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**Executive Director's Monthly Report**  
**June 2023**  
**(Statistics for May 2023)**

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# Executive Summary

The Civilian Complaint Review Board (“CCRB”) is an independent municipal Agency that investigates complaints of NYPD misconduct. Every month, the CCRB prepares an Executive Director report for its public meeting. Data for May 2023 included the following highlights:

- 1) Of the cases in the CCRB active investigations docket, 52% have been open for 4 months or fewer, and 67% have been open for 7 months or fewer (page 10). In May, the CCRB opened 543 new cases (page 4), and currently has a total open docket of 3,632 cases (page 11).
- 2) The CCRB substantiated allegations in 34% of its fully investigated cases in May (page 17).
- 3) The CCRB fully investigated 49% of the cases it closed in May (page 14) and resolved (fully investigated, mediated or attempted mediation) 52% of the cases it closed (page 18). The Agency closed 37% of the cases as unable to investigate/withdrawn (page 14).
- 4) For May, investigations using video evidence resulted in substantiated allegations in 37% of cases - compared to 0% of cases in which video was not available (page 23).
- 5) The Monthly Report includes a breakdown of complaints and substantiations by NYPD precinct and borough of occurrence (pages 5-6, 25-29).
- 6) In May the Police Commissioner finalized 8 decision(s) against police officers in Administrative Prosecution Unit (APU) cases (page 35). The CCRB's APU prosecutes the most serious allegations of misconduct. The APU conducted 15 trials against members of the NYPD year-to-date; 7 trials were conducted against respondent officers in May.

The CCRB is committed to producing monthly reports that are valuable to the public, and welcomes feedback on how to make its data more accessible.

# Glossary

In this glossary we have included a list of terms that regularly appear in our reports.

**Allegation:** An allegation is a specific act of misconduct. The same “complaint” can have multiple allegations – excessive force and discourteous language, for example. Each allegation is reviewed separately during an investigation.

**APU:** The Administrative Prosecution Unit is the division of the CCRB that has prosecuted “charges” cases since April 2013, after the signing of a 2012 Memorandum of Understanding between the CCRB and NYPD.

**Board Panel:** The “Board” of the CCRB has 15 members. Following a completed investigation by the CCRB staff, three Board members, sitting as a Board Panel, will make a finding on whether misconduct occurred and will make a recommendation on what level of penalty should follow.

**Case/Complaint:** For the purposes of CCRB data, a “case” or “complaint” is defined as any incident within the Agency’s jurisdiction, brought to resolution by the CCRB.

**Disposition:** The Board’s finding as to the outcome of a case (i.e. if misconduct occurred).

**FADO:** Under the City Charter, the CCRB has jurisdiction to investigate the following categories of police misconduct: Force, Abuse of Authority, Discourtesy and Offensive Language, collectively known as “FADO”.

**Intake:** CCRB’s intake team initially handles complaints from the public. Intake takes complaints that come via live phone calls, voicemails, an online complaint form, or in-person.

**Investigation:** CCRB investigators gather evidence and interview witnesses to prepare reports on misconduct allegations. An investigation ends when a closing report is prepared detailing the evidence and legal analysis, and the case is given to the Board for disposition.

**Mediation:** A complainant may mediate his or her case with the subject officer, in lieu of an investigation, with the CCRB providing a neutral, third-party mediator.

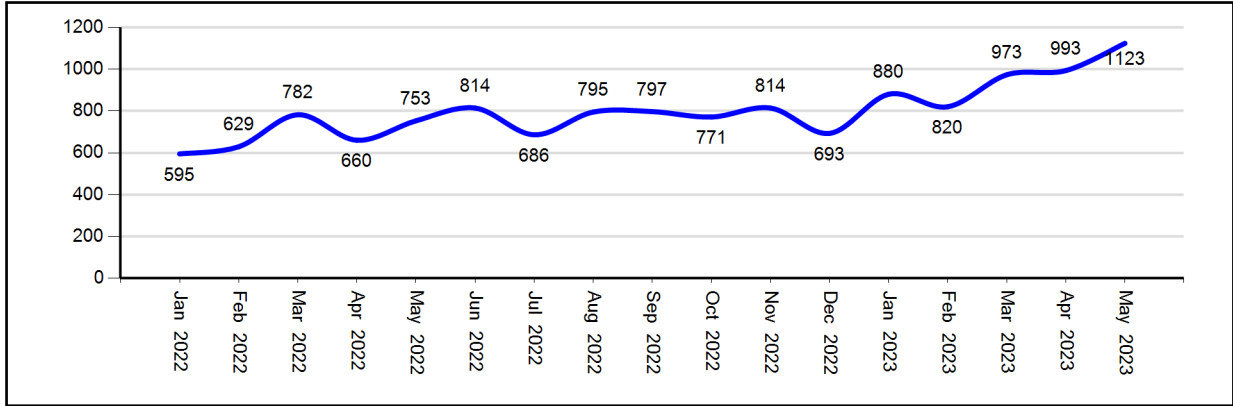
**Unable to Investigate / Withdrawn:** When the CCRB is unable to obtain a sworn statement from the complainant/alleged victim, the case is closed as unable to investigate. When the complainant/alleged victim asks that their complaint be withdrawn, the case is closed as withdrawn.

**Closed Pending Litigation:** Sometimes when a complainant is involved in criminal or civil litigation, their attorney advises against making sworn statements until the conclusion of the court case. When a complainant declines to cooperate with an investigation on the advice of their attorney, the complaint disposition is "Closed Pending Litigation."

