

*Patrolmen's
Benevolent
Association*

Of The City Of New York, Incorporated



OFFICE OF THE PRESIDENT

December 5, 2018

VIA HAND DELIVERY

The Honorable Bill de Blasio
Mayor of the City of New York
City Hall
New York, NY 10007

Re: OATH Commissioner Fidel F. Del Valle

Mayor de Blasio:

I write to address a very serious incident involving New York City police officers and a senior member of your administration.

A PBA member assigned to the City Hall security detail has informed the union of a recent disturbing interaction with Fidel F. Del Valle, commissioner and chief judge of the Office of Administrative Trials and Hearings (OATH). Mr. Del Valle behaved in an outrageously aggressive and abusive manner, subjecting police officers at the scene to profane and threatening language, as well as misusing his position and authority to threaten disciplinary action against police officers who were simply doing their job. In the PBA's view, Mr. Del Valle's appalling conduct in this incident warrants his immediate termination.

Shortly after 5:00 p.m. on November 13th, Mr. Del Valle attempted to enter the City Hall plaza via the West Gate and was stopped by police officers assigned to the gate. The officers attempted to ascertain his identity and the purpose of his visit, in accordance with established City Hall security procedures.

Mr. Del Valle did not comply with the officers' request for information or directions. Instead, he immediately became confrontational, encroaching on the officers' personal space, making aggressive gestures towards them and demanding "Who the fuck do you think you are?" He then attempted to proceed further into City Hall plaza, towards the magnetometer booth.

When the officers prevented Mr. Del Valle from proceeding, he continued his aggressive behavior. Mr. Del Valle stated "I come in here every fucking day," demanded to speak with a supervisor, and asked the officers "Do you want to keep your job?"

The officers informed Mr. Del Valle that they would request a supervisor to the scene, but that he would need to wait at the West Gate for the supervisor's arrival. Mr. Del Valle then continued to berate and abuse the police officers, repeatedly identifying himself as a "commissioner" and repeatedly referring to the officers as "fucking assholes."



At that point, a member of the City Council arrived on the scene, recognized Mr. Del Valle and offered to escort him into City Hall as his guest, to which the officers readily agreed. Mr. Del Valle continued his verbal abuse of the officers at the magnetometer, in front of other city employees entering City Hall.

As the above summary demonstrates, Mr. Del Valle's language and behavior was outrageously inappropriate for any person interacting with a New York City police officer, much less the head of a City agency. More distressing, however, was Mr. Del Valle's apparent threat of disciplinary action and/or termination against the officers.

As OATH Commissioner, Mr. Del Valle has no direct or indirect authority over members of the NYPD. His statement can only be understood as an attempt to use his position within your administration to intimidate these police officers into affording him special treatment. While Mr. Del Valle and his agency may not sit in judgment of police officers, he clearly lacks the temperament and integrity to sit in judgment over *any* City employee.

This incident recalls a widely-publicized encounter this year between former Port Authority Commissioner Caren Turner and Tenafly, N.J. police officers, in which Ms. Turner similarly abused her office in an attempt to intimidate those officers. Ms. Turner was forced to resign her position with the Port Authority following that incident — Mr. Del Valle must be held accountable in a similar manner here.

It is imperative that you take immediate action to address this incident, because New York City police officers are watching. Our members are routinely subjected to verbal abuse or worse on the streets — you yourself have recently condemned that behavior, as have many of your elected colleagues. If similar behavior by a senior City official goes unaddressed, it will send a profoundly negative message to the women and men who put their lives on the line every day to protect all New Yorkers.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. J. Lynch', with a large, sweeping flourish extending to the left.

Patrick J. Lynch
President

cc:

James P. O'Neill
Police Commissioner
1 Police Plaza, Room 1400
New York, NY 10007