr. 179-80) Respondent also acknowledged mailing a letter to IAB summarizing the same misconduct allegations. Morano detailed that each allegation against Headley was fully investigated and that some allegations were substantiated and resulted in discipline. (Tr. 139-42; *see* Dept. Exs. 39, 40)

On cross-examination, Morano was questioned at length on his training and his understanding of Department policy around supervisor/subordinate relationships and sexual harassment. He stated that sexual harassment should be reported. He further testified that as to relationships between supervisors and subordinates, "I don't believe it's frowned upon. I think

what the Department does not allow is fraternization where a supervisor is directly in a relationship with someone directly under them." (Tr. 153-54) He was also asked about training on "indicators" that someone might be a victim of workplace abuse or domestic violence. In addition, Morano conceded that he did not ask Respondent why she used specific verbiage in the 311 reports, specifically the recurring language about someone being hurt inside the apartment. Tr. 156-60, 162-76)

2. *Respondent's Testimony and Department Interview*

Respondent testified that in July 2023, she was a detective assigned to the First Deputy Commissioner's security detail. She confirmed that, after being introduced to Headley at a retirement luncheon, they met again when she visited the Police Commissioner's Office to locate a friend. Respondent recalled Headley suggesting they take a photo together and send it to Respondent's friend because she was not in the office. Respondent thought this was "odd" but consented and received the photo from Headley after providing her personal cell phone number. (Tr. 191-97, 237-38)

After that encounter, Headley began texting her, asking if she was working, what she was doing and inviting her to parties. Although Respondent described this frequent communication as "odd," she conceded to "sometimes" initiating contact with Headley. According to Respondent, between July and October 2023, Headley "flirt[ed]" with her, both on and off duty. Respondent came to believe that they were "working towards a relationship" because they "would talk about kids and houses." At trial, Respondent estimated that they became physically intimate "sometime in 2024." (Tr. 197-98, 204, 209) At her Department interview, Respondent told investigators that they were in a relationship from October 2023 until June 2024. (Dept. Ex. 42 at 6)

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According to Respondent, in October 2023, Headley became "overaggressive" and "controlling," "always asking where I am. Who I'm with." Headley also demanded that Respondent "share her location" because she suspected Respondent of "not being honest" about her whereabouts. Headley's insistent behavior made her "uncomfortable." When she expressed her concerns, however, Headley was dismissive, asserting, "This is who I am." (Tr. 198-200) Respondent conceded that she accessed NYPD security video and databases to watch Headley and determine when she signed in and out. (Tr. 245-47; *see* Dept. Exs. 37-38)

Respondent explained that she became fearful of Headley when she threatened to discipline her if she did not answer intrusive questions. She had observed how Headley "use[d] her supervisor rank…telling [other female officers] what to do and if they didn't do it, she would threaten them with CDs." Headley also warned her directly that, "I'm a supervisor. If a supervisor asks you something you're supposed to tell them." (Tr. 204-06) Her distress was heightened when Headley revealed that she had obtained information that Respondent had been disciplined for an incident involving a former girlfriend.[8] (Tr. 224) Respondent asserted that she did not report this behavior because Headley was friendly with the Deputy Commissioner of EEO and the Chief of the Internal Affairs Bureau. (Tr. 200-01)

Respondent also claimed that during their relationship, Headley demanded money and Louis Vuitton handbags. Specifically, at Headley's request, she gave her $2,200 for the purchase of a car. Headley also wanted Respondent to reveal her credit score and bank balances. When Respondent declined, Headley was "not happy," and told her that if they "were going to work ... [Respondent] would have to pay half of a down payment for a house." Respondent

[8] Respondent confirmed that she was previously disciplined for computer misuse for accessing information related to an ex-girlfriend, also a member of service, and that she was instructed during the course of that case about the proper use of Department computers. (Tr. 224, 254-55)

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found it "weird" that Headley was talking "about houses and credit scores" because they had "just started speaking." (Tr. 206, 208-09, 222-23)

It was during the early days of their relationship that Headley began receiving text messages from Pinger which Respondent admitted using to communicate anonymously with Headley. (Dept. Ex. 42 at 13-15, 26-27, 36; Tr. 240-44) In December 2023, the anonymous texts included photographs of Respondent and persistently asked, in sum and substance, "Is that your girl?" (Dept. Exs. 1, 2, 4, 5, 7, 8)