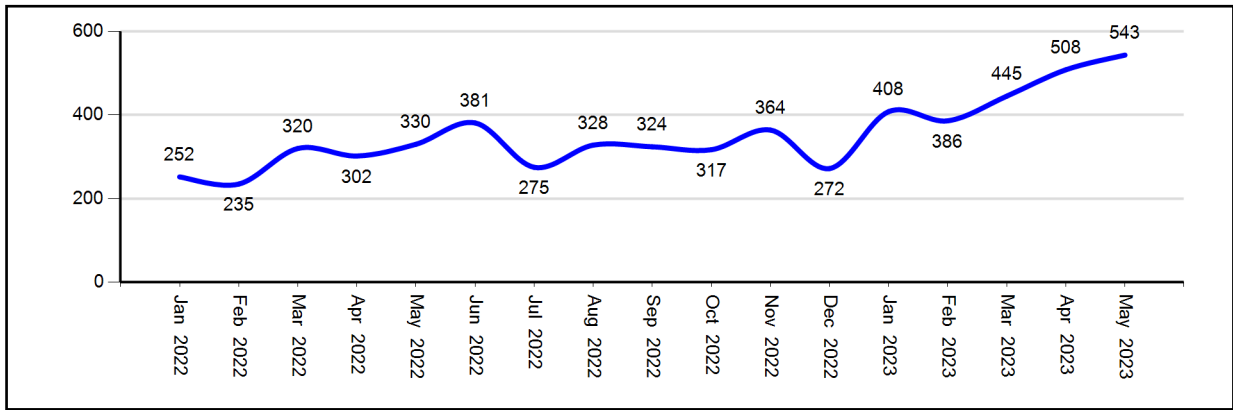
# Complaints Received

The CCRB’s Intake team processes misconduct complaints from the public and referrals from the NYPD. Under the New York City Charter, the CCRB’s jurisdiction is limited to allegations of misconduct related to Force, Abuse of Authority, Discourtesy and Offensive Language. All other complaints are referred to the appropriate agency. Figure 1 refers to all complaints that the CCRB receives and Figures 2 and 3 refer to new cases that remain with the Agency. In May 2023, the CCRB initiated 543 new complaints.

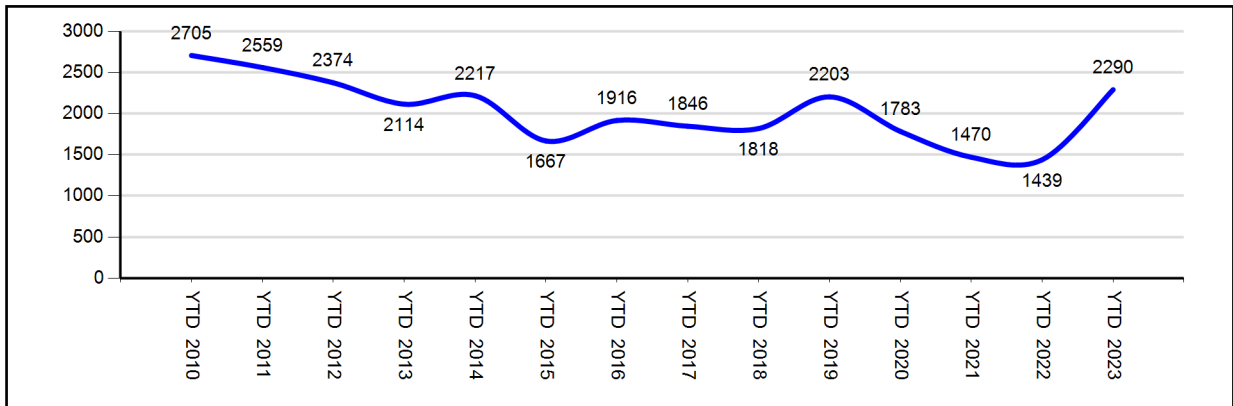
**Figure 1: Total Intake by Month (January 2022 - May 2023)**



**Figure 2: New CCRB Complaints by Month (January 2022 - May 2023)**



**Figure 3: New CCRB Complaints by Year (YTD 2010 - YTD 2023)**



## CCRB Cases Received by Borough and Precinct

Figure 4: CCRB Complaints Received By Borough of Occurrence (May 2023)

