



NYPD Snafu Means No Justice for Bronx Cyclist Left to Die in the Street

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NYPD torpedoed its own investigation into the crash that killed a Bronx cyclist, whose death was not reported to the Accident Investigation Squad for over a month. Joseph Nelson, 54, was riding his bike near the intersection of Fordham Road and Jerome Avenue on the afternoon of April 14 when he hit the open door of a parked car, which was then driven from the scene, according to [DNAinfo](#). Paramedics found Nelson unconscious in the street. He was pronounced dead at St. Barnabas Hospital.

Though he died shortly after the crash, the 52nd Precinct did not inform the NYPD Accident Investigation Squad until May 18. ***“Amazingly, it was the medical examiner’s office that confirmed the cause of death after an autopsy was performed,” wrote Daniel Flanzig, an attorney hired by Nelson’s family, on [Gothamist](#). “We believe once that office made the conclusion as to the cause of death being caused by a ‘dooring’ they then notified the NYPD. This was when we believe [the] assignment was given to the AIS for the first time.”***

John Nelson tells a familiar story: The family enlisted an attorney after his brother’s death because NYPD was uncommunicative. “I got one initial call,” he told [DNAinfo](#). “Aside from that, I got no information, no assistance, nothing at all from the Police Department.”

As with other instances when AIS failed to respond after a crash that resulted in the death of a cyclist or pedestrian, investigators have reportedly turned up no leads in Nelson’s case. “The first thing would be witnesses,” said Flanzig. “This was never done. They can also pull video but most gets automatically recorded over after 30 days. This was never done by the NYPD.” The 52nd Precinct recorded no cyclist deaths in its April crash data report, and reported only one crash, involving a motorcycle, at Fordham Road and Jerome Avenue.

[DNAinfo](#) spoke with an AIS investigator, who was quoted but not named in the story. “We weren’t called the day of the accident,” the officer said. “That usually turns out to be a problem.” While it’s not known why the 52nd Precinct did not notify crash investigators of Nelson’s death, delayed AIS deployment due to the department’s “dead or likely to die” policy has severely compromised other fatality investigations. When a doctor told officers that cyclist [Stefanos Tsigrimanis](#) wasn’t in mortal danger after he was hit by a driver in Brooklyn, AIS did not return to the scene for 46 days. Because NYPD did not know that Brooklyn pedestrian [Clara Heyworth](#) had died after she was struck by an unlicensed driver who was believed to be drunk, AIS was not dispatched until at least three days after the crash. Heyworth’s husband, Jacob Stevens, [has filed a lawsuit against NYPD](#) for failing to properly investigate her death.

The practice of withholding information pertaining to traffic fatalities is standard operating procedure at NYPD. The department was recently censured by a judge for “needlessly” stonewalling [the family of Mathieu Lefevre](#), whose family sued NYPD following his death at the hands of a hit-and-run truck driver in Brooklyn.

Flanzig says NYPD’s failure to conduct an investigation and refusal to communicate with him or Nelson’s family has ruined any chance to pursue criminal or civil charges against the person or people involved in the crash. “The lack of an early investigation absolutely destroyed their right to have justice,” Flanzig told [DNAinfo](#).

