



POLICE DEPARTMENT

October 28, 2025

In the Matter of the Charges and Specifications
- against -

Sergeant Joel Ayala
Tax Registry No. 954509
46 Precinct

Case No.
C-030600

Police Officer Jonathan Baptiste
Tax Registry No. 970985
PBBX Community Response Team

Case No.
C-030598

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

Before: Honorable Jeff S. Adler
Assistant Deputy Commissioner Trials

APPEARANCES:

For the Department: Clair Tzeng, Esq. and Daniel Maurer, Esq.
Department Advocate's Office
One Police Plaza, Room 402
New York, NY 10038

For Respondent Ayala: John D'Alessandro, Esq.
The Quinn Law Firm
399 Knollwood Road, Suite 220
White Plains, NY 10603

For Respondent Baptiste: John Tynan, Esq.
Worth, London & Martinez, LLP
111 John Street, Suite 640
New York, NY 10038

To:
HONORABLE JESSICA S. TISCH
POLICE COMMISSIONER
ONE POLICE PLAZA
NEW YORK, NY 10038

CHARGES AND SPECIFICATIONS

Disciplinary Case No. C-030600

1. Said Sergeant Joel Ayala, while on duty and assigned to the 52 Precinct, on or about October 12, 2023, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department, in that said Sergeant failed to coordinate the use of de-escalation techniques.

P.G. 221-02, Page 2, Paragraph 8

USE OF FORCE

2. Said Sergeant Joel Ayala, while on duty and assigned to the 52 Precinct, on or about October 12, 2023, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department, in that said Sergeant failed to direct tactics to minimize the possibility of injury to members of the service, the subject, or bystanders.

P.G. 221-02 Page 2, Paragraph 9

USE OF FORCE

Disciplinary Case No. C-030598

1. Said Police Officer Jonathan Baptiste, while on duty and assigned to the 52 Precinct, on or about October 12, 2023, engaged in conduct prejudicial to the good order, efficiency or discipline of the Department, in that said Police Officer used force unreasonable under the circumstances, which was deemed excessive.

P.G. 221-01, Page 1

FORCE GUIDELINES

2. Said Police Officer Jonathan Baptiste, while on duty and assigned to the 52 Precinct, on or about October 12, 2023, engaged in conduct prejudicial to the good order, efficiency, or discipline of the Department, in that said Police Officer used a racial slur toward a prisoner.

A.G. 304-06, Page 1

PROHIBITED CONDUCT

REPORT AND RECOMMENDATION

The above-named members of the Department appeared before me on September 25, 2025. Respondents, through their respective counsel, entered pleas of Not Guilty to the subject charges. The Department called Sergeant Andrea Simmonds of IAB as a witness and introduced video footage of the incident. Respondents each testified on their 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 Respondents guilty of the

charges. For Respondent Ayala, I recommend a penalty of 30 vacation days, and for Respondent Baptiste, I recommend a penalty of 30 suspension days without pay, 30 vacation days, and dismissal probation.

ANALYSIS

In the early morning hours of October 12, 2023, Respondent Baptiste and his partner were involved in a vehicle pursuit of two individuals in a stolen car that began in Bronx County and continued into Mount Vernon. The stolen car collided with multiple vehicles before coming to a stop, and the occupants, two brothers, fled on foot. Respondent Baptiste pursued and apprehended one of the individuals ("Brother 1"), which is captured in his Body-Worn Camera ("BWC") footage (Dept. Ex. 1), while his partner apprehended the other ("Brother 2"). The apprehended individuals were transported to the 52 Precinct, where they were lodged in a holding cell. Another officer was assigned the arrests, and Respondent Baptiste concluded his tour.