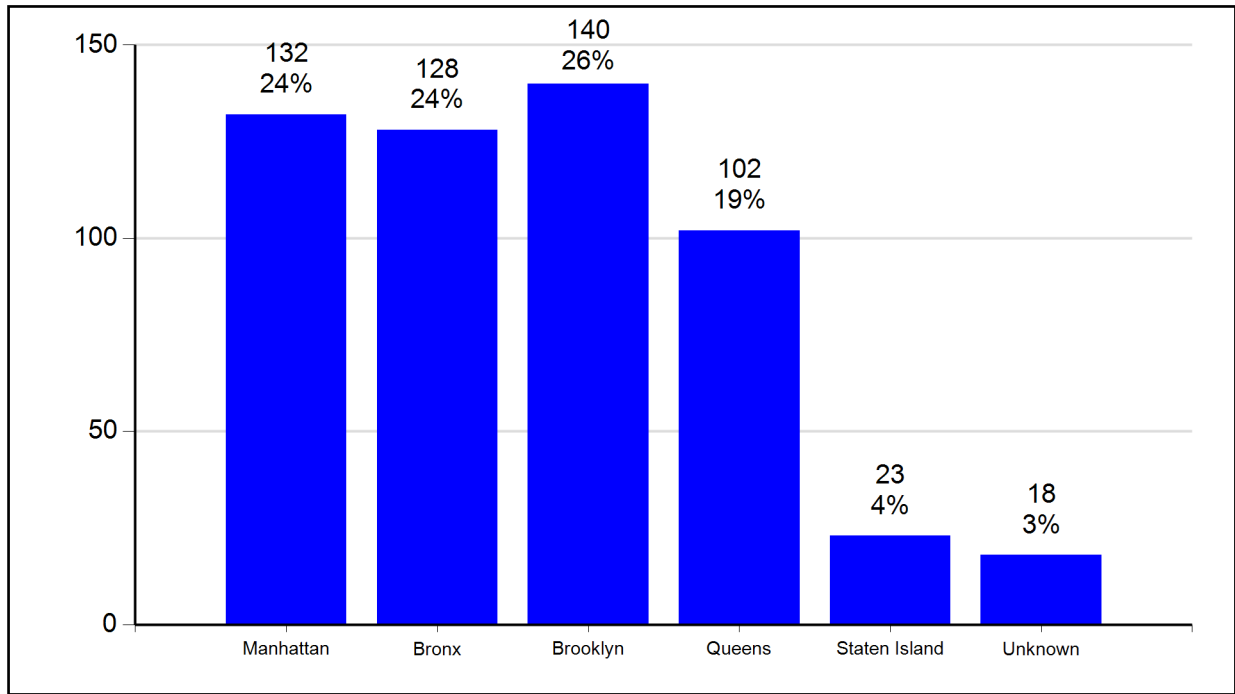
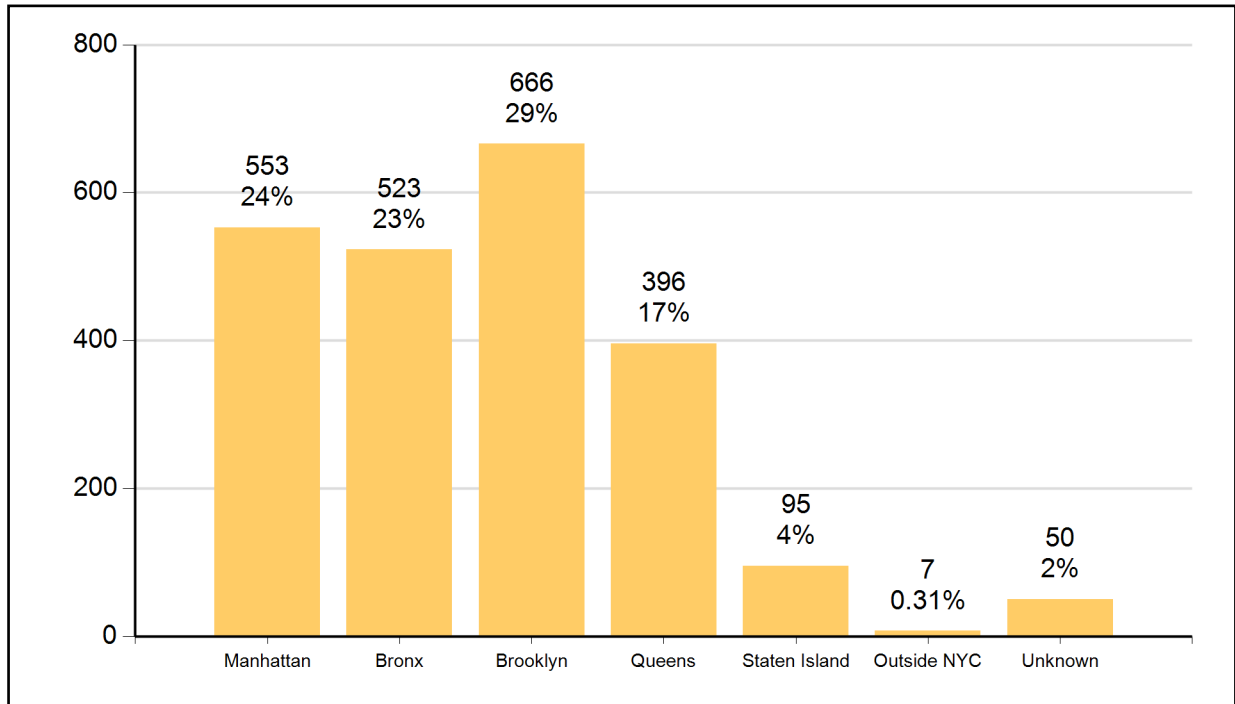


Figure 5: CCRB Complaints Received By Borough of Occurrence (YTD 2023)



