



POLICE DEPARTMENT

May 2, 2024

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In the Matter of the Charges and Specifications	:	Case No.
- against -	:	2023-28092
Police Officer Brittany Brown	:	
Tax Registry No. 960283	:	
Police Service Area 3	:	

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

Before: Honorable Jeff S. Adler  
Assistant Deputy Commissioner Trials

APPEARANCES:

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

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

To:

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

## CHARGES AND SPECIFICATIONS

1. Police Officer Brittany Brown, while assigned to Police Service Area 3, on or about and between October 11, 2021 and June 3, 2022, failed to perform all duties as directed by competent authority, to wit: after having been directed by New York City Police Lieutenant Christopher Trinchese not to conduct any inquiries for non-Department business, did fail and neglect to comply with said order.

A.G. 304-03, Page 1, Paragraph 2

COMPLIANCE WITH  
ORDERS

2. Police Officer Brittany Brown, while off-duty and assigned to Police Service Area 3, on or about and between October 11, 2021 and June 3, 2022, wrongfully used her Department issued digital mobile device for personal reasons unrelated to Department business, to wit: said Police Officer Brittany Brown did conduct thirteen (13) searches of individuals known to the Department.

P.G. 219-32, Page 1, Paragraph 1

DEPARTMENT MOBILE  
DIGITAL DEVICES

3. Police Officer Brittany Brown, while off-duty and assigned to Police Service Area 3, on or about and between October 11, 2021 and June 3, 2022, did wrongfully disclose confidential information to persons known to the Department without authority or permission to do so.

A.G. 304-15, Page 1, Paragraph 3

DEPARTMENT  
CONFIDENTIALITY  
POLICY

## REPORT AND RECOMMENDATION

The above-named member of the Department appeared before me on March 25, 2024. Respondent, through her counsel, entered a plea of Guilty to the charged misconduct 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, I recommend that Respondent forfeit 35 vacation days, and that she be placed on one-year dismissal probation.

## SUMMARY OF EVIDENCE IN MITIGATION

In June 2021, in an incident separate from the charges in this case, Respondent's neighbor illegally entered her home, and fled before the police could apprehend him. Respondent subsequently discovered a handgun in her daughter's drawer, which she suspected that neighbor of having placed there. After this discovery, Respondent, fearing for the safety of herself and her daughter, used her Department phone to look up her neighbor. When Respondent was questioned about her actions at an official Department interview on July 15, 2021, Lieutenant Christopher Trinchese specifically instructed her not to use her Department phone to conduct computer inquiries for non-Departmental purposes. (Tr. 16-21, 33-35)

Despite this instruction, Respondent subsequently used her Department cell phone to conduct an additional 13 unauthorized computer inquiries of other individuals on three separate dates: October 11, 2021, March 11, 2022, and June 3, 2022. These additional searches, which will be discussed below, are the subject matter of the charges in this case, to which Respondent has pleaded guilty. Additionally, Respondent admits that she wrongfully shared the information she uncovered during these computer inquiries with other individuals, in violation of Section 304-15 (3) of the Administrative Guide.

Respondent testified that on October 11, 2021, a woman she knew as a receptionist at a doctor's office asked her to run a computer search on the father of her children. He was applying for a job, and the receptionist wanted Respondent to check if his license was suspended. Respondent admitted that she used her Department phone to conduct one inquiry. She saw that the individual's license was clear, and informed the receptionist of this result. (Tr. 22-23, 31-32, 36-37)

On March 11, 2022, while Respondent was on sick leave, the father of Respondent's child asked her to conduct computer checks on behalf of his uncle. The uncle wanted to know if two drivers he was intending to hire for work, including one with an Illinois license, had licenses that were suspended. Respondent admitted that she conducted five such inquiries using her Department cell phone, and saw that there were no suspensions. She testified that she then shared this information with the father of her child, with the expectation that he would pass it along to the uncle. (Tr. 25-31, 37)

Respondent testified that on June 3, 2022, while on sick leave, a friend asked her to conduct a search of her brother, to see if he had been arrested. Respondent admitted that she ran seven unauthorized computer inquiries with her phone, from which she learned that the brother had been arrested. Respondent informed her friend of the result, though she claimed that she did not share with her the specifics of the arrest record. (Tr. 23-25, 30-31, 37)

Respondent acknowledged that at the time she made these computer inquiries, she was aware of the Patrol Guide procedure prohibiting such searches. She also confirmed that she had been instructed by Lieutenant Trinchese not to use her Department phone in order to conduct searches for matters not related to official Department business. Respondent testified that she did not obtain any personal benefit from any of these searches. She also noted that she did not realize that looking up an individual's name was akin to "running" a check on the individual. (Tr. 20-22, 25-27)

## 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 pleaded guilty to conducting a total of 13 unauthorized computer inquiries on three dates, during which she accessed Department databases for personal reasons, and then wrongfully shared that information with several third parties. She did so despite having been ordered not to conduct such searches during an official Department interview on July 15, 2021. The Department Advocate asks that Respondent forfeit 35 vacation days, and that she be placed on one-year dismissal probation. Counsel for Respondent argues that dismissal probation would be unjustly punitive under the facts of this case, and asks for a penalty limited to the forfeiture of 35 vacation days.

On the one hand, Respondent readily acknowledged that she did conduct the unauthorized inquiries, in violation of Section 219-32 (1) of the NYPD Patrol Guide, which instructs Members of the Service to “use Department issued digital mobile devices for official Department business exclusively.” She maintained that she had no ill intent, and was merely trying to assist some people who came to her for help. There was no indication that Respondent personally profited from any of these searches.

However, it is particularly troubling that she continued to use her Department cell phone for personal reasons *after specifically being instructed not to do so*. Respondent testified that she did not realize that looking someone up on her Department phone was the same as “running” their name, but clearly she was aware that she was accessing personal information through the Department’s databases. In doing so, Respondent disregarded an unambiguous order, and

abused her position as a uniformed member of the service on multiple occasions. Making matters worse, she then shared that information with third parties, which is explicitly prohibited by the Patrol Guide. With her actions, Respondent repeatedly exercised extremely poor judgment, and there needs to be appropriate accountability.

Under these circumstances, a period of monitoring is warranted, in addition to the loss of vacation days. Taking into account the totality of the facts and issues in this matter, I recommend that Respondent forfeit thirty-five (35) vacation days, and that she be DISMISSED from the New York City Police Department, but that her dismissal be held in abeyance for a period of one (1) year pursuant to Section 14-115(d) of the Administrative Code, during which time she remains on the force at the Police Commissioner's discretion and may be terminated at any time without further proceedings.

Respectfully submitted,



Jeff S. Adler

Assistant Deputy Commissioner Trials

**APPROVED**

JUN 11 2024  
  
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 BRITTANY BROWN  
TAX REGISTRY NO. 960283  
DISCIPLINARY CASE NO. 2023-28092

Respondent was appointed to the Department on January 6, 2016. On her three most recent annual performance evaluations, she was twice rated “Exceeds Expectations” for 2022 and 2023, and was rated “Meets Standards” for 2021.

Respondent has no formal disciplinary history.

For your consideration.

Jeff S. Adler  
Assistant Deputy Commissioner Trials