



OFFICE OF THE POLICE COMMISSIONER

ONE POLICE PLAZA • ROOM 1400

September 11, 2024

Memorandum for: Deputy Commissioner, Trials

Re: **Detective Albert Krasniqi**
Tax Registry No. 954031
41 Precinct
Disciplinary Case No. 2023-28696

The above named member of the service appeared before Assistant Deputy Commissioner Anne E. Stone on June 20, 2024, and was charged with the following:

DISCIPLINARY CASE NO. 2023-28696

1. Said Detective Albert Krasniqi, while on duty and assigned to Narcotics Borough Manhattan North, on or about September 3, 2022, did observe several Members of the Service consume alcoholic beverages while on duty, and did then fail to notify the Internal Affairs Bureau, as required.

P.G. 207-21, Page 1

**ALLEGATIONS OF
CORRUPTION AND OTHER
MISCONDUCT AGAINST
MEMBERS OF SERVICE**

2. Said Detective Albert Krasniqi, while on duty and assigned to the 41st Precinct, on or about June 27, 2023, did make misleading statements during an official Department interview.


A.G. 304-10, Page 1

**FALSE AND MISLEADING
STATEMENTS – MISLEADING
STATEMENT**

In a Memorandum dated August 8, 2024, Assistant Deputy Commissioner Stone found Detective Krasniqi guilty of all Specifications in Disciplinary Case No. 2023-28696. The facts and circumstances presented in the Memorandum from Assistant Deputy Commissioner of Trials, Stone, have been carefully considered. While I agree with the findings, I do not agree with the proposed penalty recommendation.

After reviewing the facts and circumstances of this matter, I have determined that a higher penalty and a period of monitoring is warranted, Detective Krasniqi having witnessed uniformed members of the service engaged in misconduct failed to make proper notifications and when confronted with evidence pertaining to the misconduct denied being aware of such violations.

Therefore, Detective Krasniqi shall forfeit thirty-five (35) vacation days and be placed on one (1) year dismissal probation, as a disciplinary penalty.


Edward A. Caban
Police Commissioner



POLICE DEPARTMENT

August 8, 2024

-----X
In the Matter of the Charges and Specifications :

- against - :

Detective Albert Krasniqi :

Tax Registry No. 954031 :

41 Precinct :

Case No.

2023-28696

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

Before: Honorable Anne E. Stone
Assistant Deputy Commissioner Trials

APPEARANCES:

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

For the Respondent: Marissa Gillespie, Esq.
Karasyk & Moschella, LLP
233 Broadway, Suite 2340
White Plains, NY 10279

To:

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

CHARGES AND SPECIFICATIONS

1. Said Detective Albert Krasniqi, while on duty and assigned to Narcotics Borough Manhattan North, on or about September 3, 2022, did observe several Members of the Service consume alcoholic beverages while on duty, and did then fail to notify the Internal Affairs Bureau, as required.

P.G. 207-21, Page 1

ALLEGATIONS OF CORRUPTION
AND OTHER MISCONDUCT
AGAINST MEMBERS OF SERVICE

2. Said Detective Albert Krasniqi, while on duty and assigned to the 41 Precinct, on or about June 27, 2023, did make misleading statements during an official Department interview.

A.G. 304-10, Page 1

FALSE AND MISLEADING
STATEMENTS—
MISLEADING STATEMENT

REPORT AND RECOMMENDATION

The above-named member of the Department appeared before me on June 20, 2024. Respondent, through his counsel, entered a plea of Not Guilty to the subject charges. The Department called Lieutenant [REDACTED], Police Officer [REDACTED], and Police Officer [REDACTED] as witnesses. They also introduced surveillance video of the incident, as well as the audio recording and transcript of Respondent's official Department interview. Respondent testified on his 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 both specifications and recommend a penalty of the forfeiture of thirty (30) vacation days.