**Figure 6: CCRB Complaints Received By Precinct of Occurrence (May 2023)**

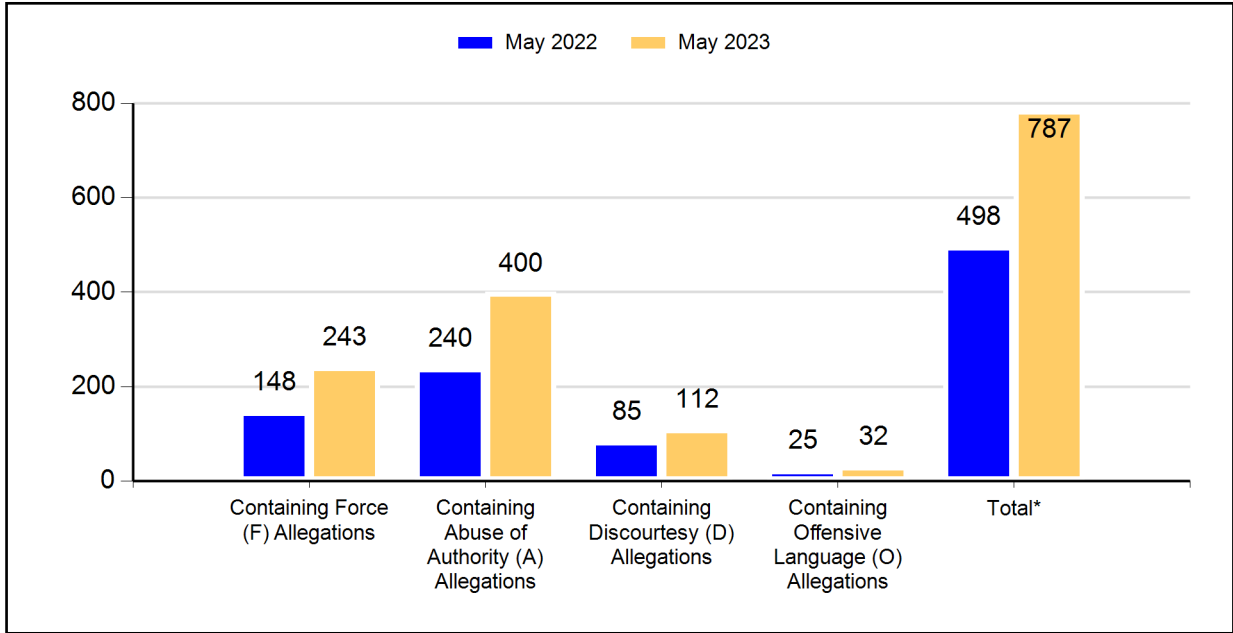
NYPD Precinct of Occurrence*	Number of Complaints	NYPD Precinct of Occurrence*	Number of Complaints
0	5	67	13
1	3	68	5
5	5	69	8
6	3	70	5
7	6	71	3
9	7	72	2
10	8	73	16
13	6	75	17
14	12	76	3
17	1	77	5
18	6	78	4
19	6	79	4
20	3	81	4
23	6	83	8
24	6	84	6
25	14	88	3
26	3	90	7
28	6	94	2
30	3	101	4
32	5	102	6
33	10	103	6
34	8	104	7
40	17	105	6
41	6	106	6
42	9	107	8
43	8	108	4
44	20	109	6
45	5	110	5
46	9	111	2
47	14	112	9
48	16	113	15
49	6	114	9
50	2	115	2
52	8	120	15
60	8	121	3
61	4	122	5
62	6	Unknown	35
63	4		
66	1		

\*These figures track where an incident occurred, not necessarily the Command of the officer.

# Allegations Received

As described in the previous section, the CCRB has jurisdiction over four categories of NYPD misconduct. The charts below show what types of allegations are contained in the CCRB complaints received.

**Figure 7: CCRB Complaints Received By Type of Allegation (May 2022 vs. May 2023)**



\*This is the total of distinct FADO allegation types in complaints received.

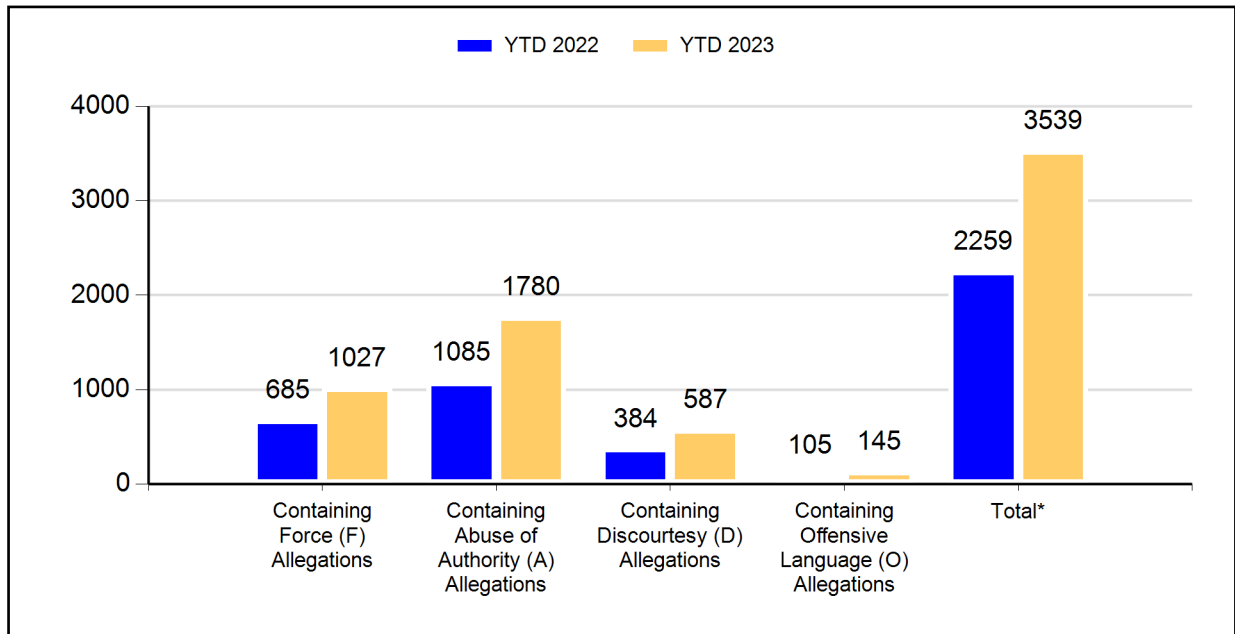
**Figure 8: CCRB Complaints Received By Type of Allegation (% of Complaints)**

	May 2022		May 2023		Change	% Change
	Count	% of Total Complaints	Count	% of Total Complaints		
Force (F)	148	45%	243	45%	95	64%
Abuse of Authority (A)	240	73%	400	74%	160	67%
Discourtesy (D)	85	26%	112	21%	27	32%
Offensive Language (O)	25	8%	32	6%	7	28%
Total FADO Allegations	498		787		289	58%
Total Complaints	330		543		213	65%

Note: the number of allegations in recently received complaints typically grows somewhat as the complaints are investigated.