Respondent testified that Headley became physically abusive in January 2024 by "push[ing] [her] around" and "assault[ing]" her. She further contended that this abusive behavior occurred in Headley's apartment, in her car and at One Police Plaza. Respondent also claimed that Headley mocked her stutter and used this lifelong condition, as well as Headley's physical height, to intimidate her. Respondent told no one about the abuse because she "didn't trust to tell anybody, so I just held it in." (Tr. 207-08, 211-12) When it was pointed out in cross-examination that the Pinger text messages began in December 2023, she claimed that Headley "was always, always abusive physically. But it didn't get to. How can I state this. It didn't get. It got worse after." (Tr. 239-41) This discord was reflected in the anonymous texts sent to Headley. For example, an undated message stated, "I don't like that I'm hearing you two walking around no eye contact nothing that's ridiculous for real, you two were tight, Batman and Robin type shit…." (Dept. Ex. 11)

According to Respondent, Headley sexually assaulted her in March 2024. She testified that this nonconsensual sexual encounter was initiated by Headley in a dormitory at One Police Plaza. Respondent stated that they were both on duty when Headley texted, asking whether another member of service was still with her in the dormitory. Respondent replied that the

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member of service had left. (Resp. Ex. A) When Respondent heard a knock on the dormitory door, she answered it. Respondent alleges that Headley entered the dormitory and sexually assaulted her. At trial, she provided a detailed and explicit description of this alleged assault and asserted that as it happened, she told Headley, "Stop, are you crazy?" Headley replied, "I am." (Tr. 212-13, 217)

According to Respondent, the following text messages were exchanged "minutes after" the alleged sexual assault. (Tr. 214)

Headley:	You were delicious!
Respondent:	Glad you enjoyed it
	What made you do that
Headley:	Did you?
Respondent:	I did 😘😘
Headley:	Tell me about it
	It's time you experience how I am.
Respondent:	lol why you say that ? (Resp. Ex. B)
	And I was coming in for a hug and I got my pants unbuttoned and thrown on the bed lol 😘😘 it was a shy moment and unexpected
Headley:	Yea I'm an "owner" I've been real low key trying to feel you out and waiting to see how you move.
Respondent:	Sb- the cast of law and order is going to be on rock plaza today ❤️
	So did that turn you on?
Headley:	Yes.
	Where? Rockafella? (Resp. Ex. C)

Respondent testified that she felt "very uncomfortable afterwards" and sent the text asking Headley what made her do that, "because I wanted to know how come she came down there uninvited and did that." She explained that she made the comment about it being a "shy moment" and sent the hidden face emojis "because I was pretty much telling her that that that was unexpected and that's not something that I wanted. And I originally told her when she came in, I had told her to stop." Respondent used "lol" in the text "because I didn't want her to think that, you know, that I was saying it in a harsh way because I'm pretty sure if she would have

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taken it that way, it would have made her upset. And I didn't want to upset her." Respondent did not tell anyone about this incident because there was no one she could "trust." (Tr. 217-19)

Respondent and Headley never discussed the incident. They continued to text and Headley continued to invite Respondent to her apartment where they would "hang out" and "watch television." According to Respondent, Headley would sometimes "get physical" and throw objects at her or push her against the wall or couch. (Tr. 220-22)

At trial, Respondent claimed that a second sexual assault occurred on June 10, 2024. She again testified in explicit detail about the nature of the alleged violation and asserted that she yelled "Stop!" to communicate her objection. According to Respondent, during the incident Headley "pulled out her phone and recorded it." Respondent noted that Headley sent her the video, but insisted that she did not consent to this recording. Respondent testified that, after this encounter, all sexual contact with Headley ceased. Respondent observed that, as a result, Headley became "harsh" and threatened to send the sex video to Respondent's family and friends. Respondent recounted, "I … pulled away from her. But there were times where she would follow me outside to force conversation on me." At other times, Headley would call her office to determine her whereabouts. (Tr. 221-25)

