Office of the New York State Attorney General Letitia James

Office of Special Investigation

August 18, 2026

Report on the Investigation of the Death of Andre J. Mayfield

OVERVIEW

New York Executive Law Section 70-b authorizes the Attorney General's Office of Special Investigation (OSI) to investigate, and, if warranted, to prosecute offenses arising from any incident in which the death of a person is caused by a police officer or a peace officer, as defined. When OSI, as in this case, does not seek charges, Section 70-b requires OSI to issue a public report. This is the public report of OSI's investigation of the death of Andre J. Mayfield, who was shot and killed on May 26, 2024, by New York City Police Department (NYPD) Officers Elijah Chaer and Jefferson Bellevue.

On May 26, 2024, at 2:18 a.m., Officers Chaer and Bellevue had just responded to a domestic dispute at a building on Eldert Street, in Brooklyn, and were parked on Covert Street completing reports for the domestic dispute. Mr. Mayfield walked up to the passenger side of the police car and threw a glass bottle at the passenger side window. The officers got out the car, and Mr. Mayfield walked toward Officer Chaer and raised his right hand while holding a knife. Officer Chaer retreated toward the rear of the car, and Mr. Mayfield continued to approach him. Both officers discharged their Tasers at Mr. Mayfield, who was temporarily stunned and fell to the ground. As he fell, a second knife fell from Mr. Mayfield to the ground; Mr. Mayfield retained possession of the knife he initially held. Mr. Mayfield stood back up and started moving toward the officers, holding the knife in his right hand. The officers directed Mr. Mayfield to "back up," but he refused and continued to advance toward them. Officer Chaer discharged two rounds from his department issued firearm, and Officer Bellevue discharged five rounds from his department issued firearm. Mr. Mayfield was struck several times and died of his wounds. Two knives were recovered at the scene.

Mr. Mayfield was 26 years old when he died.

Having thoroughly investigated the facts and analyzed the law, OSI concludes that a prosecutor would not be able to disprove beyond a reasonable doubt that Officers Chaer and Bellevue's use of deadly force against Mr. Mayfield was justified under New York law and will not seek charges.

FACTS

According to NYPD records, on Sunday May 26, 2024, at 2:18 a.m., Officers Chaer and Bellevue had just responded to a domestic dispute unrelated to Mr. Mayfield on Eldert Street, in Brooklyn. They parked their marked police car on Covert Street to complete reports for the domestic call. Based on security video from a nearby building on Covert Street, while the officers were seated in the car, Mr. Mayfield walked up to the passenger side and threw a glass bottle at the side window.

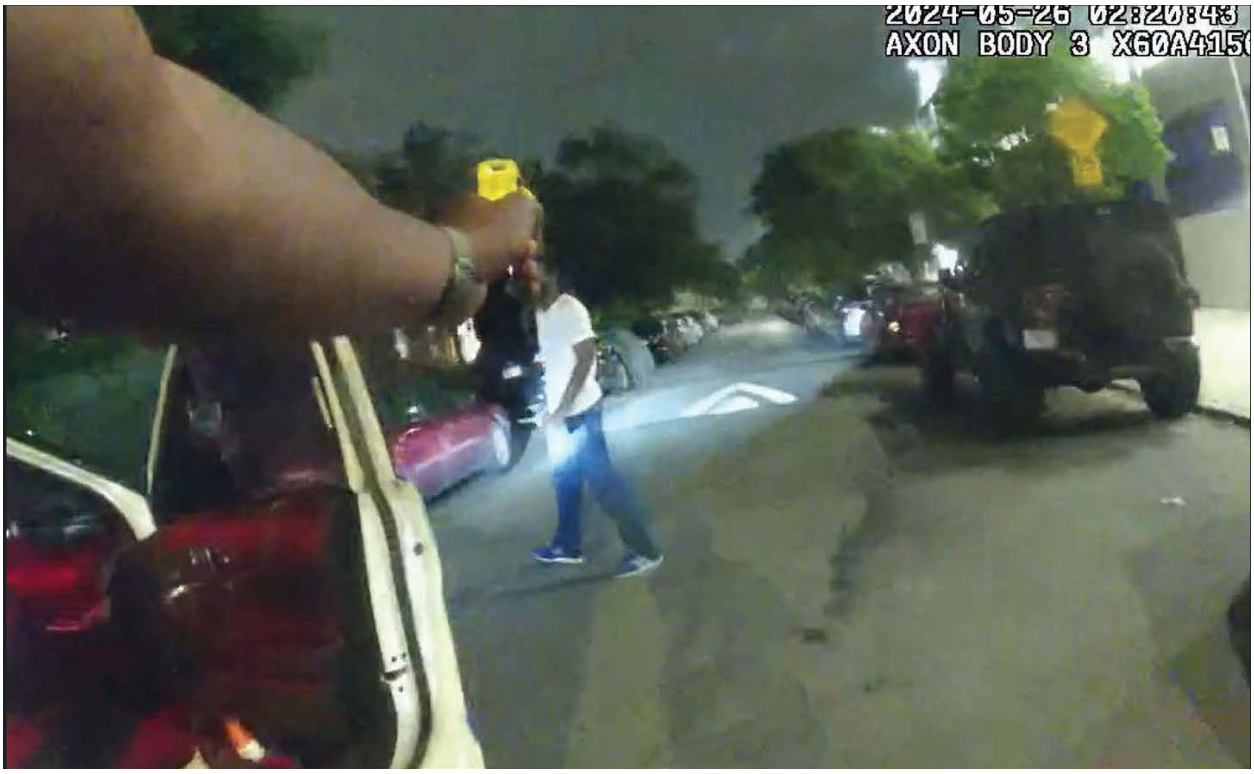
Screenshot from security video on Covert Street showing Mr. Mayfield approaching the police car.

