



OFFICE OF THE POLICE COMMISSIONER  
ONE POLICE PLAZA • ROOM 1400

December 20, 2024

Memorandum for: Deputy Commissioner, Trials

Re: **Sergeant Andy Rollins**  
Tax Registry No. 944948  
Manhattan Court Section  
Disciplinary Case No. 2023-28936

The above named member of the service appeared before Assistant Deputy Commissioner Jeff S. Adler on September 5, 2024, and was charged with the following:

**DISCIPLINARY CASE NO. 2023-28936**

1. Said Sergeant Andy Rollins, while assigned to the 43th Precinct and off-duty, on or about August 12, 2023, in the Dominican Republic, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department, in that he was involved in a physical altercation with a person known to the Department.

**A.G. 304-06, Page 1, Paragraph 1**

**PROHIBITED CONDUCT**

2. Said Sergeant Andy Rollins, while assigned to the 43th Precinct and off-duty, on or about August 12, 2023, in the Dominican Republic, after being involved in a physical altercation with a person known to the Department, failed to notify the Operations Unit, as required.

**P.G. 212-32, Page 1, Note**

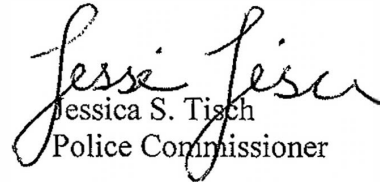
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INVOLVING UMS**

In a Memorandum dated October 15, 2024, Assistant Deputy Commissioner Adler found Sergeant Rollins guilty (after Sergeant Rollins pled guilty to all Specifications) in Disciplinary Case No. 2023-28936. The facts and circumstances presented in the Memorandum from Assistant Deputy Commissioner of Trials, Adler, have been carefully considered. While I accept the Sergeant's guilty plea, I do not agree with the proposed penalty recommendation of the forfeiture of thirty (30) suspension days to be served, the forfeiture of thirty-five (35) vacation days, completion of the 24-week OASAS counseling program, and one (1) year of dismissal probation.

Considering the circumstances and issues concerning the misconduct for which Sergeant Rollins pleaded guilty, I believe a more significant penalty is warranted. I find the presence of several aggravating facts in this matter. The aggravating factors include his prior significant disciplinary history, the physical injuries sustained by his daughter, and his position as a supervisor. Therefore, separation from the Department is warranted.

However, instead of an outright dismissal from the Department, I will permit an alternative manner of separation from the Department for Sergeant Rollins at this time. It is therefore directed that an *immediate* post-trial settlement agreement be implemented with Sergeant Rollins in which he shall forfeit thirty (30) suspension days without pay (to be served), forfeit thirty-five (35) vacation days, forfeit all remaining time and leave balances, complete the 24-week OASAS counseling program, be placed on one (1) year dismissal probation, and immediately file for vested interest retirement.

Such vested interest retirement shall also include Sergeant Rollins' written agreement to not initiate administrative applications or judicial proceedings against the New York City Police Department to seek reinstatement or return to the Department. This agreement is to be implemented *IMMEDIATELY*. Should Sergeant Rollins not agree to the terms of this vested-interest retirement agreement as noted, the Police Commissioner shall direct that said Sergeant be terminated from the Department without further proceedings.



Jessica S. Tisch  
Police Commissioner



POLICE DEPARTMENT

October 15, 2024

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

Case No.

- against - :

2023-28936

Sergeant Andy Rollins :

Tax Registry No. 944948 :

Manhattan Court Section :

-----X  
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  
One Police Plaza, Room 402  
New York, NY 10038

For the Respondent: John Arlia, Esq.  
Wenger & Arlia, Esqs.  
20 Vesey St., Suite 210  
New York, NY 10007

To:

HONORABLE THOMAS G. DONLON  
POLICE COMMISSIONER  
ONE POLICE PLAZA  
NEW YORK, NY 10038

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## CHARGES AND SPECIFICATIONS

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P.G. 212-32, Page 1, Note

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## REPORT AND RECOMMENDATION

The above-named member of the Department appeared before me on September 5, 2024. Respondent, through his 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 be suspended for 30 days without pay, forfeit 35 vacation days (for a total of 65 penalty days to be served), complete the Department's counseling program, and be placed on dismissal probation.