When Respondent Baptiste returned to work for his next shift at approximately 1500 hours later that day, he changed into his uniform and was heading to roll call when he heard a commotion in the cell area. Respondent Baptiste stopped at the cells, where he observed that the two brothers he and his partner had apprehended earlier that morning were still being held. There were many officers congregating in the area, including Respondent Ayala. The ensuing interaction between the officers and the two brothers, which will be discussed in detail below, led to charges being brought against both Respondents. Respondent Baptiste is charged with using excessive force, and with uttering a racial slur toward Brother 1, twice calling him a "pussy nigger." Respondent Ayala, a sergeant, is charged with failing to coordinate the use of de-

escalation techniques and failing to direct tactics to minimize injuries. None of the other officers involved in the incident were charged with wrongful use of force.

Neither of the brothers appeared to testify, nor were any prior recorded interviews provided. Other than the testimony of Sergeant Andrea Simmonds of IAB, the Department Advocate relied upon video footage from inside the precinct, as well as the BWC footage from one of the officers who was present.

Sergeant Simmonds provided background information regarding the incident in the cell area. She testified that from her investigation, which included interviews of officers at the scene, she learned that prior to the interaction between Respondents and the two brothers, there had been “a disturbance” in the cell between the brothers and another individual who was lodged there (“Prisoner X”). According to the brothers, Prisoner X had been loud and was kicking the wall. Following that disturbance, Prisoner X was temporarily removed from the area and transported to central booking. However, when Prisoner X was later returned to the cell area, the brothers became “irate,” and a commotion ensued. The brothers were yelling at the officers in the area, and one of them spit in the face of a sergeant. Additional UMOS arrived, including Respondents, culminating with multiple officers entering the cell in order to secure the brothers in handcuffs. (Tr. 37-38, 60, 75, 79-80)

According to Sergeant Simmonds, after the ensuing struggle to apprehend the brothers, they were both transported to the hospital where they were interviewed by IAB, and photographs of their injuries were taken. (Dept. Exs. 5A-5D) Sergeant Simmonds testified that since so many officers were involved, it could not be determined which particular blows caused the injuries. No medical records were obtained by IAB. With respect to Brother 1, the photographs show a

laceration and redness above his right eye, bleeding in his right ear, and redness to his left ear.
(Tr. 43-46, 74)

Video footage from two surveillance cameras inside the precinct captures what occurred in the cell area, though neither of them has audio. (Dept. Exs. 2 and 3) At the start of that footage, two cells can be seen side-by-side. The brothers are lodged inside the left cell, along with a third individual. Brother 2 is wearing a blue hoodie, while Brother 1 is in a darker sweatshirt with "SpongeBob" written on the front. At the 3:36 mark, that third individual is removed from the cell, leaving just the two brothers. Two minutes later, a police officer escorts another individual, Prisoner X, to the front of the left cell. The brothers walk to the front of the cell, and there appears to be a hostile interaction between the brothers and the officer. In the midst of this exchange, Brother 1 reaches through the cell bars and strikes Prisoner X in the face with his hand, knocking him backward and to the ground. (Dept. Ex. 2 at 5:30-6:20)

Several additional officers arrive in the cell area. The footage shows Prisoner X being moved away from the front of the cell, and another prisoner waiting to be lodged is escorted away as well. A number of officers appear to engage in verbal exchanges with the brothers, who are visibly agitated, gesturing with their arms as they're speaking. Brother 1 climbs up on the cell gate and appears to spit at the officers. (Dept. Ex. 2 at 8:20) Respondent Ayala, who is wearing a knitted hat, appears at the 8:05 mark, while Respondent Baptiste arrives less than a minute later. Respondent Ayala obtains the keys to the cell from another officer, then moves near the front of the cell to engage the brothers in conversation. (Dept. Ex. 2 at 8:34) That exchange lasts for almost two minutes. Brother 1 then turns his attention to Respondent Baptiste, who has maneuvered his way past another officer to the area directly in front of the

cell. (Dept. Ex. 2 at 10:00-10:20) They exchange words, and at 10:21, Brother 1 spits on Respondent Baptiste. There are now at least a dozen officers visible in the cell area.