Respondent reiterated that she told no one about the incidents of abuse and that she did not file a report with IAB because Headley had a close relationship with the head of IAB. (Tr. 241-42) Respondent agreed that she herself knew "people in high places in this Department," but did not tell anyone in the First Deputy Commissioner's Office, including the First Deputy Commissioner herself; she did not tell her brother, a Deputy Commissioner at the time, nor her mother, who had worked for a former Police Commissioner. She also did not file a report with

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any outside oversight or law enforcement agency; she filed a civil counterclaim in 2025. (Tr. 241-43)

At trial, Respondent also confirmed that she made numerous 311 complaints alleging that someone was being hurt inside Headley's apartment, even though she was not in proximity at the time. She explained having done so because these were "things that I [previously]experienced in her apartment when I was there." (Tr. 230-35, 238-39) Respondent also admitted to writing and sending an anonymous letter to IAB (Dept. Ex. 40) and accusing Headley of misconduct, including time and leave violations, unauthorized tinted car windows and license plate irregularities. (Tr. 192, 235-36)

Respondent claimed that her actions were motivated by her desire to "hurt Headley how she hurt me." She insisted her intention was never to physically harm Headley, "just hurt her feelings" and get her "in trouble" for "all the things that she had done to me." According to Respondent, Headley "used to get away with a lot of stuff." Respondent also revealed that she looked up the phone numbers of Headley's friends and anonymously texted them to warn them about Headley. She testified that, after hearing Headley's testimony, she "felt bad" about the things she had done. She offered, "I knew it wasn't the right thing to do. But at the time, I also was upset and hurt. I just acted out." (Tr. 227-29, 236, 248-50)

When asked at trial why some of the messages focused on trying to set up meetings between Headley and Respondent "to work things out" if she was afraid of Headley, Respondent replied, "[a]t the time, she had isolated me from close friends or family. So I felt the only person I had at that time was her." (Tr. 258-59) She offered that she did not call the police when she was actually at Headley's apartment experiencing abusive behavior "because I was afraid and I know that she would just use her supervisor rank to just get out of it." (Tr. 234-35) Moreover, she

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testified that although she wanted Headley arrested, she did not tell the IAB investigators about Headley's assaults "because I didn't trust them at all during that interview. . . they were just like accusing me of all things. (Tr. 226-29)

ANALYSIS

Respondent has been charged with a course of conduct which, in its totality, constitutes stalking (Specification 1), harassment (Specifications 2 and 6), falsely reporting an incident (Specification 3), administrative violations (Specifications 4 and 5) and conduct prejudicial to the good order and discipline of the Department (Specifications 1, 2, 3 and 6). As set forth below, this trial record presents no real dispute with respect to the factual allegations that underpin these charges.

The IAB investigator provided convincing evidence pinpointing Respondent as the likely source of both the 311 complaints and the anonymous text messages sent to Headley. As noted in more detail above, IAB's audit of the fake 311 complaints discovered that Respondent used the NYPD DAS system on her Department phone to look up all six of the 311 jobs concerning Headley's residence within *30 seconds* of each having been reported. No other member of service accessed all six of these complaints. (Dept. Ex. 31; Tr. 110-19)

IAB also uncovered very persuasive evidence that many of the anonymous text messages Headley received had been sent using phone numbers randomly generated by Pinger. IAB further ascertained that, at times when Respondent was on duty at One Police Plaza, relevant Pinger texts were sent via NYPD Wi-Fi and IP addresses. By way of example, the worksheet prepared by Sergeant Morano shows that on January 19, 2024, Respondent worked at One Police Plaza from 0559 until 1932 hours. During Respondent's tour, one of the targeted Pinger numbers connected to the Department IP address and Wi-Fi four times: at approximately 0900

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hours, 1200 hours, 1300 hours and 1400 hours. The investigator further verified that the anonymous Pinger texts were sent to Headley. (*See* Dept. Exs. 33, 36; Tr. 125-26, 129-33)

Sergeant Morano also obtained a photo of Respondent at One Police Plaza accessing Pinger on her cell phone while on duty on August 14, 2024. (Dept. Ex. 35; Tr. 127-29) In addition, the IAB investigator determined that Respondent had used Department resources, such as a computer, database, phone and security camera, to further her harassment of Headley. (Tr. 112-14, 117-19, 133-37; *see* Dept. Exs. 31, 37-38)

