



## Case Summary

On February 2, 2016, at approximately 11:10 p.m., § 87(2)(b) filed this case with IAB via telephone. This case was received by the CCRB on February 8, 2016 via IAB log# 2016-4033.

On February 2, 2016, at approximately 11:00 p.m., § 87(2)(b) parked his pickup truck, containing his quad, in front of § 87(2)(b) in Staten Island. § 87(2)(b) made arrangements to exchange his quad for a quad belonging to another male he only knew as “§ 87(2)(b)” § 87(2)(b) s friend § 87(2)(b) came with him. After § 87(2)(b) parked his truck, “§ 87(2)(b)” rode his quad around the block and parked it on the sidewalk in front of § 87(2)(b) “§ 87(2)(b)” unknown brother and his friend, § 87(2)(b) 2) also came to the scene. § 87(2)(b) then removed his quad from his truck and parked it on the street. After a short time, Lieutenant Grigoriy Bardash and his operator, PO Stephen Favale, of the 120<sup>th</sup> Precinct, arrived on the scene in their marked SUV. Lieutenant Bardash asked who owned the quads and § 87(2)(b) and “§ 87(2)(b)” acknowledged ownership. Lieutenant Bardash then asked for their ID’s (**Allegations A and B**). Shortly after obtaining ID from § 87(2)(b) and § 87(2)(b),” PO Michael Sher, PO Ernes Okanovic, PO Michael Lenge, and other unknown male officers from the 120<sup>th</sup> Precinct arrived on the scene. Lieutenant Bardash then ordered that § 87(2)(b) and “§ 87(2)(b)” quads would be seized to determine their true owner (**Allegations C and D**). PO Lenge then rode § 87(2)(b) s quad to the 120<sup>th</sup> Precinct stationhouse and the officers called a department tow truck for “§ 87(2)(b)” quad, which they were unable to start.

While this exchange with § 87(2)(b) and “§ 87(2)(b)” was taking place, § 87(2)(b) came out of her house and told Lieutenant Bardash that he should not be bothering § 87(2)(b) and “§ 87(2)(b).” § 87(2)(b) then asked for Lieutenant Bardash’s shield number. Lieutenant Bardash allegedly responded that he did not have a shield number and walked away. § 87(2)(b) called 911 on the scene and was transferred to IAB. Det. Griggs of IAB advised § 87(2)(b) that lieutenants did not have shield numbers, but said that she could ask for a name. § 87(2)(b) then yelled, “Hey supervisor! Do you possess a name?” while Det. Griggs was on speaker phone. Lieutenant Bardash allegedly responded by saying, “I’m not giving you my name” and then ignored her (**Allegation E**). Lieutenant Bardash, PO Sher, PO Favale, and PO Okanovic waited until 12:19 a.m. when a department tow truck removed “§ 87(2)(b)” quad. The officers then left the scene.

§ 87(2)(b) and § 87(2)(b) provided three short videos of this incident, which showed no obvious FADO allegations § 87(2)(g).

### Mediation, Civil and Criminal Histories

- § 87(2)(b) rejected mediation, § 87(2)(b)

- On April 4, 2016, a FOIL registration was submitted to the Office of the Comptroller for any notices of claim filed by § 87(2)(b) or § 87(2)(b) for this incident and will be added to the case file upon return (01 Board Review).

• [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]  
 ■ [REDACTED]

**Civilian and Officer CCRB Histories**

- § 87(2)(b) has nine previous CCRB cases involving 49 allegations. § 87(2)(b)  
 [REDACTED]  
 [REDACTED]
- This is § 87(2)(b)'s first CCRB complaint (03 Board Review).
- Lt. Bardash has been a member of the NYPD for 14 years and has five other CCRB cases involving nine allegations. None of these allegations have been substantiated § 87(2)(g)  
 [REDACTED]

**Potential Issues**

- § 87(2)(b)'s son, § 87(2)(b) refused to provide a verified statement and her other son, § 87(2)(b) refused to provide any statement at all.
- The second quad owner could not be identified by either the witnesses or NYPD documents.
- § 87(2)(b) was only able to provide half of her video from the incident due to an error with her phone. Neither the portion provided nor the missing portion showed any apparent FADO allegations.
- § 87(2)(b)'s neighbor, § 87(2)(b), said that his exterior security camera was not functioning during this incident.