ANALYSIS

This case arose out of complaints made to the Internal Affairs Bureau that various members of service working the NYPD detail at the Electric Zoo music festival had consumed alcoholic beverages, stolen property, and been involved in physical altercations; Respondent, however, is not alleged to have engaged in those acts of misconduct. Respondent is accused of failing to notify the Internal Affairs Bureau that on duty members of the service were consuming alcohol in his presence. Additionally, it is alleged that he made misleading statements during his official interview, when he repeatedly asserted that he did not recall seeing those members drinking from cups and going to the bar in the venue.

The following is a summary of facts that are not in dispute. The Electric Zoo (“E Zoo”) music festival took place on Randall’s Island from Friday, September 2, through Sunday, September 4, 2022. Various NYPD units were assigned to police the festival. In particular, Respondent’s unit, Narcotics Borough Manhattan North, was tasked with looking for and arresting concertgoers who were selling or using illegal drugs. Although several of Respondent’s colleagues worked at the festival both Friday and Saturday, Respondent was only there on Saturday evening. Respondent testified that he was working with Police Officers [REDACTED] [REDACTED]. They arrived at the festival and went to meet some other colleagues, who were also on duty and who were in the “VIP” area, which had its own bar, seating areas, as well as table service.

Respondent, Police Officer [REDACTED], and Police Officer [REDACTED] met up with Police Officer [REDACTED], who greeted them at the entrance to the VIP area and brought them to a table

where Police Officer [REDACTED]¹ was waiting. Surveillance video of the event show them entering the VIP area at 1717 hours and leaving approximately twenty minutes later at 1737 hours. The footage shows Police Officers [REDACTED] and [REDACTED], who were both on duty, each holding cups in their hands. (Dept. Ex. 1 at 5:17:51; 5:19:51) The group stood near a railing which overlooked another portion of the VIP area. Police Officer [REDACTED] had a wristband “pre-loaded” with money that was used to purchase vodka drinks from the VIP bar. A few minutes after they arrived, Police Officers [REDACTED] and [REDACTED] left the railing and walked to the bar where Police Officer [REDACTED] bought Officer [REDACTED] a “vodka drink.” (Tr. 27, 33; Dept. Ex 1 at 5:21:40) They returned and Police Officers [REDACTED] and [REDACTED] sipped their drinks while speaking to Respondent and the other officers. (Tr. 34-35, 103, 133; Dept. Ex. 1 at 5:24:08-5:25:56) Respondent brought to Police Officer [REDACTED]’s attention a group of people in the area below, who appeared to be using cocaine. They discussed arresting them, but decided against it. (Tr. 99, 154)

A little later, Police Officer [REDACTED] went to the bar again, and when he returned handed a vodka drink to Police Officer [REDACTED], who proceeded to take sips, while interacting with the group, including Respondent. (Tr. 38-40, 108, 133; Dept. Ex. 1 at 5:33:27- 5:33:56) Eventually, one of the bottle service waitresses came and asked the officers to leave the space, which had been reserved and paid for by another group. Respondent and the other officers left the area and went into the general area of the festival to conduct enforcement operations. (Tr. 42, 109, 159; Dept. Ex. 1 at 5:37:32- 5:37:53)

After making arrests, Respondent and Police Officers [REDACTED] and [REDACTED] went back to their command where they were informed that some members of service had gotten into trouble

¹ Detectives [REDACTED] were each demoted to Police Officer following this incident.

in the VIP area of E Zoo. Representatives from IAB came and commandeered the roll calls and other log books. (Tr. 111, 162) Approximately two months later, Respondent was transferred to the 41 Precinct, and ten months later, he was interviewed by IAB with regards to this incident. (Tr. 166-67)

Lieutenant [REDACTED] testified that he was the team leader overseeing almost the entire investigation into the allegations against multiple members of the service, including Respondent, stemming from their behavior while assigned to the E Zoo detail. He explained that in the course of investigating the misconduct which took place in the VIP area later on September 3, 2022, he uncovered the surveillance video showing Respondent and the other officers there for approximately twenty minutes at around 1700 hours. Lieutenant [REDACTED] showed the tribunal the portions of the footage on which Police Officer [REDACTED] can be seen purchasing drinks with his wristband. Lieutenant [REDACTED] explained that there was a computerized receipt, with a date and time stamp which recorded the type of drink and when it was bought. He described matching those time stamps to the video recordings in order to determine which members of service were consuming alcohol. In addition, Lieutenant [REDACTED] stated that the officers accused of drinking had admitted to doing so during official Department interviews. (Tr. 17-40; *see* Dept. Ex. 1)