In response to being spit on, Respondent Baptiste cocks his arm back and strikes Brother 1 through the cell bars with a partially clenched fist, knocking him backward. At the same moment, Respondent Ayala unlocks the cell door, and approximately 10 officers follow the two Respondents inside the cell. The footage shows Respondent Ayala point his TASER as the brothers back up, and Brother 1 raises his hands above his head. A physical struggle ensues as the officers converge on the brothers, who are actively struggling against the officers' efforts to place them in handcuffs. Brother 1 is tackled onto the bench at the rear of the cell, and Respondent Baptiste appears to be kneeling on the bench as he, and other officers, struggle to subdue Brother 1. Respondent Baptiste's right arm can be seen moving backward and forward several times, as if he is striking Brother 1. (Dept. Ex. 2 at 10:40-10:49) The officers are able to bring Brother 1 to the floor and pull him outside the cell, where he is placed in handcuffs. Brother 2, who is still inside the cell, also is handcuffed.

Along with the surveillance video, BWC footage from one of the officers at the scene (Dept. Ex. 4) captures audio of what is said outside the cell between Respondent Baptiste and Brother 1. As Brother 1 is on the ground in handcuffs, the surveillance video shows Respondent Baptiste standing over him and exchanging words. Respondent Baptiste bends over and his head moves toward Brother 1 several times as he is shouting at him, (Dept. Ex. 3 at 11:44-11:53), which corresponds with the verbal exchange between them that can be heard on the BWC footage: Brother 1 makes a statement about Respondent Baptiste being mad about the apprehension earlier that day, and Respondent Baptiste twice calls Brother 1 a "pussy nigger"

and continues to shout at him. (Dept. Ex. 4 at 2:04) Respondent Baptiste then has to be physically separated from Brother 1 and escorted away by officers. (Dept. Ex. 3 at 11:53-12:02)

Respondent Baptiste testified that he was familiar with the two brothers prior to the date of this incident: they were known “grand larceny auto” recidivists, and he had seen them in the precinct’s holding cells on more than five occasions. After apprehending Brother 1 on the morning of October 12, 2023, another officer was assigned to the arrest, and Respondent Baptiste ended his tour. (Tr. 95-102)

When he returned for his next shift later that same day, he heard the commotion and went to the cell area. Respondent Baptiste testified that he observed the brothers yelling and cursing at the officers, while Respondent Ayala was trying to speak with the brothers in order to de-escalate the situation. The brothers were threatening to beat up anyone who came inside their cell. While Respondent Baptiste was standing there, Brother 1 said to him, “nigger, you pussy,” and spit on him. In response, Respondent Baptiste reached through the cell bars with his right hand and struck Brother 1 with a partially clenched fist in order to push him back. At the same time, Respondent Ayala unlocked the cell door, and Respondent Baptiste, along with other officers, entered the cell with the intention of placing the two brothers in handcuffs. According to Respondent Baptiste, the brothers were “actively resisting,” and he was punched in the face by Brother 2 while he was trying to grab the hands of Brother 1, causing swelling to his eye for which he later went to the hospital. Respondent Baptiste explained that he was kneeling on the bench at the back of the cell during the struggle and was using hand strikes in order to help get Brother 1 under control. Officers were stepping on each other inside the cell, and at some point, Respondent Baptiste’s left shoe came off. Respondent Baptiste insisted that he did not kick either brother. (Tr. 102-10, 113, 115-19, 123)

Brother 1 was eventually dragged out of the cell and placed in handcuffs. Respondent Baptiste testified that he did not spit on Brother 1, but admitted that he called Brother 1 a “pussy nigger.” Respondent Baptiste explained that he “said what [Brother 1] said back to him.” Respondent Baptiste acknowledged that he was “upset” during the incident, and other officers had to lead him away from the cell area. (Tr. 108-09, 121-22)