**Findings and Recommendations**

**Allegations Not Pleaded**

- During a telephone statement, § 87(2)(b) said that Lieutenant Bardash referred to her as “nothing.” However, § 87(2)(b) did not repeat this allegation in her sworn statement. § 87(2)(g) (04 and 05 Board review).
- § 87(2)(b) alleged that on February 3, 2016, an unknown sergeant looked at § 87(2)(b)'s quad registration and told PO Sher, “I’m not taking this bullshit. What is this?” However, § 87(2)(b) never alleged that this sergeant spoke discourteously to him. § 87(2)(g) (06 Board Review).
- § 87(2)(b) said that he went to the 120<sup>th</sup> Precinct stationhouse on February 3, 2016 and presented his quad’s registration to PO Sher, but PO Sher was instructed by an unknown sergeant that the quad could not be released without an original title. § 87(2)(g) [REDACTED] (07 Board Review).

**Allegation A –Abuse of Authority: Lieutenant Grigoriy Bardash stopped § 87(2)(b)**

**Allegation B –Abuse of Authority: Lieutenant Grigoriy Bardash stopped § 87(2)(b)**

**Allegation C –Abuse of Authority: Lieutenant Grigoriy Bardash seized § 87(2)(b) s property.**

**Allegation D –Abuse of Authority: Lieutenant Grigoriy Bardash seized § 87(2)(b) s property.**

§ 87(2)(b) said that he drove to the scene from his home in § 87(2)(b) to exchange his quad for one belonging to “§ 87(2)(b),” whose real name he did not know, because he met him on Instagram. “§ 87(2)(b)” picked the meeting location, which § 87(2)(b) believed was around the block from “§ 87(2)(b) house. § 87(2)(b) asked his friend, § 87(2)(b) to come with him for safety reasons. When § 87(2)(b) and § 87(2)(b) arrived at the location, “§ 87(2)(b) rode his quad around the block and parked it on the lawn next to the curb on § 87(2)(b). § 87(2)(b)” also had his little brother with him. § 87(2)(b) and § 87(2)(b) then removed § 87(2)(b) s quad from his truck and parked it on the street next to his truck. § 87(2)(b) and § 87(2)(b) spent approximately two minutes examining the quads using flashlights when Lieutenant Bardash and PO Favale arrived in their marked SUV. Lieutenant Bardash told § 87(2)(b) and “§ 87(2)(b)” to stand on the sidewalk and took the keys out of § 87(2)(b) s quad. Lieutenant Bardash then asked § 87(2)(b) and “§ 87(2)(b)” for ID, which they provided and to show him where the VIN numbers were on their quads. § 87(2)(b) pointed out his quad’s VIN number, but the officers were never able to find a VIN number on “§ 87(2)(b) quad. Lieutenant Bardash then made a call and PO Sher, PO Lenge, and other unknown officers arrived on the scene. PO Lenge put on a helmet and drove off on § 87(2)(b) s quad. § 87(2)(b) told Lieutenant Bardash that he had the registration for his quad, but that it was at his home in Long Island. Lieutenant Bardash told § 87(2)(b) that if he brought his registration to the 120<sup>th</sup> Precinct stationhouse the next day with his driver’s license, he could retrieve his quad. The officers could not get § 87(2)(b) ” quad to start and called a tow truck. After the tow truck arrived and removed § 87(2)(b) ” quad, § 87(2)(b) and § 87(2)(b) left the scene (07 Board Review).

§ 87(2)(b) § 87(2)(g) did not know how “§ 87(2)(b)” got his quad to the scene. § 87(2)(b) also said that when § 87(2)(b) told Lieutenant Bardash that his proof of ownership was at home in Long Island, he offered no response and appeared annoyed. § 87(2)(b) said that after this exchange, Lieutenant Bardash told him to wait inside § 87(2)(b) s truck and so he was not able to hear further conversation (06 Board Review).

§ 87(2)(b) and § 87(2)(b) corroborated that § 87(2)(b) s quad was parked on the street and that “§ 87(2)(b)” quad was parked on the sidewalk. § 87(2)(b) and § 87(2)(b) added that § 87(2)(b) and “§ 87(2)(b)” intended to park their quads on § 87(2)(b) s property (04 and 08 Board Review).

Lieutenant Bardash said that he and PO Favale were driving in their marked SUV north on § 87(2)(b) when he observed a quad parked on § 87(2)(b). Lieutenant Bardash said that the 120<sup>th</sup> Precinct had a major problem with individuals illegally riding quads and dirt bikes on the street, so he decided to investigate. Lieutenant Bardash circled around and drove his vehicle down