When discussing Respondent's official interview, Lieutenant [REDACTED] acknowledged that initially the sole allegation against Respondent was the failure to notify IAB that his colleagues were drinking alcohol, on duty, in his presence. When asked about Respondent's interview, Lieutenant [REDACTED] replied that Respondent did not recall seeing any of the other officers, "with cups in their hands [or] drinking alcoholic beverages." (Tr. 45-46) Lieutenant [REDACTED] detailed

that even after being shown footage of the officers drinking as they interacted with him, Respondent continued to insist that he had no independent memory of that occurring. (Tr. 51)

The Department called Police Officer Jeremiah [REDACTED] to the stand. He testified that he was with Respondent, and Police Officers [REDACTED] in the VIP area of the E Zoo music festival. He recalled that shortly after arriving, Police Officer [REDACTED] asked him if he wanted a drink. Police Officer [REDACTED] stated that he went to the bar with Police Officer [REDACTED], who bought him a “clear, alcoholic, seltzer-vodka drink.” (Tr. 98-101) He described consuming the beverage in front of “everyone,” including Respondent. Police Officer [REDACTED] conceded that although he didn’t “announce” that he was imbibing alcohol, he did not make any attempts to conceal his actions. (Tr. 103-04) Police Officer [REDACTED] recounted observing Police Officer [REDACTED] going to the bar a second time, purchasing another alcoholic beverage, and giving it to Police Officer [REDACTED]. (Tr. 108)

Police Officer [REDACTED] acknowledged that in addition to being demoted from detective, he received discipline for drinking on duty and misusing time with respect to his actions in the VIP area. He pled guilty and forfeited 30 vacation days, plus an additional 20 minutes to reflect the time spent in the VIP area, and was placed on dismissal probation for one year. Police Officer [REDACTED] denied receiving any special treatment for testifying before this tribunal. (Tr. 113-14)

The Department called Police Officer [REDACTED] to testify. Police Officer [REDACTED] recalled arriving at E Zoo before Respondent, Police Officer [REDACTED], and Police Officer [REDACTED]. He detailed meeting them in the VIP area and escorting them to where he and Police Officer [REDACTED] were standing, near the railing. Police Officer [REDACTED] described Respondent as a friendly guy, whom he had seen at work on occasion, but they had never worked together. Police Officer [REDACTED] recounted that Police Officer [REDACTED] asked the group if anyone needed a drink

because he was going to the bar. He remembered Police Officer [REDACTED] making the offer “multiple times.” Police Officer [REDACTED] professed that he declined the offer, but remembered that Police Officers [REDACTED] and [REDACTED] said yes. (Tr. 124, 132-34)

Police Officer [REDACTED] acknowledged that he pled guilty to failing to notify IAB regarding observing other members of service consuming alcohol, as well as to drinking both at the festival and in a Department vehicle on the day before this incident. He forfeited 15 vacation days, 4 and a half hours of time spent drinking at the festival while on duty, and was placed on dismissal probation. Police [REDACTED] denied receiving any consideration in exchange for his testimony. (Tr. 125-27)

Respondent took the stand on his own behalf. He described the VIP area of E Zoo as “[c]rowded, loud. You’ve got waiters. Scantily-clad, bottle girls walking around. You’ve got dancing, you’ve got party goers dressed provocatively jumping around.” (Tr. 153) In spite of being a frequent concertgoer, Respondent acknowledged that he has “never seen [a concert] of that magnitude.” (Tr. 168) Respondent contended that while in the VIP area, he was leaning over the railing, scrolling on Instagram and was on a video chat with his wife. He spent “barely a couple of minutes” interacting with his co-workers. (Tr. 154)