Respondent Ayala testified that he, too, was familiar with the two brothers prior to this incident. He knew them to be “violent career criminals,” and members of a gang.¹ When he heard the commotion, he went to the cell area, where he observed his officers “in distress,” being yelled at by the brothers. He learned that the brothers were “overtaking the cells,” in that they had spit on a sergeant and assaulted another prisoner. Respondent Ayala’s intention was to try to calm things down by reasoning with the brothers in order to de-escalate the situation. He spoke with them for about two minutes, and briefly had some success in calming them down, but that success was only temporary. The brothers continued to curse at the officers, stating “Y’all niggas is pussy,” and threatening that they would “fuck up” anyone who entered their cell. Brother 1 then spit on Respondent Baptiste, which Respondent Ayala considered to be an “assault” on the officer. (Tr. 128-34, 144-48, 161-62)

At that point, Respondent Ayala determined that the officers needed to enter the cell in order to secure the two brothers in handcuffs. Respondent Ayala testified that the brothers were threatening people and dangerously disturbing the operations of the command, necessitating immediate action on his part. He opened the cell door and approximately a dozen officers entered the cell in order to apprehend the two “violent criminals.” According to Respondent Ayala, even though the brothers were alone inside the cell, he did not need to discuss a tactical

¹ Reports summarizing the criminal histories of each of the two brothers were admitted into evidence. (Resp. Exs. A & B)

plan with his officers prior to entering the cell, since there was no time to do so and the officers all knew what to do in such a situation. The brothers were taken into custody, and there were no additional incidents with them. (Tr. 134-39, 147-53, 159-60)

With respect to Respondent Baptiste, Specification 1 charges him with using unreasonable force against Brother 1. Section 221-01 of the Patrol Guide states that any application of the use of force must be reasonable under the circumstances. Here, the evidence established that Respondent Baptiste first used force against Brother 1 by striking him through the bars of the cell, and then used additional force after he entered the cell.

Specifically, after Brother 1 spit on him, Respondent Baptiste reached back with his arm and struck Brother 1 with a partially clenched fist, knocking him backward. It is undisputed that the blow occurred: the video footage captures it, and Respondent Baptiste admitted it as well. At issue is whether the force was reasonable under the circumstances. I find that it was not.

On the one hand, Respondent Baptiste was dealing with an individual who had just spit on him, while also cursing at him. Both brothers had been threatening the officers in the area, as well as other prisoners, and Brother 1 had already physically struck Prisoner X. Nevertheless, as repulsive as Brother 1's actions were, they did not justify Respondent Baptiste's impulsive decision to strike him through the cell bars. Respondent Baptiste did more than merely push Brother 1 away; he pulled back his arm and punched Brother 1 in response to having been spit on. At the point where he did so, the brothers were alone inside the cell, after having previously been checked for weapons. There was no immediate threat to Respondent Baptiste or anyone else that necessitated striking Brother 1 in that manner. I find that under these specific circumstances, Respondent Baptiste's act of striking Brother 1 through the cell gate was unreasonable.

Additionally, Respondent Baptiste used further force against Brother 1 after entering the cell with other officers. There is some dispute about the precise nature of that force: the Department Advocate argues that Respondent Baptiste repeatedly kicked Brother 1, while Respondent Baptiste insisted that he only used hand strikes. After carefully reviewing the video footage, in conjunction with the testimony, I credit Respondent Baptiste's account that he used hand strikes on Brother 1. The video footage shows multiple officers entering the cell and tackling Brother 1 onto the bench at the rear of the cell. At the 10:40 mark, Respondent Baptiste appears to be in a crouched position with his right knee on the bench as he and the other officers attempt to get Brother 1 into handcuffs. Respondent Baptiste's right arm can be seen moving backward and forward several times, consistent with him punching Brother 1. Brother 1 is then brought to the floor, before being pulled from the cell. Although it is true that Respondent Baptiste lost his left shoe inside the cell, that does not persuade me that he was kicking Brother 1, since Respondent Baptiste credibly explained that the shoe came off during the struggle, as officers were stepping on one another.