**Figure 9: CCRB Complaints Received By Type of Allegation (YTD 2022 vs. YTD 2023)**



\*This is the total of distinct FADO allegation types in complaints received.

**Figure 10: CCRB Complaints Received By Type of Allegation YTD (% of Complaints)**

	YTD 2022		YTD 2023		Change	% Change
	Count	% of Total Complaints	Count	% of Total Complaints		
Force (F)	685	48%	1027	45%	342	50%
Abuse of Authority (A)	1085	75%	1780	78%	695	64%
Discourtesy (D)	384	27%	587	26%	203	53%
Offensive Language (O)	105	7%	145	6%	40	38%
Total FADO Allegations	2259		3539		1280	57%
Total Complaints	1439		2290		851	59%

Note: the number of allegations in recently received complaints typically grows somewhat as the complaints are investigated.

**Figure 11: Total Allegations (% of Total Allegations)**

	May 2022		May 2023		Change	% Change
	Count	% of Total Allegations	Count	% of Total Allegations		
Force (F)	376	29%	542	26%	166	44%
Abuse of Authority (A)	732	57%	1317	64%	585	80%
Discourtesy (D)	138	11%	150	7%	12	9%
Offensive Language (O)	37	3%	43	2%	6	16%
Total Allegations	1283		2052		769	60%
Total Complaints	330		543		213	65%

**Figure 12: Total Allegations YTD (% of Total Allegations)**

	YTD 2022		YTD 2023		Change	% Change
	Count	% of Total Allegations	Count	% of Total Allegations		
Force (F)	1707	30%	2419	25%	712	42%
Abuse of Authority (A)	3329	58%	6110	64%	2781	84%
Discourtesy (D)	608	11%	862	9%	254	42%
Offensive Language (O)	138	2%	208	2%	70	51%
Total Allegations	5782		9599		3817	66%
Total Complaints	1439		2290		851	59%

The number of allegations in recently received complaints typically grows as the complaints are investigated.

# CCRB Docket

As of the end of May 2023, 52% of active CCRB cases are fewer than five months old, and 67% active cases have been open for fewer than eight months.

**Figure 13: Age of Active Cases Based on Received Date (May 2023)**

Case Age Group	Count	% of Total
Cases 0-4 Months	1864	51.9%
Cases 5-7 Months	526	14.6%
Cases 8-11 Months	666	18.5%
Cases 12-18 Months*	516	14.4%
Cases Over 18 Months**	19	0.5%
<b>Total</b>	<b>3591</b>	<b>100%</b>

\*12-18 Months: 8 cases that were reopened; 3 cases that were on DA Hold.

\*\*Over18 Months: 5 cases that were reopened; 2 cases that were on DA Hold.

**Figure 14: Age of Active Cases Based on Incident Date (May 2023)**

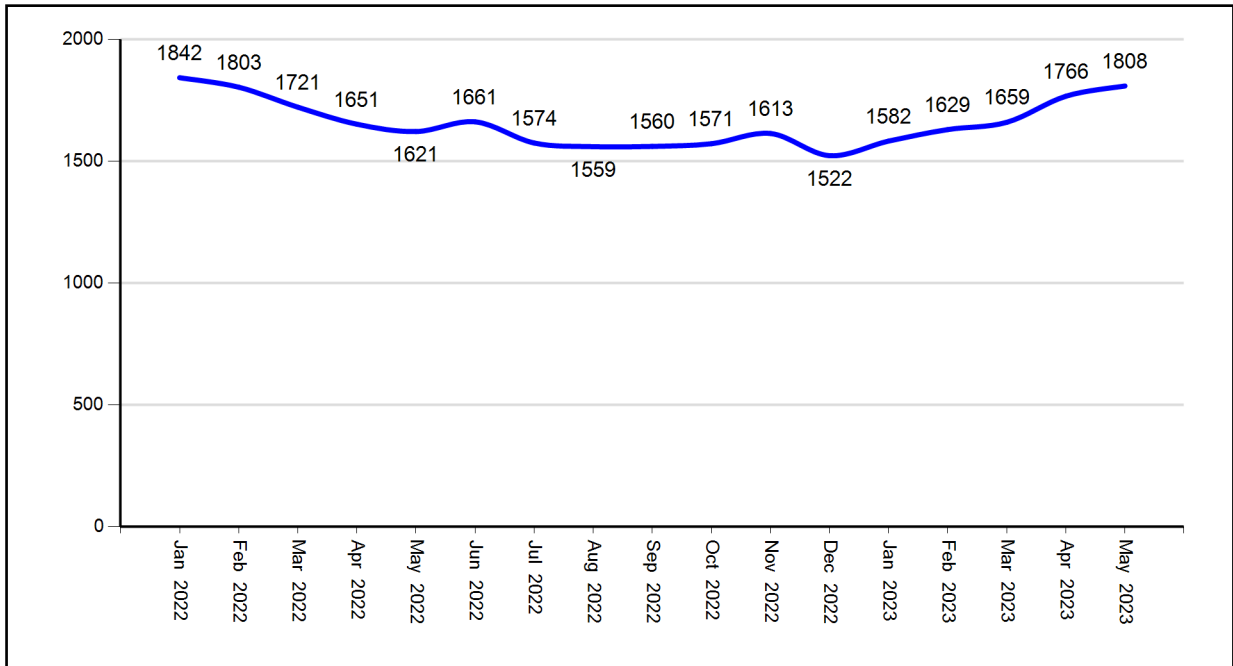
Case Age Group	Count	% of Total
Cases 0-4 Months	1652	46.0%
Cases 5-7 Months	562	15.7%
Cases 8-11 Months	697	19.4%
Cases 12-18 Months*	626	17.4%
Cases Over 18 Months**	54	1.5%
<b>Total</b>	<b>3591</b>	<b>100%</b>

\*12-18 Months: 11 cases that were reopened; 4 cases that were on DA Hold.

