

# **BenchNOTES Newsletter**

**May 2019**

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## **Personnel**

### **Correction officer cleared of charges.**

A correction officer was charged with using excessive force and submitting a false report concerning force used by officers in subduing a group of inmates. At trial petitioner presented testimony of an investigator and video of the incident.

[\*Dep't of Correction v. Smith\*](#), OATH Index No. 1001/19 (Apr. 2, 2019).

[Read more about \*Dep't of Correction v. Smith\*](#)

## **Human Rights**

### **Restaurants refused to allow service dogs.**

Respondents, restaurant owners, were charged with violating the City Human Rights Law by twice refusing to serve persons accompanied by service dogs.

[\*Comm'n on Human Rights ex rel. Goldstein v. Limon Jungle\*](#), OATH Index No. 862/19 (Apr. 22, 2019).

[Read more about \*Comm'n on Human Rights ex rel. Goldstein v. Limon Jungle\*](#)

## **Vehicle Retention**

### **ALJ orders car returned to owner.**

The Police Department seized a vehicle in connection with the owner's arrest.

[\*Police Dep't v. Brandon\*](#), OATH Index No. 2062/19, mem. dec. (Apr. 17, 2019).

[Read more about \*Police Dep't v. Brandon\*](#)

## **Licensing**

### **Drug test innocent ingestion not shown.**

A licensed taxi driver who was charged with testing positive for marijuana raised the affirmative defense of unknowing ingestion.

[Taxi & Limousine Comm'n v. Jalloh](#), OATH Index No. 1194/19 (Apr. 9, 2019).

[Read more about Taxi & Limousine Comm'n v. Jalloh](#)

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