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Hassan Hamdy, NYPD Detective Who Shot Unarmed Man, Was Named In Earlier Civil Rights Lawsuits

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NEW YORK -- The NYPD detective who shot and killed an unarmed National Guardsman during a traffic stop early Thursday morning was named in two civil rights complaints that ended in significant payouts by the city, court records show.

Detective Hassan Hamdy, identified by police as the officer who fatally shot [Noel Polanco](#), 22, was one of several officers named in a 2007 brutality lawsuit by a Queens grandmother and her grandson who said they were terrorized by police after being subjected to an illegal search of their home. The suit was settled for \$235,000. Fred Lichtmacher, the plaintiffs' attorney, said the NYPD moved swiftly to settle the case out of court. Under the terms of the settlement, the officers admitted no fault or liability for the incident.

"The city was very anxious to get rid of this," Lichtmacher told The Huffington Post. "I never got to see what the cops' records were like."

Attempts to reach Hamdy for comment were unsuccessful.

A spokeswoman for New York City's legal department said Hamdy did not appear to be a "major player" in the Queens brutality case. But the city also said that Hamdy was named in another civil rights complaint that the city settled for \$291,000 in 2001, and that details of that case were not immediately available.

According to police officials, Hamdy was one of two officers who approached Polanco's car after he was pulled over at around 5 a.m. Thursday for speeding and driving erratically near LaGuardia Airport. After Hamdy approached the driver's side, he fired his gun into the car, striking Polanco in the abdomen. Polanco died about an hour later after being taken to a nearby hospital.

Polanco had been a specialist in the New York Army National Guard since 2008, according to a military spokesman.

Initial statements by the police indicated that Polanco was shot after he ignored a command to keep his hands in the air and reached under his seat. No weapon was recovered from the car.

But Diane DeFerrari, a bartender sitting in the front passenger seat of Polanco's car, has contradicted the police account, telling news outlets that Polanco had his hands on the steering wheel at all times during the stop.

DeFerrari described the officers who made the traffic stop as aggressive, saying they screamed obscenities and extended the middle finger toward the car before Polanco pulled over. She said Polanco had no time to reach under the seat before being shot.

"All you had to do was pull him over, ask for license and registration and take him to jail. There was no reason for this innocent kid to be killed," she told [CBS News](#).

A third passenger, off-duty police officer Vanessa Rodriguez, 29, was asleep in the backseat, police said.

The shooting is under investigation by Queens District Attorney Richard A. Brown and the NYPD's Internal Affairs Division. "The public can be assured that the investigation will be full, fair and complete," Brown said in a statement.

Brown said his office would not comment on the specifics of the case until the investigation was concluded.

Court records do not indicate whether Hamdy was disciplined by the NYPD for his involvement in the 2007 brutality incident.

But according to Dorothy Garcia, 74, one of the plaintiffs in the lawsuit, Hamdy was one of several officers who broke down her front door in pursuit of her grandson, who they mistakenly believed was involved in a violent crime.

Garcia identified Hamdy after being shown his photograph by reporters on Friday.

"They stormed up. They were screaming," Garcia said. She answered the door and the officers demanded to see her grandson, Tyrell Garcia, who was then 23.

When Ms. Garcia refused to let them in her house without a warrant, Hassan and the other officers began forcing their way into the house, she said. The officers broke down the door and chased after Tyrell, who hid in a neighbor's garage.

According to the lawsuit, the teen surrendered and walked out of the garage peacefully, but was thrown to the ground and beaten by officers. A police dog was allowed to bite him repeatedly, the complaint said.

Several minor criminal charges were filed against Garcia for fleeing the police, but were later dropped, said Lichtmacher, the attorney. Garcia was cleared of any involvement in the crime that prompted the initial search.

"They were extremely aggressive with very little information," Lichtmacher said. "They had no warrant. It was a very strange incident."

Lichtmacher, who frequently represents plaintiffs in brutality cases against the NYPD, said he was unaware of Hamdy's specific role in the 2007 incident. But he said it was unsurprising to see Hamdy involved in another event involving allegations of unjustified use of force.

"We see the same guys over and over," he said.

A rally in protest of Noel Polanco's shooting is scheduled for 9 a.m. Saturday morning at the headquarters of Al Sharpton's National Action Network in Harlem.