The question, then, is whether Respondent Baptiste's multiple hand strikes constituted a reasonable use of force. I find that they did not. Although, as will be discussed below, the officers had a lawful basis to enter the cell and apprehend the brothers, the force used by Respondent Baptiste was excessive here. His overall actions stand apart from those of the other officers involved in the struggle in a way that appeared personal and punitive. Before entering the cell, Respondent Baptiste had maneuvered his way to the front of the cell, where he verbally engaged Brother 1, who he had chased down and apprehended following a vehicle pursuit earlier that morning. As noted above, after he was spit on, Respondent Baptiste impulsively struck Brother 1 through the gate. He then entered the cell and delivered multiple hand strikes to the

body of Brother 1. Additionally, as addressed in Specification 2 below, after Brother 1 was removed from the cell and was on the ground in handcuffs, Respondent Baptiste shouted racial slurs at him and had to be pulled away by his colleagues, further illustrating that his actions toward Brother 1 were punitive in nature. When viewed in this context, his punches inside the cell appeared to be driven not merely to gain compliance, but out of anger toward the individual who had just cursed and spit on him.

To be sure, a targeted hand strike, under appropriate circumstances, could be a proper means to obtain compliance from an actively resisting subject. However, in this case Respondent Baptiste's conduct went beyond what was reasonable: his repeated punches to the body of Brother 1 were excessive. The credible evidence has established that Respondent Baptiste used unreasonable force, both with his hand strike from outside the cell and his punches within the cell. Accordingly, I find Respondent Baptiste Guilty of Specification 1.

Specification 2 charges Respondent Baptiste with using a racial slur toward Brother 1. Specifically, he twice called Brother 1 a "pussy nigger" while Brother 1 was on the floor in handcuffs outside the cell. Section 304-06(2) of the Administrative Guide prohibits members of the service from making discourteous or disrespectful remarks toward another person, including comments about their race. Here, it is undisputed that Respondent Baptiste made the remarks: they were captured by the BWC footage, and Respondent Baptiste admitted to saying them.

In his defense, Respondent Baptiste, who also is Black, explained that he was just repeating back to Brother 1 the same insult that Brother 1 had said to him minutes earlier. Indeed, based on the corroboration provided by Respondent Ayala, I do find that Brother 1 shouted a similar phrase toward Respondent Baptiste minutes earlier. Nevertheless, that in no way excused Respondent Baptiste's use of the phrase. Respondent Baptiste, like all MOS, has a

responsibility to maintain his professionalism in dealing with members of the public at all times. By twice uttering a racial slur toward Brother 1, Respondent ran afoul of that requirement. Accordingly, I find Respondent Baptiste Guilty of Specification 2.

Regarding Respondent Ayala, Specification 1 charges him with failing to coordinate the use of de-escalation techniques among his officers, while Specification 2 alleges that he failed to direct tactics that would minimize the possibility of injury to those in the vicinity, including members of the service, the two brothers, and other bystanders in the area. Section 221-02(8) of the Patrol Guide directs a supervising officer to “assume command of the incident and coordinate the use of de-escalation techniques, if appropriate and consistent with officer safety.” Section 221-02(9) of the Patrol Guide also instructs supervisors to “direct tactics to minimize the possibility of injury to members of the service, the subject, or bystanders.”

Essentially, these charges allege two different ways in which Respondent Ayala failed to supervise the officers in the cell area. To his credit, Respondent Ayala did make some effort to de-escalate the situation, in that he tried to calm down the brothers by speaking with them for almost two minutes. However, when that attempt failed, and Brother 1 spit on Respondent Baptiste, Respondent Ayala immediately unlocked the cell door and led a dozen officers in an unorganized rush into the cell. There was no discussion of roles to be assigned to particular officers or any type of plan to separate the two brothers during the process. Indeed, as the officers converged on the brothers, the brothers were tackled into the same corner of the cell, and Respondent Baptiste was punched in the face by Brother 2 while he was trying to apprehend Brother 1. Respondent Baptiste, himself, described the officers as stepping on one another as they attempted to apprehend the brothers inside the tight space of the jail cell, and the surveillance footage captures the dangerously chaotic scene that ensued.