The officers got out of the car, and Mr. Mayfield walked toward the front of the car with a knife in his right hand.

BWC Videos

Officers Chaer and Bellevue activated their body-worn cameras (BWCs); the videos can be viewed here: Officer Chaer and Officer Bellevue.

BWC video showed that Officer Chaer got out on the driver's side of the police car. Mr. Mayfield quickly walked toward him holding the knife. Both officers discharged their Tasers, which appeared to temporarily stun Mr. Mayfield, who fell to the ground. BWC video showed that a second knife fell from Mr. Mayfield as he fell. After he was Tased, Mr. Mayfield stood up and advanced toward both officers, holding a knife in his right hand. Officer Chaer discharged two rounds from his firearm and Officer Bellevue discharged five rounds, striking Mr. Mayfield seven times in total and causing him to fall from the ground. BWC footage captured the officers telling Mr. Mayfield to drop the knife.



Screenshot from PO Chaer's BWC a moment before PO Chaer deployed the Taser

Screenshot from P.O. Bellevue's BWC showing Mr. Mayfield holding the knife after he fell to the ground.

Screenshot from P.O. Bellevue's BWC showing Mr. Mayfield on the ground, with one knife in his hand and a second knife on the ground next to him after it fell from him.

Interview of Officer Elijah Chaer

OSI interviewed Officer Chaer, who said he had just finished responding to a family domestic job and pulled over to complete paperwork. While sitting in the car, he heard a loud "pop" on the passenger side. He saw Mr. Mayfield approach, turned on his BWC, and got out of the car to see what the loud noise was. He said he heard his partner yell, "He's got a knife," and saw Mr. Mayfield holding a knife in his hand. He unholstered his firearm, took out his Taser, and directed Mr. Mayfield to back up. Mr. Mayfield refused to comply and advanced toward the officers. Officer Chaer deployed his Taser and Mr. Mayfield fell to the ground. Mr. Mayfield stood back up and started to walk toward the officers again with the knife in his hand. Officer Chaer said he fired his gun twice and stopped firing when he saw Mr. Mayfield fall to the ground. Additional NYPD officers arrived, and EMS was requested.

Interview of Jefferson Bellevue

OSI interviewed Officer Bellevue, who said he was seated in the passenger seat of the police car and heard a loud noise and a "pop" on the passenger side of the car. He looked out the window and saw Mr. Mayfield standing outside the car. Mr. Mayfield had a bottle in his hand, and he saw Mr. Mayfield pull a knife from his waistband. Officer Bellevue said he told Officer Chaer that Mr. Mayfield had a knife. Both officers got out of the police car. Mr. Mayfield went around the car toward PO Chaer. PO Bellevue took out his Taser and Tased Mr. Mayfield. Mr. Mayfield fell to the ground with the knife in his hand, with the blade visible. Mr. Mayfield got back up, still holding the knife in his right hand. Officer Bellevue stepped back and stood next

to PO Chaer. Officer Chaer told Mr. Mayfield to step back. Mr. Mayfield continued to advance toward the officers. PO Bellevue fired five times and said he shot Mr. Mayfield because he thought their lives were in danger and that Mr. Mayfield was trying to stab them.