## SUMMARY OF EVIDENCE IN MITIGATION

Respondent has pleaded guilty to wrongfully engaging in a physical altercation with his 21-year-old daughter while on vacation in the Dominican Republic, and for failing to notify the Department of the incident. Specifically, he admits that he forcibly pushed his daughter to the ground, and twice slapped her in the face, causing injuries to her eye, lip, and neck which are depicted in three photographs. (Dept. Exs. 1-3)

Respondent testified that on August 12, 2023, he traveled to the Dominican Republic on vacation with his son and younger daughter. His older daughter decided at the last minute to join them as well, and flew there on a separate flight later that day. Respondent picked her up at the airport, but instead of driving straight to his mother's home where they were planning to spend the first night, he decided to surprise his daughter and took her to a party at a club. She said she was tired, but according to Respondent her demeanor improved at the party and she said that she liked it. They both drank alcoholic beverages at the party, but neither was intoxicated. They left the party and headed to his mother's house, in a vehicle being driven by Respondent's friend ("the driver"). (Tr. 21-23, 27-28, 31-32, 58-59, 94-95)

On the way there, they first stopped at another friend's home to make arrangements for the week. Respondent testified that he exited the vehicle to speak with the friend, while his daughter remained in the car with the engine running. At some point while Respondent was outside talking, his daughter suddenly exited the vehicle, slammed the door, and walked quickly toward Respondent who was holding a cup with a drink in his hand. She hit his hand, knocking the cup to the ground, and turned to walk back to the car. Respondent testified that he was in "complete shock" from her unexpected behavior. He said to her, "What's wrong with you," and pushed her from behind, causing her to fall to the ground. His daughter got to her feet, and came at Respondent, swinging her arms and trying to get at his face. The driver positioned himself between them, and the situation calmed down. (Tr. 23-32, 59-65, 71-72)

Following this altercation, they returned to the car and continued on their way. Respondent was in the front passenger seat, while his daughter was seated behind the driver. Respondent testified that they continued to go back and forth verbally, and his daughter put on her earphones as if she did not want to hear Respondent. He felt like he needed to respond, to

make her listen, and he twice slapped her in the face, telling her, "I'm your father...why did you have to do this...out in public?" Respondent was wearing a ring on one of his fingers, though he could not recall if that was the hand with which he struck her. Respondent admitted to injuring his daughter (Dept. Exs. 1-3), but was not sure at which point the injuries to her face were caused. He also received scratches to his own face at some point during their altercation. (Dept. Exs. 5-7) Respondent explained that cultural norms played a role in his disciplining his daughter in this way, but acknowledged that he went too far and his actions were not appropriate. (Tr. 38, 40, 44-46, 56-58, 65-69, 77-79)

The daughter's phone recorded approximately 33 minutes of what occurred inside the vehicle. (Tr. 76) Although nothing can be seen, the words that were spoken can be heard. (Dept. Ex. 4) The entire exchange, including portions that were in Spanish, were subsequently transcribed. (Dept. Ex. 4A). In the recording, Respondent can be heard speaking with his daughter in a loud angry voice. She wants to listen to music and asks him to hand her back her phone, which apparently has fallen to the floor of the car, but Respondent refuses. He yells at her for having scratched him, and she, in turn, accuses him of having thrown her to the ground, giving her a black eye. Respondent repeatedly insults and curses at his daughter, says she is abusive to her parents, and calls her a failure. He tells her that she is better than this, and complains that she is embarrassing him in front of everybody. Respondent also reminds her that he is her father, whether she likes it or not.

Respondent testified that the next day, he and his daughter spoke, and each apologized for their behavior. Respondent did not report this occurrence as required, preferring to keep it in the family. He later learned that his daughter told her maternal aunt about the incident, who reported it to his job. (Tr. 46-47)

On the witness stand, Respondent expressed remorse for his actions toward his daughter. He testified that his daughter is “one of the loves of [his] life.” He stated that he has worked hard to give his children the best education, and is proud of all of them. Respondent described this incident as the worst day of his life, something he’s spent a great deal of time reflecting on, and often relives. He was trying to discipline his daughter, but his actions toward her, including the harsh language he used, were not appropriate and not something of which he is proud. He also testified that he has a great deal of respect for the Department, and is hoping to keep his job. (Tr. 33, 41-44, 51-55)

### 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 July 9, 2007, has pleaded guilty to wrongfully engaging in a physical altercation with his 21-year-old daughter, in that he pushed her to the ground, and twice slapped her in the face. He also failed to notify the Department of this incident. The Department Advocate asks that Respondent be separated from the Department, arguing that Respondent’s prior disciplinary history, combined with his misconduct in this case, makes him a “liability” to the Department. Counsel for Respondent acknowledges that Respondent’s actions were not justified, but notes that this was a father-daughter dispute in

which the daughter's behavior played a role, and that under these circumstances, including Respondent's sincere expression of remorse, a penalty of separation is excessive.