In his defense, Respondent Ayala claimed that there was an immediate safety concern, and that he did not have the time to formulate a plan and discuss roles with the individual officers, who already knew what they needed to do. But at the point he chose to charge into the cell, the two brothers, who previously had been searched, were the only occupants of that locked cell. There was no urgency to unlock the door and rush inside, as opposed to momentarily pulling back and determining the best, and safest, course of action.

To be clear, there is no question that the two brothers were dangerously disrupting the operation of the precinct. Respondent Ayala correctly recognized the need to apprehend the two brothers and restore order to the cell area. But rather than explore other de-escalation options, or formulate a plan with the goal of minimizing injury to all involved, Respondent Ayala, a supervising sergeant, rushed to unlock the cell door and a dozen officers swarmed into the cell where a violent struggle to apprehend the brothers ensued. The credible evidence has established that Respondent Ayala failed to supervise in this regard, and I find him Guilty of Specifications 1 and 2.

PENALTY

In order to determine appropriate penalties, 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. Respondents' employment histories also were examined. *See* 38 RCNY § 15-07. Information from their personnel records that was considered in making these penalty recommendations is contained in attached memoranda.

Respondent Ayala, who was appointed to the Department on July 9, 2013, has been found guilty of the two specifications against him. As noted above, these two counts essentially

constitute a failure on the sergeant's part to supervise the officers in the cell area. The presumptive penalty for a failure to supervise is 20 penalty days, while the aggravated penalty is 30 days. The Department Advocate asks that Respondent Ayala forfeit 50 vacation days, and that he be placed on dismissal probation. In support of that recommendation, the Advocate argues that Respondent Ayala should receive the aggravated penalty of 20 days for his failure to intervene in an unauthorized use of force resulting in physical injury, to run consecutively to the aggravated penalty of 30 days for his failure to supervise. The Advocate also recommends dismissal probation, though that would be an upward departure from the Matrix. Defense counsel argues that such a penalty would be excessive, considering the dangerous situation with which the sergeant was dealing, and taking into account his strong record with the Department.

As discussed above, rather than explore other, safer options, Respondent Ayala rushed to unlock the cell door and led an unorganized entry of a dozen officers inside the cell, where a violent struggle ensued. His actions constituted a failure to supervise, and there needs to be appropriate accountability. At the same time, it is important to keep in mind that Respondent Ayala was attempting to address a dangerous disruption in the operation of the precinct. He was dealing with individuals with known criminal histories, who had just spit on two UMOS, had physically struck another prisoner, and were cursing and threatening to attack anyone who came inside the cell.

The video footage showing the rush of officers entering the cell, under Respondent Ayala's supervision, is disturbing, and an aggravated penalty is warranted. On balance, a total forfeiture of 30 vacation days, the aggravated penalty for failing to supervise, is a reasonable penalty to cover the sergeant's actions in this matter. The "failure to supervise" category adequately addresses the misconduct in the two counts, and I reject the suggestion of imposing

an additional penalty for “failure to intervene,” which was not an offense with which he was charged. Additionally, there is not a sufficient basis for departing from the Guidelines to add a period of monitoring. In 12 years with the Department, Respondent Ayala has no formal disciplinary record. He has been awarded a total of 118 medals, including one Honorable Mention medal, two Commendation medals, 14 for Meritorious Police Duty, and 101 for Excellent Police Duty. Moreover, there is no indication that what occurred in this case is part of a pattern of such behavior. Accordingly, I recommend that Respondent Ayala forfeit thirty (30) vacation days.

Respondent Baptiste, who was appointed to the Department as a police officer on February 24, 2021, has been found guilty of using unreasonable force against a prisoner, and also directing a racial slur toward that prisoner. The Department Advocate asks for a penalty of Termination. The presumptive penalty for wrongful use of force resulting in physical injury is 20 penalty days (10 suspension days plus 10 penalty days), with an aggravated penalty of Termination. The presumptive penalty for using offensive language is 20 days, with an aggravated penalty of Termination. The Advocate urges the imposition of the aggravated penalty of Termination for both counts.