When asked about his colleagues drinking, Respondent denied being asked if he wanted a drink, seeing his colleagues consuming alcohol, or any of them seeming intoxicated. (Tr. 156-157) He explained that he was distracted by people watching and looking for individuals selling or using narcotics. In essence he was, “looking at everyone else, but my team.” (Tr. 173)

Respondent recalled that once he was back at his command, sometime after midnight, he began hearing rumors that, “IAB was in the building taking books because people were drinking, fighting and stealing” at the E Zoo detail. Although members of service he had been with in the

VIP area were being mentioned, Respondent did not think this had anything to do with him. Respondent described thinking to himself, “thank God I was nowhere near this and I had nothing to do with these guys.” Indeed, Respondent purported that even two months later, when he was transferred out of the Detective Bureau, he believed it was simply part of a “blanket punishment.” (Tr. 166-67)

Respondent’s official interview took place on June 27, 2023. (*See* Dept. Ex 2 and 2A) Respondent testified that his attorney and union delegate spoke with the IAB representatives before the questioning started and they told Respondent that his penalty for failing to notify would be “minor” if Respondent would “play ball.” Respondent explained that he was upset by this because he, “took that as if I’m supposed to say what they want [me] to say, instead of the truth.” Respondent described Lieutenant [REDACTED], who conducted the interview, as “hostile” because he was “annoyed and angry” with Respondent’s refusal to “just say yes.” During the interview, and at trial, Respondent continued to deny seeing his colleagues going to the bar, purchasing alcohol, consuming any beverages, or even holding any cups in his presence. Even after being shown the surveillance footage, Respondent maintained his position that he was so focused on the scantily clad servers and partygoers that he was “looking at everyone else, but my team.” (Tr. 168-73)

Specification 1: Failure to Notify IAB

Respondent stands charged with failing to make a notification to the Internal Affairs Bureau that he observed members of the service consuming alcohol while on duty at the E Zoo detail. Respondent is not accused of, nor is there any evidence that he consumed alcohol at the festival. However, it is undisputed that Police Officers [REDACTED], and [REDACTED] were consuming alcohol in Respondent’s presence. Respondent contends that he did not notice them

drinking anything, alcohol or not. The question for the tribunal is whether a reasonable person in the same circumstances would know that their colleagues were consuming alcohol. I find that a reasonable person would.

Administrative Guide 304-06 (3) prohibits the consumption of any amount of intoxicants while on duty whether in uniform or civilian clothes. In addition, Patrol Guide 207-21 requires members of service to notify the Internal Affairs Bureau, "upon observing, or becoming aware of corruption or other misconduct."

Respondent did not deny being in the VIP area with Police Officers [REDACTED], and [REDACTED]. In addition, he conceded that the surveillance footage shows first Police Officers [REDACTED] and [REDACTED] walking to the bar, and later Police Officer [REDACTED] going to the bar alone and handing a cup to Police Officer [REDACTED] upon his return. Respondent acknowledged that the video clearly depicts the three police officers drinking from plastic cups while he is facing them, within a couple of feet of each other while engaging in conversations with them.

Police Officer [REDACTED] testified that upon entering the VIP area, Police Officer [REDACTED] asked him if he wanted a drink. He admitted to walking to the bar with Police Officer [REDACTED] and, upon returning, openly drinking his alcoholic beverage in front of the entire group. In spite of his acknowledgement that Respondent is his friend, Police Officer [REDACTED] testified in a matter-of-fact manner. I credit his account of events, which was corroborated by the surveillance footage, which showed Respondent speaking to Police Officer [REDACTED] for approximately a minute and a half, during which Police Officer [REDACTED] took at least eight sips from his drink. (Dept. Ex. 1 at 5:24:07-5:25:56)

Police Officer [REDACTED] took the stand and recounted Police Officer [REDACTED] asking the group, including Respondent, more than once, if anyone wanted a drink because he was going to

the bar. He recalled Police Officers [REDACTED] and [REDACTED] each accepted the offer. His testimony was straightforward and included admitting to drinking at the festival, while on duty, the evening before. Like Police Officer [REDACTED] Police Officer [REDACTED] had no reason to embellish his testimony. Indeed, Police Officer [REDACTED] resolved his own charges and specifications before he was notified to testify in this matter.