§ 87(2)(b), at which point he observed a second quad parked on the public sidewalk in front of § 87(2)(b). Neither quad had license plates. Lieutenant Bardash and PO Favale exited their vehicle and approached a small group of males gathered around the quads. Lieutenant Bardash asked for the owners of the quads to identify themselves and § 87(2)(b) and “§ 87(2)(b)” stepped forward. Lieutenant Bardash asked each male for ID, which they provided. After obtaining ID, multiple officers arrived on the scene, including PO Sher and PO Lenge. Lieutenant Bardash then ran the VIN number on § 87(2)(b)’s quad, which did not confirm his ownership of the vehicle. Neither Lieutenant Bardash nor any other officer was able to find a VIN number on “§ 87(2)(b)” quad. Lieutenant Bardash said that neither § 87(2)(b) nor “§ 87(2)(b)” were able to provide any documentation to prove their ownership of the quads. Because he could not confirm that § 87(2)(b) and “§ 87(2)(b)” owned their quads, Lieutenant Bardash decided that the quads would be vouchered to determine their true owner. PO Lenge then rode § 87(2)(b)’s quad to the 120<sup>th</sup> Precinct stationhouse, but “§ 87(2)(b)” quad did not start, so it was removed by an NYPD tow truck on February 3, 2016, at 12:19 a.m. (09 Board Review).

PO Sher corroborated that § 87(2)(b)’s quad was parked on the street and “§ 87(2)(b)” quad was parked on the sidewalk. PO Sher also corroborated that neither quad had a license plate nor did § 87(2)(b) or “§ 87(2)(b)” present any documents to prove their ownership. PO Sher also corroborated that a VIN number was found on § 87(2)(b)’s quad, but not the quad claimed by “§ 87(2)(b).” PO Sher said that based on these facts, Lieutenant Bardash instructed that the quads should be vouchered to determine their true owner (10 Board Review).

P.G. 209-32 says that in order for a supervisor to release an illegally parked vehicle, they must verify that the owner of the vehicle possesses a valid registration, title certificate, or insurance card. If the owner does not possess these documents, the vehicle may not be released (11 Board Review).

New York State traffic law sub section 2403 says that no person shall operate an ATV on a highway unless the highway has been designated and posted as open for travel by ATVs. Additionally, no person shall operate ATVs on any public land unless it is designated and posted as open for travel by ATVs (12 Board Review).

In this case, § 87(2)(b) acknowledged that his quad was parked in the street when Lieutenant Bardash arrived on the scene and that he was not in possession of his title or registration. § 87(2)(b) also confirmed that the officers could not find a VIN number on “§ 87(2)(b)” quad. § 87(2)(b) and § 87(2)(b) also confirmed that § 87(2)(b)’s quad was parked on the street and confirmed that “§ 87(2)(b)” quad was parked on the sidewalk when Lieutenant Bardash arrived. § 87(2)(g)

Therefore, it is recommended that Allegations A, B, C, and D be *exonerated*.

**Allegation E –Abuse of Authority: Lieutenant Grigoriy Bardash refused to provide his name to § 87(2)(b)**

§ 87(2)(b) said that when she left her house, she approached Lieutenant Bardash and told him that the males were parking their quads in her driveway, so she did not see what the problem was. § 87(2)(b) also complained that she called the 120<sup>th</sup> Precinct numerous times about her neighbor's truck parked on the street, but no officers ever summonsed it. Lieutenant Bardash allegedly replied that he was still not going to summons it and walked away. § 87(2)(b) asked Lieutenant Bardash for his shield number, but he replied, "I don't have a badge number" and continued to walk away. § 87(2)(b) called 911 on the scene and was transferred to Det. Griggs who advised her that lieutenants do not have shield numbers, but said that she could ask for Lieutenant Bardash's name. § 87(2)(b) walked toward Lieutenant Bardash and asked for his name while on speaker phone with Det. Griggs. Lieutenant Bardash allegedly replied, "I'm not giving you my name." § 87(2)(b) asked for Lieutenant Bardash's name a second time, but he ignored her. Det. Griggs advised § 87(2)(b) to walk away and not say anything else to Lieutenant Bardash. During her interview, § 87(2)(b) said that she has trouble hearing (04 Board Review).

In a previous phone statement, § 87(2)(b) said that she asked for Lieutenant Bardash's name once while on speaker phone with Det. Griggs, but that Lieutenant Bardash simply ignored her. § 87(2)(b) also added that one of her son's friends asked Lieutenant Bardash why he did not respond to § 87(2)(b) and he replied, "I don't have to answer. She's nobody" (05 Board Review).

