

Judge Allows NYPD Cop who Refused COVID Vaccine to Stay on Job, NY City Must Explain Its Actions

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New York: A judge ruled that Alexander Deletto, a police officer with the New York Police Department who sued over the city's COVID vaccine mandate, can't be fired for not having the job. The new "precedent-setting" ruling could help nearly two dozen police officers who filed similar cases. The city first denied the request for religious exemption from Deletto, who is Catholic, on February 15, and later shot down his appeal with only "does not meet criteria" given as an explanation. "There is no indication that anybody even read [Deletto's] arguments," the judge wrote, adding, "It is the duty of the agency to explain why it made the decision." The judge granted a temporary restraining order, allowing the father of five to stay on the force pending her decision.

An NYPD cop who sued over the city's COVID vaccine mandate can't be fired for not having the job, according to a new "precedent-setting" ruling that could help nearly two dozen police officers who've filed similar cases, The Post has learned.

A Manhattan judge said Officer Alexander Deletto, 43, should be allowed to keep his job, noting in a Tuesday ruling that the city gave the Brooklyn cop no explanation for why it rejected his religious exemption application.

This is the first such ruling in an NYPD officer's case fighting their possible firing over the mandate, according to attorney James Mermigis, who is representing Deletto and has been dubbed "the anti-shutdown" lawyer for [taking on a slew of pandemic-related litigation](#).

"It's a precedent-setting case," Mermigis said of Deletto's lawsuit. "It's the first of its kind."

The city first denied the request for religious exemption from Deletto, who is Catholic, on Feb. 15, and later shot down his appeal with only "does not meet criteria" given as an explanation, according to his lawsuit.

"The hollow and generic phrase 'does not meet criteria' cannot be rational because not a single item particular to [Deletto] was discussed and not a single reason for the decision was given," Manhattan Supreme Court Justice Arlene Bluth ruled.

"There is no indication that anybody even read [Deletto's] arguments," the judge wrote, adding, "It is the duty of the agency to explain why it made the decision."

Deletto – a nine-year veteran of the force who works out of the 88th Precinct in Clinton Hill – filed suit the day before he was set to be fired on Aug. 5 for not getting vaccinated.

Bluth then granted a temporary restraining order, allowing the father of five to stay on the force pending her decision.

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