In contrast, Respondent's testimony was inconsistent, glib, and was contradicted by the video and testimonial evidence. He seemed to be attempting to paint himself as a highly competent and observant detective, who observed drug activity going on in the crowded VIP area. At the same time, he claimed to be completely obtuse when it came to the behavior of his colleagues who were standing directly in front of him. During cross-examination, Respondent was asked about video footage which depicted him walking with Police Officers [REDACTED] and [REDACTED] towards the bar. In it, Respondent stops short, turns around, and returns to his spot by the railing. At first Respondent claimed that he could not recall why he turned around, speculating that, "maybe I thought they were leaving." However, Respondent's memory became surprisingly clear when he was asked if he turned back because Police Officers [REDACTED] and [REDACTED] were headed to the bar; he responded, unequivocally, "no." (Tr. 192)

On the one hand, Respondent insisted that the night was not memorable because it was just a routine enforcement day. On the other, he detailed never having been to a concert on the scale of E Zoo and, in particular, with such provocatively dressed women. (Tr. 186-88) He even contradicted himself when asked the location of his co-workers, "I didn't know where they were. I knew they were right there, though." (Tr.184)

Department's Exhibit 1 shows Respondent standing shoulder to shoulder, and engaging, members of his team who are consuming alcoholic beverages out of the type of plastic cups often

used at outdoor festivities and cocktail parties. (Dept. Ex. 1 at 5:17:34, 5:24:51) Police Officers [REDACTED] and [REDACTED] each credibly recounted that alcoholic drinks were openly being offered and consumed.

It is not reasonable, under these circumstances, that a trained NYPD detective would not realize that the members of his team, who are responsible for his safety, as well as their own, were consuming alcohol in violation of the Patrol Guide. Respondent was obligated to do more than turn a blind eye to the misconduct occurring right in front of him; he was required to report it. It is undisputed that Respondent did not notify IAB that members of his team were drinking while on duty at the E Zoo music festival. Accordingly, I find Respondent Guilty of Specification 1.

Specification 2: Misleading Statements

IAB interviewed Respondent regarding this incident on June 27, 2023. Specification 2 alleges that during that interview, Respondent repeatedly stated that he did not recall seeing any of the officers drinking alcohol or even holding cups in their hands.

Administrative Guide 304-10 prohibits making misleading statements in the course of an official investigation. A misleading statement is defined as a statement that is intended to misdirect the fact finder and materially alter the narrative, and includes, “Making repeated claims of ‘*I do not remember*’ or ‘*I do not know*’ when a reasonable person under similar circumstances would recall, or have been aware of, such material facts.”

I carefully reviewed the transcript of Respondent’s official interview in its entirety, the accompanying audio recording, as well as, the surveillance video footage in evidence. The question for the tribunal is whether Respondent intended to misdirect IAB’s investigation when

he repeatedly claimed that he did not observe his colleagues consuming alcohol, or indeed even holding cups. I find that he did.

During his interview with IAB investigators, including Lieutenant [REDACTED], Respondent denied observing Police Officers [REDACTED] and [REDACTED] go to the bar. When asked if he saw any of his colleagues leaving the group at any time, he stated that he did not remember any of them leaving. This led to the following exchange:

LT [REDACTED]: All right. So, did you observe any of them with cups in their hands and drinking?

DET [REDACTED]: Well, I don't recall them with cups in their hand.

LT [REDACTED]: So, [REDACTED] and [REDACTED], those four individuals, you never observed any of them with a plastic cup in their hand?

DET [REDACTED]: I don't recall them with a cup in their hand. It's not something that stood out.

LT [REDACTED]: Not something that stood out?

DET [REDACTED]: No.