Evidence Collection and Analysis

Detective Christina Meehan from NYPD's Crime Scene Unit recovered seven discharged shell casings consistent with department issued ammunition, one deformed fired bullet, two discharged Taser cartridges, two 10-inch Defender Extreme hunting knives, and one glass beer bottle.

Crime Scene Unit photos showing the two knives recovered at the scene

Crime Scene Unit photo of the glass bottle recovered near the police car

Medical Examination and Autopsy

Dr. Sean Kelly of the New York City Office of Chief Medical Examiner performed the autopsy and determined that the cause of Mr. Mayfield's death was gunshot wounds of the head and torso; he deemed the manner of death to be homicide (shot by police). According to his report, two Taser probes were recovered from the right and left shoulder, and barbed puncture wounds were noted in the right thigh and sacral region.

LEGAL ANALYSIS

Article 35 of the New York Penal Law defines the circumstances under which a person may be justified in using deadly physical force against another. Justification is a defense, Penal Law Section (PL) 35.00, not an affirmative defense. To obtain a conviction at trial, a prosecutor must disprove a defense beyond a reasonable doubt, PL 25.00(1).

As the Court of Appeals stated in *People v Castillo*, 42 NY3d 628, 631 (2024):

> The defense of justification provides that a person may use physical force to defend himself against an assailant's 'imminent use of unlawful physical force,' but does not authorize the use of 'deadly physical force . . . unless . . . [the person] reasonably believes that [the assailant] . . . is using or about to use deadly physical force' (Penal Law § 35.15). When considering a request for a justification charge, courts examine the evidence in the light most favorable to the defendant, and must provide the instruction if there is any reasonable view of the evidence that defendant was justified in his actions (see *People v Heiserman*, 39 NY3d 988, 990 [2022]). Justification has both a subjective requirement, that 'defendant . . . actually believed . . . he [was] . . . threatened with the imminent use of deadly physical force,' and an objective requirement, that defendant's 'reactions were . . . those of a reasonable man acting in self-defense' (*People v Collice*, 41 NY2d 906, 907 [1977]).

(Square brackets and ellipses in original.)

In this case, Officers Chaer and Bellevue used deadly physical force when they shot Mr. Mayfield. Under PL 10.00(1), "deadly physical force" is "physical force which, under the circumstances in which it is used, is readily capable of causing death or other serious physical injury." Under PL 10.00(10), "serious physical injury" is "physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ."

PL 35.30 is the provision defining justification when a police officer or peace officer uses force to effect or attempt to effect an arrest for an offense. PL 35.30(1) provides:

> A police officer or a peace officer, in the course of effecting or attempting to effect an arrest … of a person whom he or she reasonably believes to have committed an offense, may use physical force when and to the extent he or she reasonably believes such to be necessary to effect the arrest … or in self-defense or to defend a third person from what he or she reasonably believes to be the use or imminent use of physical force; except that deadly physical force may be used for such purposes only when he or she reasonably believes that … (c) regardless of the particular offense which is the subject of the arrest … the use of deadly physical force is necessary to defend the police officer or peace officer or another person from what the officer reasonably believes to be the use or imminent use of deadly physical force.

Police officers using deadly physical force pursuant to PL 35.30(1) are under no duty to retreat when threatened with deadly physical force, PL 35.15(2)(a)(ii).

Here, under PL 35.30, the officers could use the physical force they reasonably believed to be necessary to effectuate the arrest of Mr. Mayfield and could use deadly force if they reasonably believed it was necessary to defend themselves or another against Mr. Mayfield's imminent use of deadly physical force. Both officers saw Mr. Mayfield holding a knife as he approached them. They directed Mr. Mayfield to drop the knife, but he did not comply and continued to advance toward them. After he was Tased, Mr. Mayfield stood up, with a knife still in his hand, and continued to advance toward the officers. The officers fired multiple times to stop Mr. Mayfield.

Based on the evidence in this investigation, OSI concludes that a prosecutor would not be able to disprove beyond a reasonable doubt that Officers Chaer and Bellevue's use of deadly physical force was justified under the law. As a result, OSI will not seek charges and closes the matter with the issuance of this report.

Dated: August 18, 2026