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March 28, 2025

Jeanene L. Barrett, Inspector General  
Office of the Inspector General for the New York City Police Department  
New York City Department of Investigation  
80 Maiden Lane  
New York, NY 10038

Dear Inspector General Barrett:

We write to request that your office immediately investigate the NYPD's unlawful practice of conducting full custodial arrests and detaining people who should be issued appearance tickets and released. In the past two weeks, two people have tragically died while in the NYPD's custody awaiting their arraignment: Soso Ramishvili, who passed away on March 21 in a holding cell in Kings County Criminal Court, and [REDACTED], who passed away on March 26 in a holding cell in New York County Criminal Court. Mr. [REDACTED] and Mr. Ramishvili had both been arrested and detained for low-level offenses – Mr. [REDACTED] for alleged misdemeanor drug possession, and Mr. Ramishvili for alleged petit larceny. While the details of Mr. [REDACTED]'s case are not fully known, it is now clear that the NYPD's arrest and detention of Mr. Ramishvili violated the law and, as a result, unnecessarily put his life at risk. Because this NYPD failure betrays a larger, unlawful practice of not issuing appearance tickets to eligible New Yorkers, we ask that your office urgently investigate this systemic practice, which is endangering the people that we serve.

Under Criminal Procedure Law § 150.20, police officers must issue appearance tickets rather than arrest individuals suspected of committing violations, infractions, misdemeanors, and certain class E felonies (together, "low-level offenses") with limited exceptions. But the NYPD is ignoring CPL § 150.20's mandate. In the first two months of this year, the NYPD has significantly increased custodial arrests and detention for people charged with low-level offenses – like Mr. Ramishvili's petit larceny charge – compared to previous years.<sup>1</sup> For example, in 2021, the NYPD detained 45% of people charged with petit larceny for arraignment; but over the course of January and February of this year, the NYPD detained 75% of people charged with petit larceny for arraignment.<sup>2</sup> Indeed, the proportion of people who were custodially arrested and detained for arraignment for non-criminal

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<sup>1</sup> Charles Lane, *Man who died in NYPD custody was jailed for low-level offense amid citywide trend, records show*, Gothamist, March 27, 2025, available at <https://gothamist.com/news/man-who-died-in-nypd-custody-was-jailed-for-low-level-offense-amid-citywide-trend-records-show>.

<sup>2</sup> *Id.*

violations in February 2025 has *quadrupled* compared to February 2024.<sup>3</sup> In January and February of this year, 248 people were arrested and detained for arraignment on allegations of committing violations like disorderly conduct, and 2,086 people were arrested and held for arraignment on allegations of non-violent low-level drug possession.<sup>4</sup> This increase in people held for arraignments is creating longer arraignment wait times, exposing more and more people to dangerous conditions of confinement. On the days when Mr. Ramishvili was in NYPD custody, for example, 237 other individuals waited over 24 hours in Brooklyn to see a judge for arraignment.

The NYPD's refusal to issue appearance tickets to eligible New Yorkers who lack photographic identification appears to be a driving force behind the increase in custodial arrests. In the case of Mr. Ramishvili, the NYPD admitted that it held him for arraignment because he did not have identification.<sup>5</sup> Because many New York City residents do not possess photographic identification, the legislature ensured that lacking ID could not serve as a reason to sweep New Yorkers up in unnecessary arrests. CPL § 150.20's appearance ticket mandate has an exception allowing arrests only when "necessary" after giving a person a "reasonable opportunity" to identify themselves and if they are "unable and unwilling to do so." It explicitly states that "[t]here is *no requirement* that a person present photographic identification in order to be issued an appearance ticket in lieu of an arrest," and that a "person's self-identification" can be sufficient to determine their identity. And even where an officer is unable to identify a person during a street encounter, once they take the person back to the precinct and fingerprint them, that person's identification has been obtained from a state database. At that point, people arrested for low-level offenses should be released from the precinct with a desk appearance ticket, not detained for arraignment in violation of the law. Unfortunately, it appears that the NYPD is ignoring CPL § 150.20's protections and misusing an exception to the appearance ticket mandate as cover for its aggressive targeting, arrest, and detention of vulnerable, low-income New Yorkers.

Just last weekend, the day after Mr. Ramishvili's death, Legal Aid attorneys in Brooklyn arraigned numerous clients who should never have been arrested and detained for arraignment:

- One client with no criminal record was arrested, processed through the police precinct, and arraigned on a disorderly conduct charge for allegedly taking up two seats on an R train. The client did not have photographic identification, but provided their name and date of birth to the NYPD officer. The client spent over 24 hours in custody before seeing a judge. Their case resolved at arraignments with a dismissal and was immediately sealed.
- Another client was arrested, processed through the police precinct, and arraigned for allegedly taking up two seats on an F train. The client was arrested after presenting a

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<sup>3</sup> OCA State Act Report, *available at* [ww2.nycourts.gov/oca-stat-act-31371](http://ww2.nycourts.gov/oca-stat-act-31371).

<sup>4</sup> *See id.*; Penal Law § 220.03, Criminal Possession of a Controlled Substance in the 7<sup>th</sup> Degree

<sup>5</sup> *See supra* n. 1.

photocopy of their identification to officers. Their case resolved at arraignments with a dismissal and was immediately sealed.

- Another client was arrested, processed through the precinct, and arraigned for nonpayment of subway fare. Their case resolved at arraignments with a dismissal and was immediately sealed.
- Another client was arrested, processed through the precinct, and arraigned for an alleged violation of having improperly tinted windows on their car. Their case resolved at arraignments with an adjournment in contemplation of dismissal (“ACD”).

On Saturday, March 22, the day after Mr. Ramishvili’s death, our attorneys in Brooklyn arraigned 13 clients on allegations of failing to pay subway fare. None of these low-level charges should have resulted in New Yorkers being subjected to arrest and detention, processed through a police precinct and central booking, and made to wait hours and days before seeing an arraignment judge.

The NYPD’s practice of conducting full custodial arrests and detaining New Yorkers who should be issued appearance tickets and released represents a blatant violation of New York law. And this practice is subjecting vulnerable New Yorkers to unnecessary arrests and risks to their health and safety, including death.

We look forward to your investigation into the NYPD’s arrest and detention practices, and to your office holding the NYPD accountable for any noncompliance with the law. We welcome the opportunity to further discuss this issue and our concerns.

Respectfully,

/s/ Meghna Philip  
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