(Dept. Ex. 2A at 12)

The interview continued with Respondent stating that the events of the day did not stand out to him because they were routine, then claiming that he looking at everyone else in the VIP area, aside from his team. He was argumentative with the investigators, as well as his own delegate and legal representative. Respondent protested several times that since he had done nothing wrong, nothing about the day was memorable. Even after being shown surveillance footage, which clearly depicted his colleagues with cups in their hands, Respondent purported that his memory was not refreshed. Respondent also denied having any discussions with Police Officers [REDACTED] and [REDACTED] on the night of the incident, or any time after, when the rumors

started about the problems in the VIP area of the festival. (Dept. Ex. 2A at 11-12, 14-15, 16, 19-20)

As discussed above, a reasonable person, in particular an NYPD detective, in the same circumstances, would be aware that his colleagues were drinking. His colleagues could hardly have been more brazen about what they were doing. These officers were not taking covert sips from a flask, they were making repeated trips to the bar, purchasing drinks with a wristband, and consuming those drinks within feet of Respondent.

In addition, it is not logical that anyone, upon learning that colleagues that they had been working with earlier were caught “drinking, fighting, and stealing,” would not assume that their own actions might be called into question. I find it difficult to believe that Respondent did not speak about the events at E Zoo with any of his fellow officers who were there with him.

The record in this case overwhelmingly supports that Respondent was not forthcoming with the investigators about material facts regarding the E Zoo incident, even when confronted with video. The only logical conclusion that can be drawn is that he was attempting to misdirect or mislead. Accordingly, I find Respondent Guilty of Specification 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 his 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 9, 2013, has been found guilty of failing to notify IAB that his colleagues were drinking alcohol on duty, and in the course of his official interview, intentionally making misleading statements. With respect to the failure to notify, the Department has recommended a penalty of five (5) vacation days. They have recommended that penalty run consecutively with the presumptive penalty for intentionally making a misleading official statement of thirty (30) vacation days and one year dismissal probation. For the following reasons, I find a lesser, mitigated penalty is warranted.

Unlike his co-workers, Respondent chose to follow the Department's rules which prohibit alcohol consumption while on duty. However, his willful ignorance of the misconduct which was taking place right in front of him, and his failure to report it as required is equally disturbing to this tribunal. Respondent, in his misguided attempt to protect his colleagues, exercised poor judgment about an incident in which there was almost no question about what happened. The investigation had already revealed that his colleagues were drinking on duty, and at least some of them had already admitted as much to IAB. Respondent failed to be forthcoming under circumstances when the Department's rules required him to be.

Respondent has had no formal disciplinary history during his eleven years with the Department. In 2017, the Department awarded Respondent the Combat Cross, as well as an Honorable Mention, as a result of an incident which occurred two weeks after he graduated from the Police Academy. Respondent was assigned to a foot post when he heard gunfire and ran towards it. He saw an individual running towards him, as another person fired a gunshot towards them. Respondent shot back, eliminating the threat and killing the shooter. In addition Respondent has received two medal for Meritorious Police Duty, and thirteen medals for Excellent Police Duty. Respondent's extraordinary bravery, which has been recognized by the

Department, as well as his other notable accomplishments argue in favor of some mitigation of penalty. (Disciplinary Matrix p. 9)

On balance, a penalty of the forfeiture of thirty (30) vacation days is sufficient to address the serious nature of the misconduct while taking into account Respondent's otherwise exemplary career. In light of those achievements, I find that a period of extended monitoring is not warranted. Accordingly, I recommend that Respondent forfeit a total of thirty (30) vacation days.

Respectfully submitted,



Anne E. Stone

Assistant Deputy Commissioner Trials

DISAPPROVED

SEP 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
DETECTIVE ALBERT KRASNIQI
TAX REGISTRY NO. 954031
DISCIPLINARY CASE NO. 2023-28696

Respondent was appointed to the Department on January 9, 2013. On his three most recent annual performance evaluations, he was rated “Exceptional” for 2023, “Exceeds Expectations” for 2022, and received a 5.0 rating of “Extremely Competent” for the rating period spanning May 2021-May 2022. Respondent has been awarded one Combat Cross, one Honorable Mention, two medals for Meritorious Police Duty and 13 medals for Excellent Police Duty.

Respondent has no formal disciplinary history.

For your consideration.

Anne E. Stone
Assistant Deputy Commissioner Trials