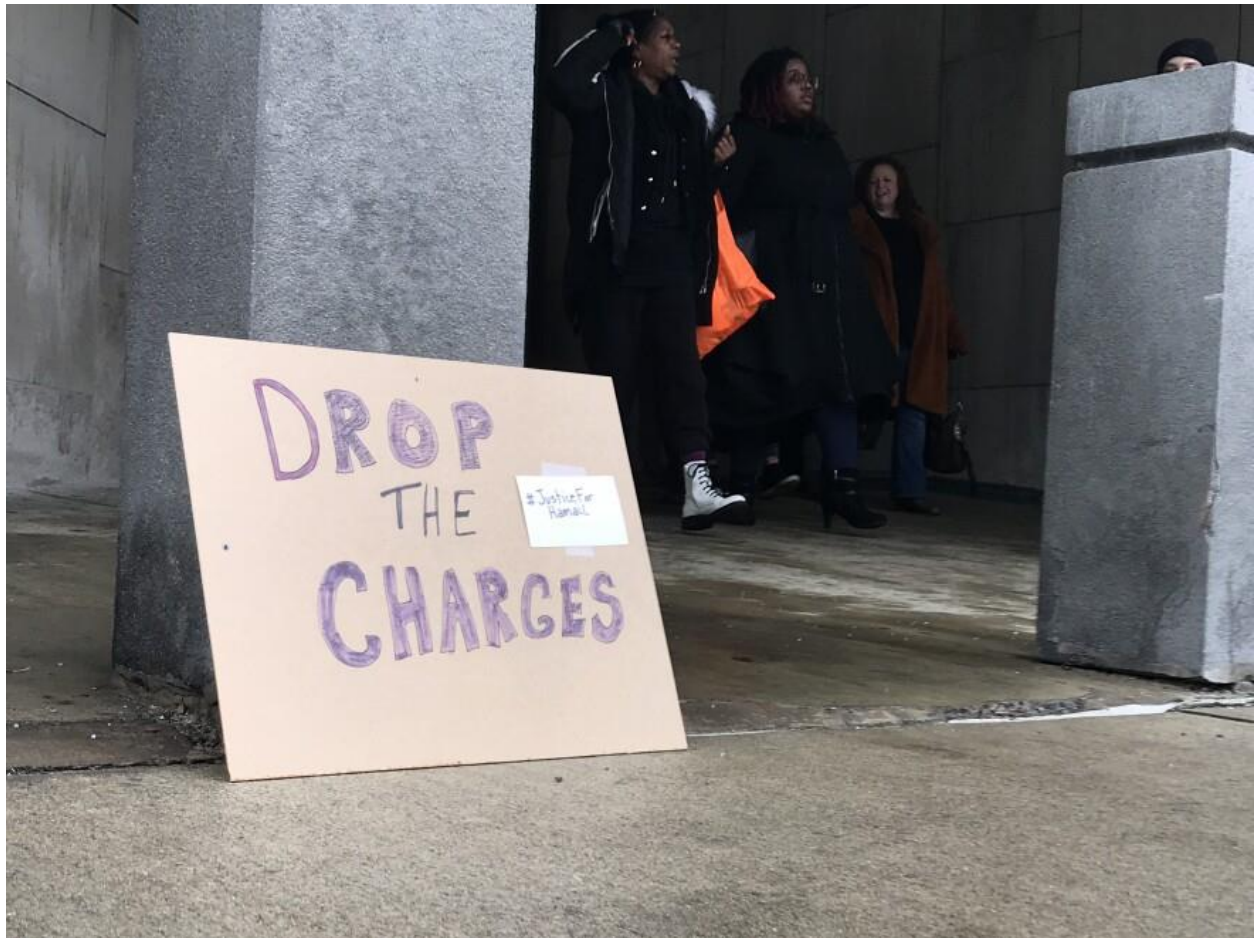


Assault allegations made against Binghamton police officer years before violent 2023 arrest

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In January, a coalition of activists demanded charges be dropped against Hamail Waddell. The New York attorney general's office is investigating the violent arrest of Waddell.

Allegations of assault were made against the Binghamton police officer seen kneeling on a man's neck during a January arrest in court cases that are still pending nearly a decade later.

In 2013, Carlos Vazquez sued the city of Binghamton and Officer Brad Kaczynski, among others, alleging police used excessive force and later assaulted him while in custody, according to court records. A separate lawsuit filed in 2015 reiterates many of the same claims, but does not name Kaczynski specifically.

Vazquez's attorney, Kurt Schrader, told WSKG that both cases are still pending but declined to discuss them further.

City of Binghamton Deputy Mayor Megan Heiman told WSKG in a written statement that Binghamton police conducted an internal investigation that found no wrongdoing on the part of the officers.

"This lawsuit was filed 10 years ago, and there's been almost no meaningful action by either party since. The litigation has been dormant for the better part of a decade," Heiman wrote.

The internal investigation, Heiman wrote, was completed in 2011 under the administration of former Mayor Matt Ryan. Ryan, a Democrat, [announced](#) his candidacy for Broome County district attorney last week.

Kaczynski has been on administrative duties after he was filmed kneeling on Hamail Waddell's neck during an arrest in the early morning hours of New Year's Day in downtown Binghamton. Waddell [pleaded not guilty](#) to charges of disorderly conduct and resisting arrest in city court.

Binghamton police and the New York attorney general's office are currently [conducting investigations](#) into Waddell's arrest.

Hamail Waddell's sisters and mother speak before Binghamton City Council following their brother's arrest.

According to Vazquez's 2013 lawsuit, he was arrested while walking along Court Street in Binghamton on Oct. 29, 2011. Vazquez alleges he was struck by an officer after being handcuffed. He further alleges that after being transported to the Binghamton Police Department, he was "stripped of his pants and then struck, punched, kicked and beaten by several Binghamton

police officers including Officer Kaczynski” for several minutes, according to the court records.

It’s unclear what Vazquez was charged with following the October 2011 arrest. WSKG requested copies of court records from Binghamton City Court, but was told Binghamton police were in possession of files related to the case. A Freedom of Information Law request for the files is pending.

In a subsequent filing on Vazquez’s 2015 lawsuit, however, the city of Binghamton notes in its reply that Vazquez had been convicted following the 2011 arrest in February of 2014. But, the city notes, that conviction was later overturned by then City Court Judge William Pellella and affirmed by Broome County Court in early 2015.

In neither of Vazquez’s lawsuits are there any documents indicating the proceedings moved past the city’s replies denying his complaints.

It’s unclear how, if at all, Vazquez’s lawsuits may play into the ongoing investigations into Waddell’s arrest.