NBC's *Today* 05/04/23 7:01:17 a.m. [TEASE] 25 seconds

[ON-SCREEN HEADLINE: Growing Controversy]

HODA KOTB: Growing controversy. A death of a man put in a chokehold by a former marine after he allegedly threatened passengers on a New York City subway now declared a homicide. An investigation underway as anger and protests erupt.

PROTESTERS: What do we want? Justice! When do we want it? Now!

KOTB: Was it a case of vigilante justice or an act of bravery? We'll have the very latest.

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7:08:57 a.m. 2 minutes and 15 seconds

[ON-SCREEN HEADLINE: NYC Subway Choking Death Ruled Homicide]

KOTB: There are some new developments in a controversial case right here in New York after a man died when he was put in a chokehold following an altercation on the subway. NBC's Stephanie Gosk joins us now with these details. Hey, Steph, good morning.

STEPHANIE GOSK: Hi, Hoda, good morning. This incident happened on Monday, but scrutiny has continued to grow as this video circulated and yesterday, Jordan Neely's death was ruled a homicide. And we should warn you: this video is disturbing. This morning, there is growing outrage and questions surrounding the death of a man on a New York City subway. This video obtained by NBC New York shows three subway riders subduing the 30-year-old man and one putting him in a chokehold. He later goes limp. The medical examiner ruled the death a homicide and says the cause was, "compression of neck, choke hold." The district attorney identified the man as Jordan Neely. A witness says that Neely got on the subway and began, "a somewhat aggressive speech," saying that "he was hungry, he was thirsty, that he didn't care about anything, he didn't care about going to jail, he didn't care that he gets a big life sentence." Police telling NBC News: "The 30-year-old male was engaged in a verbal dispute with a 24-year-old male which subsequently escalated into a physical altercation." During a physical struggle between the two males, the 30-year-old male lost consciousness." Manhattan Borough President Mark Levine writing that Neely was a subway entertainer who performed dance routines in costume as Michael Jackson. Levine adding, "he always made people smile. Our broken male system failed him. He deserved help, not to die in a chokehold on the floor of the subway." Police say the 24-year-old rider who put Neely into the choke hold was taken into custody for questioning and later released. He has not been publicly identified. Protesters gathered overnight to call for more action.

PROTESTERS: What do we want? Justice! When do we want it? Now!

GOSK: No charges have been filed, but the Manhattan district attorney's office said it is under investigation and it is "a solemn and serious matter." The D.A.'s office also said the investigation is being handled by, "senior, experienced prosecutors" and encouraged any witnesses to come forward. Hoda?

KOTB: All right, Stephanie Gosk for us. Stephanie, thank you.