After identifying Respondent as the likely culprit, on September 5, 2024, Sergeant Morano conducted a Department interview of Respondent. Respondent was informed that she was the target of the investigation and appeared with counsel. During that Department interview, Respondent made a series of broad admissions concerning her misconduct. (Dept. Exs. 41, 42) Respondent reaffirmed many of those admissions at trial. Specifically:

- Consistent with the acts that form the basis of Specification 3, at her Department interview, Respondent admitted to sending six separate 311 complaints concerning Headley's residence which falsely reported that an assault was occurring therein. Respondent confirmed that she was not in the vicinity of Headley's residence at the time she made the 311 reports and did not know whether anyone was actually inside. Respondent characterized her 311 complaints as "lies." (Dept. Ex. 42 at 6-12, 22) At trial, Respondent conceded that she made six 311 complaints reporting alarming screams and other indicia of an assault when Respondent had no actual knowledge what was occurring in Headley's apartment. (Tr. 229-35, 238-39; *see* Dept. Ex. 31)

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- Consistent with the acts that allegedly form the basis of Specifications 4 and 5, at her Department interview, Respondent admitted that she used her work phone immediately after making each 311 report "to see if [the job] popped up." (Dept. Ex. 42 at 10-12)
- Consistent with the acts that form the basis of Specifications 1, 2 and 6, at her Department interview, Respondent admitted that, from at least December 2023 to July 2024, she used Pinger to create approximately 40 "fake" phone numbers for the purpose of sending Headley 38 anonymous text threads. *(Id.* at 13-15, 23-24, 26-27, 35-36) At trial, Respondent reaffirmed using Pinger to generate the hundreds of anonymous text messages sent to Headley (Tr. 227, 240, 243-45; *see* Dept. Exs. 1-29, 33)
- Consistent with the acts that form the basis of Specifications 1, 2 and 6, at her Department interview, Respondent admitted to using Pinger to send anonymous text messages to others warning them about Headley. (Dept. Ex. 42 at 16-17, 24-26) At trial, Respondent reaffirmed that she sent these anonymous messages. (Tr. 248-49; *see* Dept. Ex. 30)
- Consistent with the acts that form the basis of Specification 4, at her Department interview, Respondent admitted that, on at least one occasion, she played back video of Headley on the security desk cameras in the First Deputy Commissioner's Office. She then took a screenshot and anonymously texted it to Headley via Pinger. (Dept. Ex. 42 at 12-14) At trial, she reaffirmed that she accessed One Police Plaza security video to watch Headley and that she utilized a One Police Plaza computer terminal to obtain images of Headley. (Tr. 246-47, 255-56; *see* Dept. Exs. 37, 38)

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- Consistent with the acts that form the basis of Specification 4, at her Department interview, Respondent admitted to running the attendance app for the Office of the Police Commissioner to determine when Headley was working. (Dept. Ex. 42 at 12, 28-29)[9]

In its totality, the forensic evidence convincingly presented by Sergeant Morano, in conjunction with Respondent's own admissions at her Department interview and trial, established by a preponderance of the credible evidence that Respondent engaged in sanctionable misconduct by executing a calculated plan to annoy, alarm and manipulate a member of service with whom she had an intimate relationship. The evidence further established that the breadth of this extended pattern of misconduct, as well as the cumulative effect on its target, constituted serious administrative violations, as well as stalking[10] and harassment[11] as set forth in Specifications 1, 2 and 6.

[9] Respondent also admitted that she sent multiple anonymous messages to the Police Commissioner, and one letter to IAB, alleging that Headley stole time and failed to sign out, as well as other administrative violations. (Dept. Ex. 42B at 12, 18-22; *see* Dept. Exs. 39, 40) Although this evidence may support an argument that Respondent targeted Headley, in this case, where IAB substantiated some of these claims, these complaints fail to form the basis of the charged misconduct.

[10] Penal Law § 120.45(1), (2) Stalking in the fourth degree. A person is guilty of stalking in the fourth degree when he or she intentionally, and for no legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct: (1) is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted; or (2) causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct.