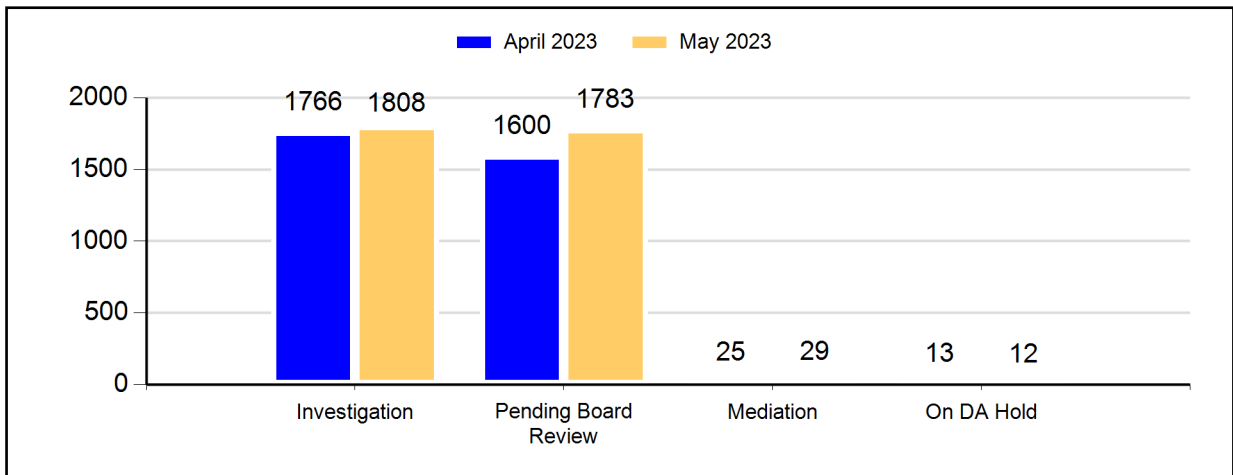
\*\*Over18 Months: 7 cases that were reopened; 2 cases that were on DA Hold.

*An active case is here defined as an investigation; cases in mediation are excluded.*

**Figure 15: Number of Active Investigations (January 2022 - May 2023)**



**Figure 16: Open Docket Analysis**



**Figure 17: Open Docket Analysis with % Change**

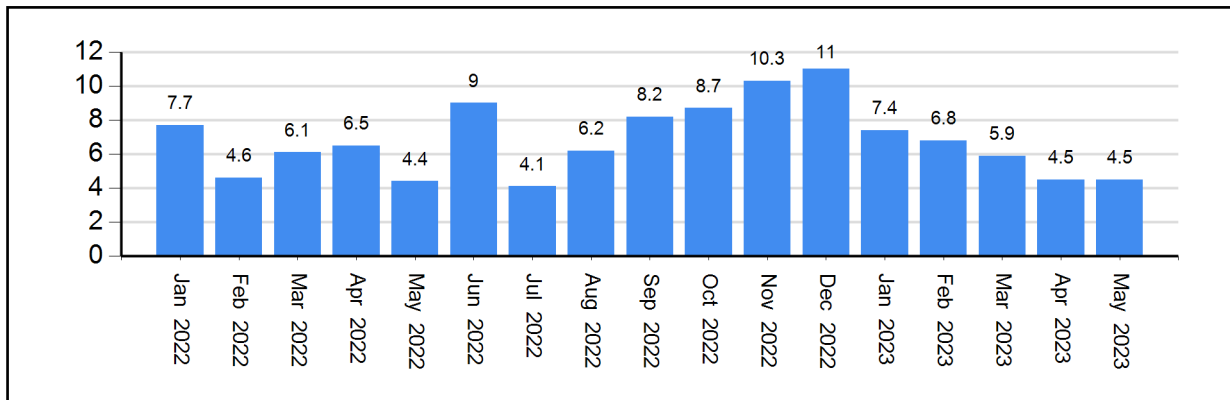
	April 2023		May 2023		Change	% Change
	Count	% of Total	Count	% of Total		
Investigations	1766	52%	1808	50%	42	2%
Pending Board Review	1600	47%	1783	49%	183	11%
Mediation	25	1%	29	1%	4	16%
On DA Hold	13	0%	12	0%	-1	-8%
<b>Total</b>	<b>3404</b>		<b>3632</b>		<b>228</b>	<b>7%</b>

# Body Worn Camera Footage Requests

Since the widespread roll out of body worn cameras in 2018, the collection of footage from these cameras has become an integral part of CCRB investigations.

The timeliness of the response to BWC footage requests has a direct impact on the length of time it takes to complete an investigation. The longer it takes to fulfill BWC requests, the longer CCRB investigations remain on the open docket.

