



POLICE DEPARTMENT

September 11, 2023

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In the Matter of the Charges and Specifications	:	Case No.
- against -	:	2022-27374
Police Officer Meylin Alifonzo	:	
Tax Registry No. 960150	:	
Police Service Area 7	:	

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

Before: Honorable Paul M. Gamble  
Assistant Deputy Commissioner Trials

APPEARANCES:

For the Department: Maria Paolillo, Esq.  
Department Advocate's Office  
One Police Plaza, Room 402  
New York, NY 10038

For the Respondent: John Tynan, Esq.  
Worth, Longworth & London, LLP  
111 John Street, Suite 640  
New York, NY 10038

To:

HONORABLE EDWARD A. CABAN  
POLICE COMMISSIONER  
ONE POLICE PLAZA  
NEW YORK, NY 10038

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## CHARGES AND SPECIFICATIONS

1. Police Officer Meylin Alifonzo, on or about June 29, 2022, while both off and on-duty and assigned to Police Service Area 7, failed to safeguard her firearm by leaving it unattended in an unlocked duffle bag inside of a friend's home.

A.G. 305-07, Page 1, Paragraph 1

FIREARMS GENERAL  
REGULATIONS

2. Police Officer Meylin Alifonzo, on or about June 29, 2022, while assigned to Police Service Area 7 and working a barrier detail, failed to be armed at all times.

A.G. 305-07, Page 1, Paragraph 2

FIREARMS GENERAL  
REGULATIONS

## REPORT AND RECOMMENDATION

The above-named member of the Department appeared before me on August 7, 2023. Respondent, through her counsel, entered a plea of Guilty to the subject charges and testified in mitigation of the penalty. 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, the Tribunal recommends that Respondent forfeit 20 vacation days.

## SUMMARY OF EVIDENCE IN MITIGATION

On June 28, 2022, Respondent was working an election detail in Queens. She recalled the detail being over ten hours long and ending at approximately 1540 hours. Following the detail, Respondent changed in her car and went to her friend's apartment in the Bronx<sup>1</sup>. When arriving at the friend's home, Respondent brought her duffle bag containing her uniform, gun belt, and

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<sup>1</sup> Respondent was in the process of moving from the apartment she shared with her brother but was unable to occupy the new apartment until July 1, 2022. On June 28, 2022, she and her brother had a disagreement which led to her seeking shelter elsewhere; according to Respondent, her friend allowed her to be a guest in his apartment until her new apartment was available (T. 13-14).

firearm upstairs with her (T. 14-16, 26). According to Respondent, she typically would place her firearm in her locker and would not take it home. On this particular day, however, she decided to take her gun belt and firearm with her, since she had three details in a row, and would be driving her personal vehicle (T. 26-27).

The following day, June 29, 2022, Respondent was assigned to a barrier detail, in plain clothes. Respondent testified that she initially believed she had her firearm with her at the detail but then became aware she had left it in her duffle bag, and had forgotten the duffle bag at her friend's home.

Respondent admitted that when she arrived at the barrier detail, she exited her car and signed in with a supervisor. She conceded that her firearm was not on her person at this time, despite it being a required part of her equipment, even if she was on a plain clothes detail. Respondent further conceded that she did not notify anyone that she did not have her firearm with her (T. 31-32).

While at the detail, a sergeant from PSA 8, contacted her asking where her firearm was; Respondent told the sergeant it was in a duffle bag<sup>2</sup> which was in her car. After checking her vehicle for the bag and not finding it, Respondent realized that she had inadvertently left it at her friend's home. She was later informed by her friend that his ex-wife discovered the duffle bag when she made an unplanned visit (T. 17-21). She opened the bag, discovered the firearm and other NYPD equipment, and then called 911, which led to the sergeant from PSA 8 responding to Respondent's friend's home (Dept. Exs. 3, 4, 5).

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<sup>2</sup> The duffle bag containing Respondent's firearm and other police equipment was photographed by responding police officers at the friend's apartment (Dept. Exs. 1, 2).

## PENALTY

In order to determine an appropriate penalty, this Tribunal, guided by the Department's Disciplinary System Penalty Guidelines, considered all relevant facts and circumstances, including potential aggravating and mitigating factors established in the record. Respondent's employment history also was 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 on January 6, 2016, has pled guilty to both failing to secure her firearm, and failing to be armed while working a barrier detail. Respondent admitted she inadvertently left her firearm at her friend's home. Second, Respondent admitted that she reported to the barrier detail without her firearm being on her person, while mistakenly believing it to be in her vehicle.

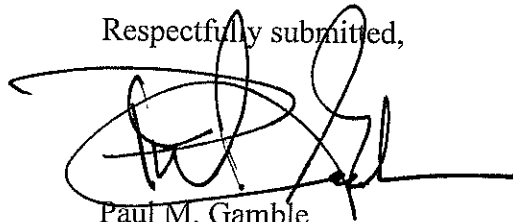
The Department Advocate has recommended the forfeiture of 25 vacation days. The presumptive penalty for failing to safeguard a firearm which resulted in loss or possession by another is 20 vacation days. The penalty for being in improper uniform or equipment carries a penalty of up to five vacation days.

I note that Respondent had worked a series of details outside of her normal precinct and admitted to being tired. I also note that she was in the process of moving and suddenly had to find a place to sleep after a disagreement with a family member. Finally, she left an unfamiliar lodging to report to her detail on the morning of June 29<sup>th</sup>. The confluence of working long hours, family stresses and being forced to sleep in an unfamiliar environment could have, and likely did, have a negative effect upon Respondent's attention to detail. I find these circumstances mitigating, warranting a lesser penalty.

Her candid admission that she failed to notify her supervisor that she had reported to the barrier detail without her firearm is evidence of contrition and, in the view of the Tribunal, constitutes further evidence of mitigation.

The penalties for failing to secure one's firearm are stringent with good reason. Police officers are trained to carry loaded firearms and to use them judiciously in the course of their duties. The weapons are nevertheless potentially dangerous in the hands of anyone other than the Member of Service authorized to possess them. For these reasons, I find the presumptive penalties to be warranted as a deterrent against further misconduct of this nature. I recommend, however, based upon the evidence of mitigation in the record that those penalties run concurrently, resulting in the forfeiture of 20 vacation days.

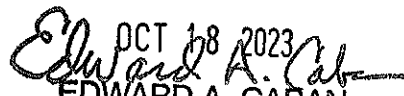
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Paul M. Gamble', written over a horizontal line.

Paul M. Gamble

Assistant Deputy Commissioner Trials

**APPROVED**

OCT 18 2023  
  
EDWARD A. CABAN  
POLICE COMMISSIONER



## POLICE DEPARTMENT CITY OF NEW YORK

From: Assistant Deputy Commissioner – Trials

To: Police Commissioner

Subject: SUMMARY OF EMPLOYMENT RECORD  
POLICE OFFICER MEYLIN ALIFONZO  
TAX REGISTRY NO. 960150  
DISCIPLINARY CASE NO. 2022-27374

Respondent was appointed to the Department on January 6, 2016. On her three most recent annual performance evaluations, she received “Meets Standards” for 2021 and 2022, and “Exceeds Expectations” for 2020. Respondent has been awarded one medal for Excellent Police Duty.

Respondent has no formal disciplinary history. In connection with the instant case, she was placed on Level 1 Discipline monitoring in July 2022; this monitoring remains ongoing.

For your consideration.

Paul M. Gamble  
Assistant Deputy Commissioner Trials