[11] § 240.30(1) Aggravated harassment in the second degree: A person is guilty of aggravated harassment in the second degree when: With intent to harass another person, the actor either: (a) communicates, anonymously or otherwise, by telephone, by computer or any other electronic means, or by mail, or by transmitting or delivering any other form of communication, a threat to cause physical harm to, or unlawful harm to the property of, such person, or a member of such person's same family or household as defined in subdivision one of section 530.11 of the criminal procedure law, and the actor knows or reasonably should know that such communication will cause such person to reasonably fear harm to such person's physical safety or property, or to the physical safety or property of a member of such person's same family or household; or (b) causes a communication to be initiated anonymously or otherwise, by telephone, by computer or any other electronic means, or by mail, or by transmitting or delivering any other form of communication, a threat to cause physical harm to, or unlawful harm to the property of, such person, a member of such person's same family or household as defined in subdivision one of section 530.11 of the criminal procedure law, and the actor knows or reasonably should know that such communication will cause such person to reasonably fear harm to such person's physical safe
ty or property, or to the physical safety or property of a member of such person's same family or household.

§ Penal Law 240.25 Harassment in the first degree: A person is guilty of harassment in the first degree when he or she intentionally and repeatedly harasses another person by following such person in or about a public place or places or by engaging in a course of conduct or by repeatedly committing acts which places such person in reasonable fear of physical injury.

In sum, the record clearly proves that Respondent abused her authority as an employee of the First Deputy Commissioner's Office by accessing One Police Plaza security cameras and an attendance database to follow Headley's whereabouts and using the information obtained from those Department resources to anonymously target Headley. She purposely created a Pinger account which enabled her, over several months, to anonymously send Headley a barrage of menacing text messages from over 40 different numbers which, in totality, amounted to a frightening campaign of harassment. The texts purposely implied that an unknown person was watching Headley and tracking, not only her whereabouts, but also the people she had been with; chided Headley about difficulties in her personal relationships; instigated by stating that Respondent was with someone else; insisted that she resolve disputes; offered to arrange meetings about personal matters; and accused Headley of malfeasance. (*See* Dept. Exs. 1-29) During this extended time, Respondent purposely hid her identity, thus making this barrage of communications even more frightening and unsettling.

As a result of this pattern of harassment and stalking, Headley credibly testified that she became "scared" and "hypervigilant." (Tr. 32-33) More specifically, she asserted:

> [M]y aunt would always call me, you know, when I'm leaving work. To make sure I got to my car safely. They would stay up around, like my friends, like my support team. They would stay up around the clock and talk to me because I was so, I guess, becoming so paranoid and frustrated. (Tr. 65)
>
> I don't know what's going to happen to me. I don't know who was either giving this stalker access or giving them my information. I was always looking around to see who would approach me. Who would talk to me. Who would attack me. (Tr. 66)

Penal Law § 240.26(2), (3) Harassment in the second degree: A person is guilty of harassment in the second degree when, with intent to harass, annoy or alarm another person: (2) He or she follows a person in or about a public place or places; or (3) He or she engages in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose.

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This continuous pattern of stalking and harassment did not occur in a vacuum. In fact, the texts mirror the different stages of her personal association with Headley and reveal possible motivations. In December 2023, when their intimate relationship was in its early stages, the anonymous texts sent by Respondent complimented herself and encouraged Headley to "claim" her. ("So that your new girl? Or just eye candy 🍭;" "You should wife it she sexy…." [Dept. Exs. 1, 8]) The anonymous texts then become increasingly manipulative and insistent that Headley reveal whether Respondent was Headley's girlfriend. ("Tell me Tell me Tell me That's really fucked up? Like so fucked up how you sleep at night knowing you really terrible your name should be trifling" [Dept. Ex. 2]; "Just answer the question is that your girl …. You must don't want me to leave." [Dept. Ex. 6]) When asked her reason for using the verbiage "claim her" in some of the texts, Respondent admitted that she was using this phrase to "see like how [Headley] would react." (Dept. Ex. 42 at 16)