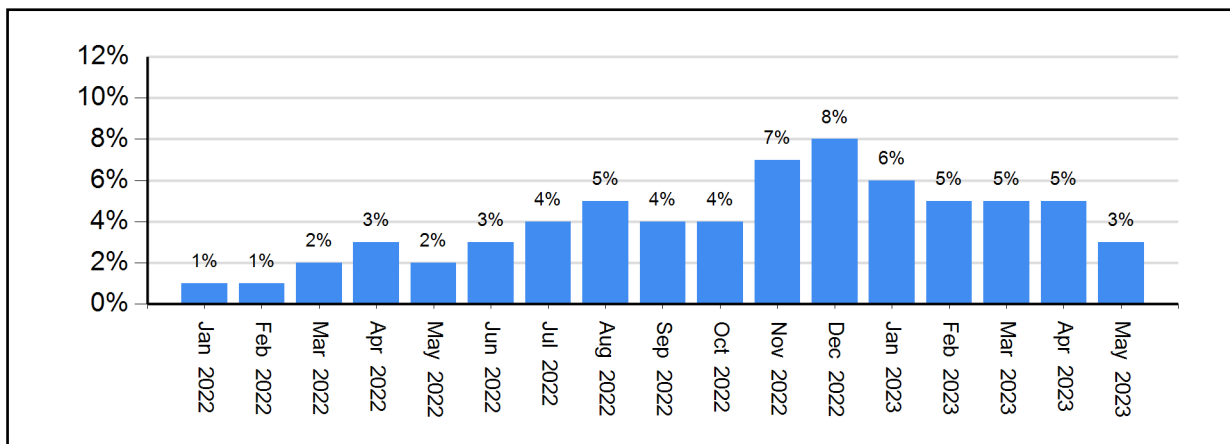
**Figure 18: Average Days To Recieve Positive Return on BWC Requests (January 2022 - May 2023)**



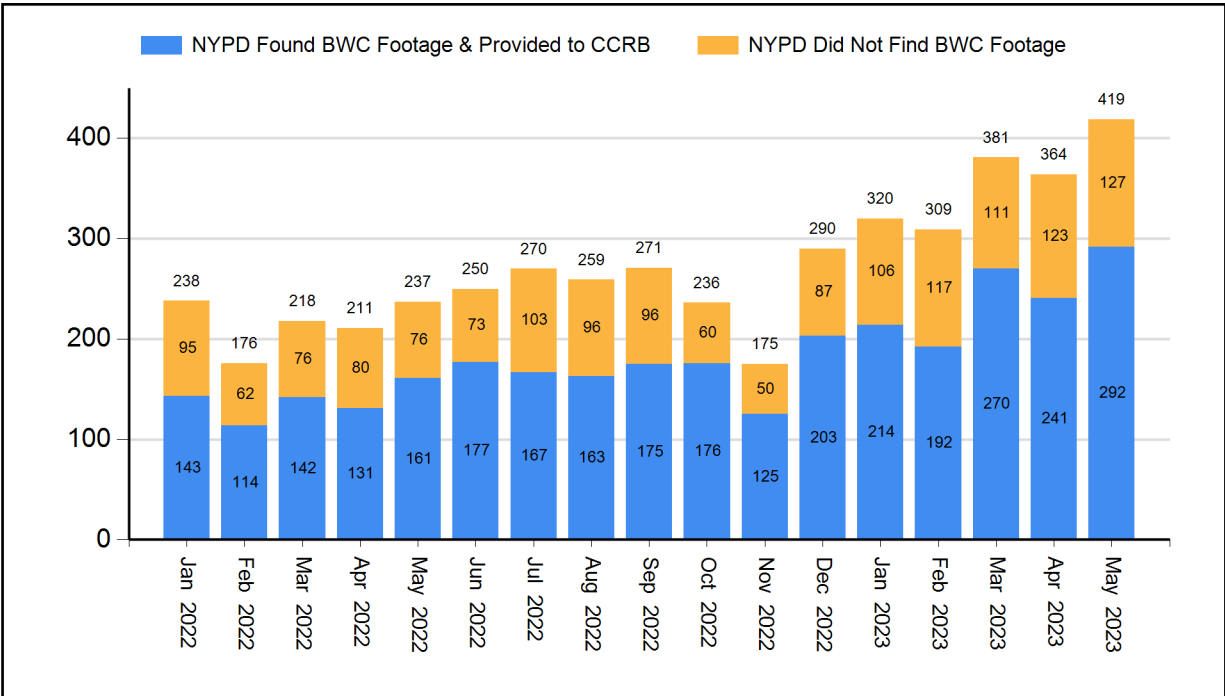
**Figure 19: Pending Requests for BWC Footage**

Days Pending	BWC Requests	% of Total
00 <= Days < 30	93	58.5%
30 <= Days < 60	15	9.4%
60 <= Days < 90	3	1.9%
90 >= Days	48	30.2%
<b>Total</b>	<b>159</b>	<b>100%</b>