Upon reviewing § 87(2)(b)'s initial IAB intake call, § 87(2)(b) tells Det. Griggs that a supervisor refused to provide his shield number. Det. Griggs asked whether the supervisor had white or blue shirt on. § 87(2)(b) said that the supervisor had a white shirt on and Det. Griggs said that the supervisor did not have a shield number. § 87(2)(b) replied, "You're telling me that supervisor doesn't have a badge number?" § 87(2)(b) then says, "Does he have a name? He don't have that either huh?" in an angry tone of voice. At 06:35, Det. Griggs says, "I'm telling you that lieutenants don't have badge numbers. Did you ask for his name?" § 87(2)(b) replied, "I asked for his badge number and he refused!" Det. Griggs replied, "Ma'am ok, I got that part. Did you ask for his name?" § 87(2)(b) paused for a second and then replied, "He refused yes!" Det. Griggs asked if the supervisor refused his name too and § 87(2)(b) replied that he had. At 09:45 § 87(2)(b) tells Det. Griggs to pay attention and is heard yelling, "Excuse me! Supervisor! Do you possess a name?" Faint voices can be heard in the background, but no clear statements. § 87(2)(b) tells Det. Griggs that the supervisor was ignoring her and getting into his vehicle. § 87(2)(b) said she was going to try again and is heard yelling, "Excuse me! Excuse me!" § 87(2)(b) then told Det. Griggs that the supervisor was still ignoring her. Det. Griggs told § 87(2)(b) that he needed her to stop speaking to the supervisor or he would disengage the call (13 and 14 Board Review).

In a phone statement, § 87(2)(b) corroborated that Lieutenant Bardash told § 87(2)(b) that he did not have a shield number. § 87(2)(b) also said that § 87(2)(b) asked for Lieutenant Bardash's name once as he was walking away and that Lieutenant Bardash simply ignored her. § 87(2)(b) was approximately two feet behind Lieutenant Bardash when she asked this question (08 Board Review).

§ 87(2)(b) said that § 87(2)(b) asked Lieutenant Bardash for his name and he replied, “No.” § 87(2)(b) then pulled out her phone and called the CCRB. While on the phone with the CCRB, § 87(2)(b) said to Lieutenant Bardash, “Are you going to tell me your name? I’m on the phone with the CCRB.” Lieutenant Bardash then mumbled his name. § 87(2)(b) responded by saying, “I did not hear you. Can you please repeat yourself?” Lieutenant Bardash replied that he was not repeating himself and then ignored § 87(2)(b) (07 Board Review).

In a previous phone statement, § 87(2)(b) said that Lieutenant Bardash provided his name when § 87(2)(b) initially asked. § 87(2)(b) then said, “I can’t hear you. I’m on the phone with the complaint board.” Lieutenant Bardash replied, “I already told you my name.” § 87(2)(b) told Lieutenant Bardash two or three more times that she could not hear him, but he ignored her. Lieutenant Bardash did provide his name to § 87(2)(b) when he asked for it (15 Board Review).

§ 87(2)(b) said that he was inside § 87(2)(b) s truck when § 87(2)(b) came outside holding a cell phone. § 87(2)(b) only heard the female say that the officers’ actions were not right and she was going to file a complaint with someone (06 Board Review).

Lieutenant Bardash said that § 87(2)(b) came out of her house and approached him on the scene. § 87(2)(b) told Lieutenant Bardash that he and the officers should not be bothering the males with their quads. Lieutenant Bardash attempted to explain the officers’ actions, but § 87(2)(b) did not seem to want to listen and instead asked for Lieutenant Bardash’s name and shield number. Lieutenant Bardash explained that he did not have a shield number, but provided his name to § 87(2)(b) more than once. § 87(2)(b) “flipped out” when Lieutenant Bardash said that he did not have a shield number and immediately placed a call, which he assumed was to IAB via 911. Lieutenant Bardash did not remember whether § 87(2)(b) ever said that she could not hear him or whether she made any other indication that she could not hear. Lieutenant Bardash did not recall whether he ever told § 87(2)(b) that he was not repeating himself. Lieutenant Bardash did not remember whether any individuals complained that he refused to provide his name to § 87(2)(b) (09 Board Review).

PO Sher said that § 87(2)(b) asked for Lieutenant Bardash’s shield number and Lieutenant Bardash explained multiple times that he did not have a shield number. Lieutenant Bardash provided his name multiple times and pointed to his name plate on his jacket, because § 87(2)(b) kept asking for his shield number. At one point, Lieutenant Bardash said, “Lieutenant Bardash. I don’t have a name.” § 87(2)(b) asked, “Are you refusing?” Lieutenant Bardash said again, “Lieutenant Bardash. I don’t have a shield.” PO Sher did not hear § 87(2)(b) make any statements that she could not hear Lieutenant Bardash’s name, but said that she continued to scream that Lieutenant Bardash refused to provide his shield number (10 Board Review).

P.G. 203-09 says that officers must courteously and clearly state their rank, name, shield number, and command, or otherwise provide them, to anyone who requests that they do so. Officers must allow the person ample time to note this information (16 Board Review).

§ 87(2)(g) [Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted]  
[Redacted] Therefore,  
it is recommended that **Allegation E** be *unsubstantiated*.

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Squad: 3

Investigator:	_____	_____	_____
	Signature	Print	Date
Squad Leader:	_____	_____	_____
	Title/Signature	Print	Date
Reviewer:	_____	_____	_____
	Title/Signature	Print	Date