

**THE
LEGAL AID
SOCIETY
CRIMINAL
DEFENSE**

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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:

On March 28, 2025, we wrote to you requesting that your office urgently investigate the deaths of Soso Ramishvili and [REDACTED]. Both men died in the NYPD's custody, at criminal court, awaiting arraignment on low-level charges. We have received no response to our initial request, and we are not aware of any action taken by DOI pursuant to that request. We are now following up in the wake of two more recent deaths in NYPD custody,¹ including one that occurred in a courthouse holding cell.

On August 29, 2025, 46-year-old Christopher Nieves, a Legal Aid Society client, died in a pre-arraignment holding cell in Kings County Criminal Court. Mr. Nieves was arrested for allegedly shoplifting food from a grocery store. Legal Aid staff attorney Claire Thomas had interviewed Mr. Nieves in preparation for his arraignment and observed that he was in clear medical distress. His skin appeared yellow, his foot was bandaged, and she repeatedly observed him lying face down on the cell floor, seemingly in and out of consciousness. He reported that he had recently been hospitalized with a blood infection. Mr. Nieves asked the NYPD officers at arraignments to take him to the hospital, and Ms. Thomas followed up with the same request, emphasizing the need for urgent medical attention. But Mr. Nieves was never taken to the hospital. Hours later, he died in a holding cell at court. NYPD did not inform his attorney or anyone from Legal Aid about what happened to Mr. Nieves. The following day, Legal Aid came to learn about Mr. Nieves' death as a result of press inquiries.

That at least five people have died this year in NYPD custody, and that three of those deaths

¹ Charles Lane, *2 men die in NYPD custody after arrests for unlicensed pedicab and shoplifting food, officials say*, *GOTHAMIST* (Sept. 3, 2025), <https://gothamist.com/news/2-men-die-in-nypd-custody-after-arrests-for-unlicensed-pedicab-and-shoplifting-food-officials-say>.

occurred in city courthouses, is unacceptable and unconscionable. The NYPD's lack of transparency around how and why these deaths occurred enables these harms to reoccur. We request that your office fully investigate each of these deaths, and determine why the NYPD's current operations, policies, or practices are failing to protect the people in its custody. In particular, we request that your office conduct a review of the NYPD's practices concerning the safety and provision of prompt medical care for those in its custody who need it. We also request that your office review the quality of the NYPD's internal investigative processes for deaths in custody, particularly those conducted by the Force Investigation Division (FID).

We also request that your office collaborate with the CCRB to automatically initiate an investigation into any death that occurs in NYPD custody, and to publish findings to the public. For example, whenever a person dies in the custody of the New York City Department of Correction, the Board of Correction initiates an independent investigation into the death, promptly issues a preliminary report, and subsequently issues a final report and analysis, including recommendations on operational changes that should be made to prevent future deaths. We strongly urge your office to collaborate with the CCRB to do the same for deaths in NYPD custody, and to publish these reports to the public. We also note that in other jurisdictions, such as Chicago, Los Angeles, Denver, and Seattle, independent oversight agencies play a crucial role in immediately and independently investigating any deaths that occur in police custody.

Finally, we reiterate our concerns about the large numbers of people we serve who are being unlawfully arrested and detained for arraignment on low-level offenses for which they should have been issued appearance tickets on the street. We highlighted this unlawful, systemic practice in our March letter, and the problem is continuing, and worsening, as the NYPD has also aggressively enforced so-called "quality of life" offenses and expanded deployment of Q-Teams throughout the city. NYPD continues to routinely violate Criminal Procedure Law (CPL) § 150.20, which *requires* them (with limited exceptions) to issue appearance tickets in lieu of arresting individuals charged with violations, infractions, misdemeanors, and certain class E felonies. According to the NYPD's own arrest reports,² in the first quarter of 2025, 33,311 people were arrested for a range of appearance ticket-eligible misdemeanors and violations, and only 31.2% of those people were issued appearance tickets. In the second quarter of 2025, 32,867 people were arrested for these low-level offenses, but even fewer of these arrests resulted in an appearance ticket: just 26.2%. Custodial arrests for low-level arrests, like Mr. Nieves' shoplifting arrest, are on the rise. For example, arrests for "intent to obtain transportation without paying" (fare beats) more than doubled from the first quarter of 2024 to the first quarter of 2025. Just 34.2% of people were given an appearance ticket for this offense, with the rest being held in NYPD custody through arraignment.

The NYPD's arrest data also contains troubling racial disparities. In the second quarter of 2025, NYPD arrested Black New Yorkers for appearance ticket-eligible offenses at *four times* the rate of white New Yorkers (15,756 total arrests for misdemeanors and violations compared to only 3,666 arrests of white New Yorkers for the same) and issued Black New Yorkers appearance tickets after arrest at the lowest rates of any demographic (only 22.9% received appearance tickets compared to 29.6% of white New Yorkers).

² <https://www.nyc.gov/site/nypd/stats/reports-analysis/dat.page>.

The experiences of our clients who are arrested for low-level offenses continue to strongly suggest that the NYPD is improperly using lack of photographic identification as an excuse to arrest individuals who are entitled to receive appearance tickets on the street. CPL § 150.20 contains a narrow exception allowing arrests for appearance ticket-eligible offenses only when “necessary” in cases where someone refuses to identify themselves after being given a reasonable opportunity to do so. Despite the statute clearly stating that “self-identification” is sufficient and there is “*no requirement* that a person present photographic identification,” many of our clients have reported that the NYPD demanded they present a driver’s license and/or city ID during their police encounters and refused to accept credible alternative forms of identification. NYPD subsequently arrested some of these clients under the false pretense that the arrest was needed to verify the client’s identity at a precinct. And after arrest, our attorneys have observed that, in general, more of our clients are being detained through arraignment when they should have been issued appearance tickets and released.

NYPD’s ongoing policy and practice of arresting and detaining New Yorkers for low-level offenses plainly violates CPL § 150.20 and threatens the physical and mental health and safety of those subject to these unlawful arrests. The deaths of Christopher Nieves, Musa Cetin, Saniyah Cheatham, [REDACTED], and Soso Ramishvili, underscore the dangers and harms of prolonged NYPD custody. We hope that your office will investigate NYPD’s arrest and detention practices as soon as possible, and we are happy to discuss this problem with you in further detail.

Sincerely,

/s/ Meghna Philip
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