Both Headley and Respondent testified that their personal relationship deteriorated quickly and became acrimonious. A continuous stream of anonymous texts reflects that conflict and the sender's desire for a possible reconciliation. ("…I'm hearing you two walking around like strangers no eye contact nothing that's ridiculous for real you two were tight…You two need to stick together and not fighting… Saturday if you're both free we can meet and talk…." [Dept. Ex. 11]) The insistence that Headley and Respondent "fix" their relationship began to intensify. ("You two need to link today or tonight…so many people smiling in your face and talking shit behind your back about what they saying you did. This needs to be fixed…" [Dept. Ex. 13]) At her Department interview, Respondent made no mention of a sexual assault and instead explained that these texts reflected her need "…to talk and see like what happened? Like where

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did this stem from?" (Dept. Ex. 42 at 17-18) She further stated that, "I was just upset and just wanted to annoy her." (Dept. Ex. 42 at 14)

Simultaneously, Respondent concocted a story that she was also receiving anonymous texts. This manipulative ruse resulted in Headley relying on Respondent as a protector. (Tr. 76) Respondent then expanded her harassment by sending menacing anonymous texts to Headley's friends and colleagues. For example, one text asserts, "…you might want to be careful of your newly minted Lt. Trev. She is some shit that you want no parts of. PCO and 1DC not feeling her at all." (Dept. Ex. 30; Tr. 248-49) At her Department interview, Respondent explained that she sent these texts to third parties because, "I was just annoyed." She was asked the purpose or "endgame" of contacting these other people and replied, "pretty much just be careful of her." She was then asked if she was soliciting help to get her and Headley back together and responded, "I said that, yeah." (Dept. Ex. 42 at 15-17, 24-26)

By February 2024, many texts implied that Respondent was involved with other people. One provocative text chided: "It's 10pm do you know where your little bitch is? I do at the club with a real girl won't drive her insane like you…." (Dept. Ex. 16) A series of anonymous texts sent on March 21, again focus on Respondent being with another officer: "Little boo is in cafeteria eating with some cop maybe you should come down I'll be there watching." (Dept. Ex. 20); "Damn I guess it's true you two over she still down there and you nowhere to be found… [Name] definitely your replacement…." (Dept. Ex. 22); "…you can't do shit for her mentally or physically besides make her crazy like everyone else you dealt with told her don't stress over your mind games you're a narcissist… you already started with someone else." (Dept. Ex. 24) At her Department interview, Respondent answered twice in the affirmative when the investigator

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asked if she sent these texts "to see if she was into you still," "or if she was moving on to talk to other people." (Dept. Ex. 42 at 15-16)

After the point where both Respondent and Headley agree they no longer had contact, Respondent escalated an already serious stalking and harassment campaign by making six different 311 complaints in which she falsely reported screaming and other signs of assault at Headley's apartment. (Dept. Ex. 31) Respondent's irresponsible deception triggered a police response to Headley's home to investigate possible criminal behavior. Respondent stated her motivation for making these complaints: "I was upset…I guess, [I wanted to] hurt her. Get back at her . . . for like the hurt she caused me." (Dept. Ex. 42 at 7-9) In sum, by fabricating crimes for a personal vendetta, Respondent broke the public trust, unnecessarily burdened the police and could have put both Headley and the responding officers at risk.

Respondent's defense is that this case is really about an NYPD sergeant wrongfully using her position of authority to dominate and abuse a subordinate. In support of this claim, Respondent's attorney correctly pointed out that Headley has been disciplined by the Department for an inappropriate photo taken with another member of service at a holiday party.[12] Respondent further argued that her actions were a reaction to Headley using the power imbalance between a sergeant and a detective to initiate a physical relationship, demand money and gifts, become physically abusive and then sexually assault her. During her testimony, Respondent asserted that from the beginning of their intimate relationship, Headley threatened discipline if she did not comply with her requests, even personal ones. Respondent's fear of retaliation was heightened when Headley reviewed her CPR and told her she knew about her disciplinary history

[12] In that case, Respondent forfeited 45 vacation days and was placed on one-year dismissal probation, which is currently ongoing. *See Disciplinary Case No. C-033349* (June 11, 2026)

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involving a former girlfriend. Headley also made Respondent aware of her friendship with the heads of EEO and IAB.