A major concern that runs through both of Respondent Baptiste’s offenses is his failure to control his emotions throughout the incident. Although there were many other officers present, he chose to maneuver up to the front of the cell where he exchanged words with Brother 1, the individual he had chased and apprehended hours earlier. When Brother 1 spit on him, Respondent Baptiste responded impulsively by cocking his arm and punching the prisoner through the cell gate. After the cell door was unlocked, Respondent Baptiste rushed into the cell,

where he delivered multiple punches to the body of Brother 1 in a manner that was excessive under the circumstances.

Similarly, while Brother 1 was on the floor in handcuffs after having been removed from the cell, Respondent Baptiste again was unable to control his emotions. He leaned over Brother 1 and repeatedly shouted at him, including the use of a racial slur. Again, this tribunal is mindful that Brother 1 provoked Respondent Baptiste moments earlier, through words and deeds, by calling him the same racial slur and by spitting on him. Still, even in the face of such provocation, Respondent Baptiste had a responsibility to handle the situation in a professional manner. Instead, he continued to engage with Brother 1, and directed offensive comments toward him, to the point where he had to be pulled away by colleagues, a further manifestation of Respondent Baptiste's loss of control.

Taken as a whole, Respondent Baptiste's behavior on October 12, 2023, was troubling, and there needs to be appropriate accountability. On the one hand, what occurred on that date appears to be an aberration from an otherwise strong history with the Department, and his actions here do not warrant separation from the Department. Respondent Baptiste has no formal disciplinary record, has been awarded eight medals for Excellent Police Duty, and has received consistently exceptional annual evaluations. At the same time, under these circumstances, some aggravation from the presumptive penalties is appropriate, given Respondent Baptiste's disturbing failure to exercise an appropriate level of control in this case. On balance, an aggravated penalty of 30 suspension days for the use of force charge, and an aggravated penalty of 30 vacation days for the use of offensive language, is appropriate, with those penalties to run consecutively to each other since these were separate acts of misconduct. Additionally, given the

concerns discussed above, I recommend that a period of dismissal probation be imposed as well, to ensure that Respondent Baptiste's future performance is closely monitored.

Taking into account the totality of the facts and circumstances in this matter, I recommend that Respondent Baptiste be suspended without pay for thirty (30) days, and that he forfeit thirty (30) vacation days, for a total of sixty (60) penalty days. Additionally, I recommend that Respondent Baptiste 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.

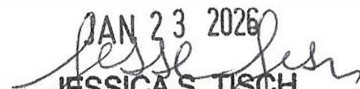
Respectfully submitted,



Jeff S. Adler

Assistant Deputy Commissioner Trials

APPROVED

JAN 23 2026

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 JOEL AYALA
TAX REGISTRY NO. 954509
DISCIPLINARY CASE NO. C-030600

Respondent was appointed to the Department on July 9, 2013. On his most recent annual performance evaluation, he received a 4.5 rating of “Extremely Competent/Highly Competent” for 2024. He has been awarded two Commendations, one Honorable Mention, 14 medals for Meritorious Police Duty and 101 medals for Excellent Police Duty.

Respondent has no formal disciplinary history. In March 2025, he was placed on Level 1 CCRB monitoring for having received six or more CCRB complaints over a five-year period; monitoring remains ongoing.

For your consideration.

Jeff S. Adler
Assistant Deputy Commissioner Trials



POLICE DEPARTMENT CITY OF NEW YORK

From: Assistant Deputy Commissioner – Trials
To: Police Commissioner
Subject: SUMMARY OF EMPLOYMENT RECORD
POLICE OFFICER JONATHAN BAPTISTE
TAX REGISTRY NO. 970985
DISCIPLINARY CASE NO. C-030598

Respondent was appointed to the Department on February 24, 2021, having previously served as a civilian Automotive Service Worker from June 2, 2017 until his appointment as a police officer. On his two most recent annual performance evaluations, he was rated “Exceptional” for 2023 and 2024. He has been awarded eight medals for Excellent Police Duty.

Respondent has no formal disciplinary history.

For your consideration.

Jeff S. Adler
Assistant Deputy Commissioner Trials