Before turning to the Disciplinary Guidelines on the issue of penalty, it is worth noting that any instance of domestic violence is unacceptable, and Respondent's behavior here was deeply troubling. His actions resulted in injuries to his daughter, as depicted in the disturbing photographs in evidence. The altercation that began outside the car continued inside the vehicle, where Respondent slapped his daughter and angrily cursed and belittled her in a verbal exchange captured on tape, and there needs to be appropriate accountability.

At the same time, Respondent, who has 17 years of service with the Department, appeared genuinely remorseful on the witness stand. To his credit, he took care not to disparage his daughter in his testimony, and accepted responsibility for his actions. Although he explained that the altercation began when his daughter slapped his hand in public, and that he, too, received scratches during the ensuing altercation, he fully acknowledged that his behavior was completely inappropriate, and that he has learned from his mistakes. Respondent testified that since the altercation, he and his daughter have reached an understanding whereby they have limited communication with each other, and there have been no further incidents between them.

Pursuant to the Disciplinary Guidelines, the presumptive penalty for an act of Domestic Violence is 30 suspension days, dismissal probation, and completion of the 24-week OASAS counseling program. As the Guidelines note, these presumptive penalties "are significant and reflect the seriousness of domestic violence offenses."

In addition to the presumptive penalty, there are several aggravating factors present here that warrant the imposition of a higher penalty. For Respondent's failure to notify the Department of this incident, the forfeiture of an additional five (5) vacation days is appropriate.



Since alcohol was a factor in the incident, the Disciplinary Guidelines provide for an additional penalty of ten (10) vacation days.

Further, in 2022, Respondent pled guilty in connection with a 2020 off-duty incident, where he was unfit for duty due to the consumption of alcohol; in that case, he forfeited 33 suspension days without pay, and was placed on one-year dismissal probation. Based on the principle of progressive discipline as articulated in the Disciplinary Guidelines, an additional forfeiture of 20 (twenty) vacation days is warranted in the present matter, bringing the total to 35 vacation days.

On balance, a penalty that provides for close monitoring of Respondent's behavior, and includes a significant loss of days, is appropriate to address Respondent's actions in this case, with the hope that such a penalty will serve as a deterrent to future misconduct. Taking into account the totality of the facts and circumstances in this matter, I recommend Respondent be suspended for 30 (thirty) days without pay, forfeit an additional 35 (thirty-five) vacation days, (for a total of 65 penalty days to be served), complete the 24-week OASAS counseling program, and that he be DISMISSED from the New York City Police Department, but that his 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 he 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

**DISAPPROVED**

**DEC 20 2024**

**JESSICA S. TISCH  
POLICE COMMISSIONER**



## POLICE DEPARTMENT CITY OF NEW YORK

From: Assistant Deputy Commissioner – Trials

To: Police Commissioner

Subject: SUMMARY OF EMPLOYMENT RECORD  
SERGEANT ANDY ROLLINS  
TAX REGISTRY NO. 944948  
DISCIPLINARY CASE NO. 2023-28936

Respondent was appointed to the Department on July 9, 2007. On his three most recent annual performance evaluations, he received a 4.0 rating of “Highly Competent” for 2023, and twice received 4.5 ratings of “Highly Competent/Extremely/Competent” for 2021 and 2022. He has been awarded four medals for Excellent Police Duty.

In 2022, Respondent pled guilty to being unfit for duty due to the consumption of alcohol, and possessing an unauthorized duplicate shield. For that misconduct, he forfeited 33 suspension days without pay and was placed on dismissal probation from March 31, 2022 through May 16, 2023.

In connection with the instant matter, he was placed on Level 1 Discipline Monitoring in January 2024; monitoring remains ongoing.

For your consideration.

Jeff S. Adler  
Assistant Deputy Commissioner Trials