Respondent asserts that the conduct she is accused of was a response to this superior officer's pattern of abuse and sexual assault. Respondent's attorney summed up the argument by stating, "people who are abused act out." (Tr. 12) This sentiment echoes Respondent's own words describing her motivation: "I wanted to hurt her how she hurt me . . . because that's exactly how it felt. . . Just [wanted to] hurt her feelings." (Tr. 228; *see* Tr. 250) Respondent also agreed that she wanted to "get her in trouble" "for all the things she had done to me" and because, in Respondent's opinion, "she used to get away with a lot of stuff." (Tr. 228-29, 236) Her rationalization for the false 311 complaints is especially telling. At trial, Respondent contended that the reports reflected "things that I experienced in her apartment when I was there," estimating that the actual events occurred about a month before she made the 311 reports. She stated she was referencing herself when she described a "scared" young girl inside the apartment and a "person crying for help." She offered that she did not call the police when she was at Headley's apartment experiencing abusive behavior "because I was afraid and I know that she would just use her supervisor rank to just get out of it." (Tr. 230-35)

Every claim of abuse and sexual assault deserves a full, thorough and unbiased investigation. Unfortunately, this tribunal does not have the benefit of such an investigation before it. It is important to underscore that this tribunal acknowledges that survivors of intimate partner abuse and sexual assault may postpone reporting and react in unexpected ways due to delayed processing. Even when viewed within this context, however, Respondent's uncorroborated assertions fall short of the proof necessary to fully assess the merits of her defense. For example, Respondent failed to: present expert testimony or medical evidence of the

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psychological impact of the alleged abuse or assault; put forward witnesses to corroborate her factual account or any relevant contemporaneous statements Respondent may have made; or even introduce into evidence any documents to support her concrete claims that she gave Headley $2,200. This tribunal also notes that Respondent's campaign of harassment started in December 2023, at the very beginning of their personal entanglement and months before Respondent herself claimed that she was sexually assaulted.

More significantly, the text exchange Respondent introduced into evidence as proof that she was the victim of a sexual attack merely establishes that Respondent and Headley had a sexual encounter. Specifically, although Respondent makes the relatively ambiguous and mild statement that the sexual encounter was a "shy moment and unexpected," and asks the question, "What made you do it?," this text thread is devoid of indicia of discomfort, shock or displeasure. On the contrary, when Headley asked whether Respondent enjoyed the encounter, Respondent answered, "I did." Likewise, Respondent then asked, "So did that turn you on?," and Headley answered, "Yes." Headley's comment that Respondent was "delicious" elicited the response, "Glad you enjoyed it." In the midst of this intimate text thread, Respondent casually notes where the cast of Law and Order is making an appearance. (Resp. Exs. B & C) In sum, this evidence does not support Respondent's defense.

Consequently, and consistent with its obligation, this tribunal is bound to rule on the evidence presented at the hearing and not on argument or speculation. Accordingly, this tribunal finds Respondent guilty of the misconduct charged in Specifications 1, 2, 3, 4, 5, and 6.

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PENALTY

To determine an appropriate penalty, this Tribunal, guided by the Department's Disciplinary System Penalty Guidelines ("Matrix"), considered all relevant facts and circumstances, including potential aggravating and mitigating factors established in the record. Respondent's employment history was also examined. (*See* 38 RCNY § 15-07) Information from her personnel record that was considered in making this penalty recommendation is contained in an attached memorandum.

Respondent, who was appointed to the Department as a police officer on July 2, 2018, has been found guilty of engaging in what this tribunal has determined to be a months-long, frightening campaign of stalking and harassment against another member of service, falsely reporting incidents to 311 on multiple occasions, the misuse of her Department cell phone in connection with those 311 reports, and extensive misuse of Department computer systems over several months. Respondent's actions are clearly antithetical to the good order and discipline of the Department.[13] The Department has recommended that Respondent's employment be terminated; for the reasons set forth below, this tribunal concurs with that recommendation.

