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NYPD OFFICER INDICTED FOR USE OF ILLEGAL CHOKEHOLD DURING ARREST **Suspect Lost Consciousness**

Bronx District Attorney Darcel D. Clark today announced that a New York City Police Officer has been indicted for allegedly using an illegal chokehold while attempting to place a man under arrest. The chokehold allegedly caused the suspect to lose consciousness.

District Attorney Clark said, “The defendant allegedly violated his oath of office by employing a technique to subdue a suspect which is specifically prohibited under New York City law. Police officers must adhere to the law.”

District Attorney Clark said the defendant, Omar Habib, 40, was arrested today and arraigned before Bronx Supreme Court Justice Brenda Rivera on second-degree Strangulation, second-degree Criminal Obstruction of Breathing or Blood Circulation, third-degree Assault and Unlawful Methods of Restraint. The defendant was released on his own recognizance and is due back in court on October 15, 2024.

According to the investigation, on the evening of July 29, 2023, the defendant, a police officer assigned to the 47th Precinct, responded to a call at a catering hall on Eastchester Road. A man who was drunk and disorderly refused to be placed under arrest. The defendant then allegedly placed him in a chokehold so tightly, it impeded the man’s breathing and circulation resulting in his temporary loss of consciousness.

This is the first indictment of a police officer in Bronx County under New York City Statute 10-181 entitled “Unlawful methods of restraint” that specifically applies to police officers.

The case is being prosecuted by Assistant District Attorneys Tyler Gibson and Jonathon Sizemore of the Public Integrity Bureau, with the assistance of Assistant District Attorney Cassie Perez of the Public Integrity Bureau under the supervision of Allison Riesel, Deputy Chief, Public Integrity Bureau and Omer Wiczzyk, Chief of the Public Integrity Bureau, and under the overall



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supervision of Denise Kodjo, Deputy Chief of the Investigations Division and Wanda Perez Maldonado, Chief of the Investigations Division.

District Attorney Clark thanked NYPD Sergeant James Dick and Detective Jexter Bonus of the NYPD Internal Affairs Bureau for their assistance in the investigation.

An indictment is an accusatory instrument and not proof of a defendant's guilt.