It is important to note at the outset that this is not Respondent's first disciplinary matter. In 2020, Respondent received a Schedule "C" Command Discipline and forfeited nine (9) vacation days for wrongfully conducting ***327*** computer inquiries that were unrelated to official Department business over a seven-month period in 2019, while still in her first year of service. At trial, Respondent confirmed that this computer misuse had to do with her improperly utilizing Department databases to access information about another member of service who she was

[13] Under the Department's Disciplinary Matrix, the proscribed penalty for conduct prejudicial to the good order and discipline of the Department can range from a mitigated penalty of training to an aggravated penalty of termination. Respondent has also engaged in conduct that would constitute the misdemeanor crimes of Stalking, Aggravated Harassment, Harassment, and Falsely Reporting an Incident. The Matrix outlines that engaging in conduct proscribed by NYS Law that is classified as a misdemeanor carries a presumptive penalty of 30 days and an aggravated penalty of termination. (Matrix at pp. 19-20, 46)

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dating at that time. She also admitted that during that investigation, she was specifically instructed on the proper use of Department computer systems and that they were only to be accessed for official business. (Tr. 224, 254-55) It is truly unacceptable that after committing such serious misconduct early in her career, and receiving specific direction on the proper use of Department computer systems, Respondent, once again, engaged in flagrant misuse of Department computers, databases and security technologies. It should be noted that in both the 2019 matter and here, Respondent chose to blatantly disregard Department rules and abuse the Department's technological resources to gain information about another member of service with whom she had a personal relationship. Respondent has demonstrated that she did not learn from her prior disciplinary case, and with the misconduct here, has made clear that she cannot be trusted with Department resources and the vast amount of sensitive information contained within.

As to the text messages, they are voluminous in scope and, at times, alarming and obsessive in nature. It should also be noted that they were sent during work hours on 17 occasions, again showing that Respondent is incapable of separating her responsibilities as a member of service from discord in her personal life. Although Respondent claims that Headley abused her, it was unacceptable and irresponsible that Respondent chose to address her alleged grievances by developing a contemptable scheme and perpetrating a series of appalling offenses. In sum, Respondent created dozens of anonymous phone numbers to stalk and harass Headley over several months by giving the impression that she was being watched by an unknown individual with a disconcerting level of knowledge about her career and her friendships. She then aggravated the misconduct by anonymously texting other members of service, including a friend's mother, to warn them about their relationship with Headley. This is, simply put,

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completely unacceptable behavior for any New York City Police Officer, let alone a detective working as a member of the security detail for the First Deputy Commissioner.

Respondent, however, did not stop there. She expanded and escalated her calculated scheme to engender alarm by filing six 311 complaints falsely alleging that someone was being hurt or screaming inside Headley's residence. Respondent did this knowing full well that a police response would be triggered. In doing so, she knowingly diverted officers away from protecting and serving the people of the City of New York and showed no regard for those responding officers, their command or the other residents of Headley's building. This dangerous filing of false multiple 311 complaints, alone, warrants termination.

Ultimately, this case has presented the tribunal with a set of deeply troubling circumstances. What is abundantly clear, however, is that Respondent's continued employment is untenable. Her behavior has shown a shocking lack of judgment, a total lack of regard for both Department resources and Department rules, and a complete inability to separate her job from her personal entanglements. Moreover, she has irretrievably broken the trust this Department and this City placed in her as uniformed member of service. The tribunal is therefore left with no option other than to recommend her dismissal from the New York City Police Department.

Respectfully submitted,

Rosemarie Maldonado
Deputy Commissioner Trials

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POLICE DEPARTMENT CITY OF NEW YORK

From: Deputy Commissioner – Trials

To: Police Commissioner

Subject: SUMMARY OF EMPLOYMENT RECORD
POLICE OFFICER SHATORRA FOSTER
TAX REGISTRY NO. 966063
DISCIPLINARY CASE NO. C-030622

Respondent was appointed to the Department as a Police Officer on July 2, 2018, having previously served as an Evidence & Property Control Specialist from April 24, 2017 until July 1, 2018. On her three most recent performance evaluations, she received a 4.5 rating of "Extremely Competent/Highly Competent" in 2023, and twice received 4.0 ratings of "Highly Competent in 2020 and 2022. She has been awarded one medal for Meritorious Police Duty and three medals for Excellent Police Duty.

In 2020, Respondent received a Schedule "C" Command Discipline and forfeited nine (9) vacation days for wrongfully conducting 327 computer inquiries unrelated to official Department business.

In connection with the instant matter, Respondent was placed on Level 1 Discipline Monitoring in June 2026; monitoring remains ongoing.

For your consideration.

Rosemarie Maldonado
Deputy Commissioner Trials