**Figure 20: Percentage of Open Investigations Docket with Pending BWC Requests (January 2022 - May 2023)**



**Figure 21: Fulfilled BWC Requests  
(January 2022 - May 2023)**

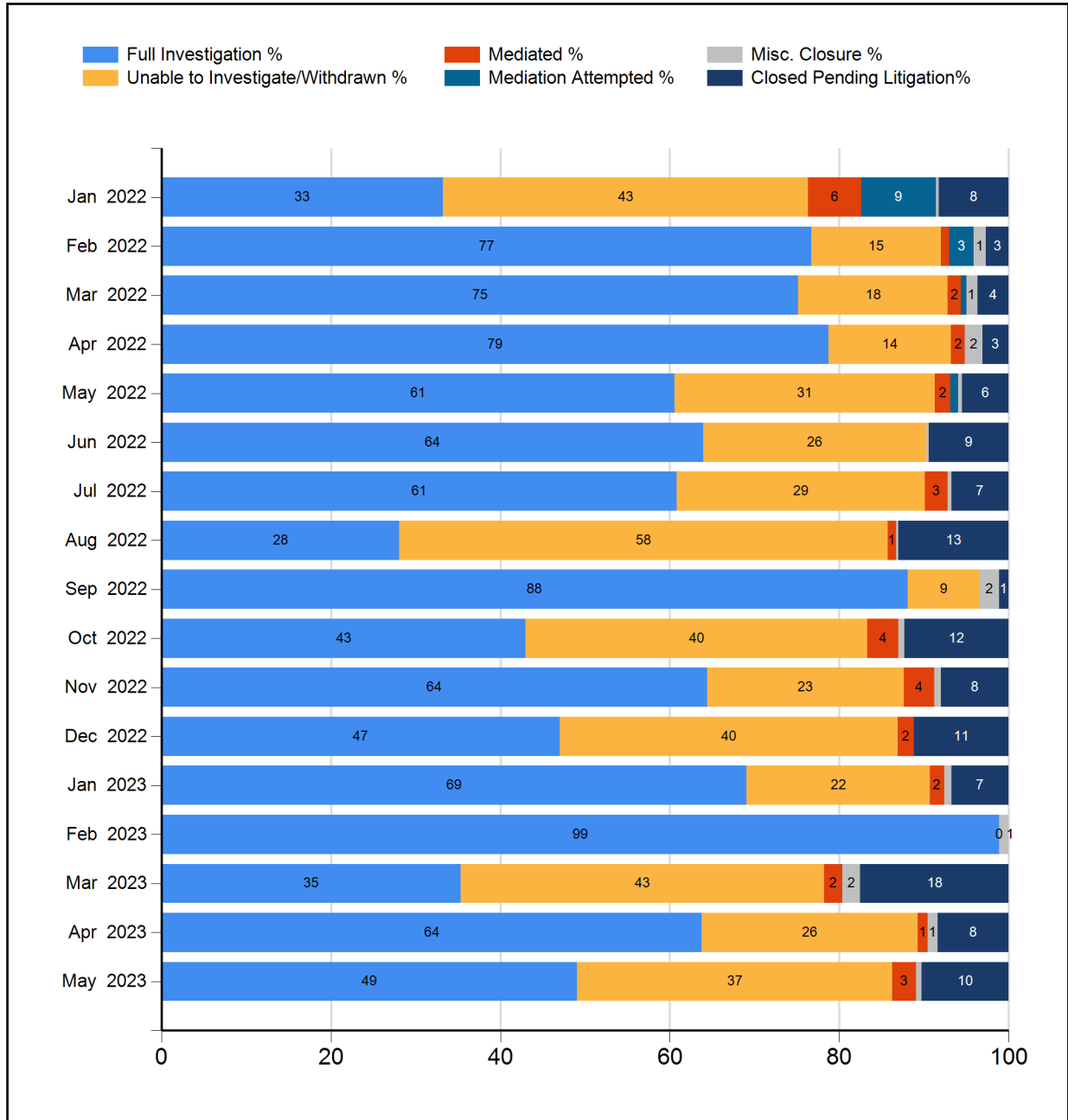


# Closed Cases

## Resolving Cases

In May 2023, the CCRB fully investigated 49% of the cases it closed, and resolved (fully investigated, mediated or mediation attempted) 52% of the cases it closed.

Figure 22: Case Resolutions (January 2022 - May 2023) (%)



## Dispositions

Cases fully investigated by the CCRB generally receive one of five outcomes:

- If the alleged misconduct is found to have occurred, based on the preponderance of the evidence, the allegation is closed as **substantiated**.
- If there is not enough evidence to determine whether or not the alleged misconduct occurred, the allegation is closed as **unable to determine**.\*
- If the preponderance of the evidence suggests that the event or alleged act did not occur, the allegation is closed as **unfounded**.
- If the event did occur, but was not improper by a preponderance of evidence, the allegation is closed as **within NYPD guidelines**.\*\*
- If the CCRB was unable to identify any of the officers accused of misconduct, the case is closed as **officer unidentified**.

Additionally, a case might be **mediated**, with the subject officer and complainant discussing the incident in the presence of a neutral third-party moderator, or closed as **mediation attempted**, the designation for a case in which both the officer and the civilian agree to mediate, but the civilian fails to appear twice for the scheduled mediation session or fails to respond to attempts to schedule a mediation session. Finally, a case that cannot be fully investigated because the CCRB was unable to obtain a sworn statement from the complainant/victim is closed as **unable to investigate**.

## Case Abstracts

The following case abstracts are taken from complaints closed this month and serve as examples of what the different CCRB dispositions mean in practice:

### 1. Substantiated

An individual was at a shelter doing laundry when she got into an argument with two other residents. The shelter staff called police to the scene and subject officer 1 and subject officer 2 arrived. They spoke to the individual and then left the shelter. The individual returned to her bedroom and a short while later, subject officer 1 and subject officer 2 came to her room and entered it. The incident was captured on BWC. It showed both subject officers entering the individual's room and telling her that they had to take her to the stationhouse because she had a warrant. At their interviews the subject officers stated that they believed that the shelter staff could grant authority to enter individuals' rooms. The investigation found that there was an I-card for the individual which was not an arrest warrant and thus the subject officers had no legal ground to enter the individual's room where she had a reasonable expectation of privacy, regardless of shelter staff escorting the subject officers to her room. The Board substantiated the Abuse of Authority allegations.

### 2. Unable to Determine

An individual was in police custody at a hospital. She had been leg shackled and handcuffed. She also had a boot on her foot from a previous injury. The individual was discharged from the hospital and was told by the subject officer to "get up and walk out of here." The individual told the subject officer she couldn't leave because of the boot on her foot and the leg shackles. The subject officer told the individual that he did not care and began to push her in her upper back with both hands approximately three to four times. The individual had to grab onto the hospital bed handrail in order not to fall. At his interview the subject officer did not remember if the individual had on leg shackles, handcuffs or a boot on her foot. He denied pushing the individual to get her to move. The subject officer's partner remembered that the individual had an injured ankle but not whether she had on a boot. The subject officer's partner stated that when they went to meet the individual, a doctor was handing the subject officer crutches to give to the individual. Hospital records showed that the individual was discharged and was assisted with a wheelchair. There was no mention of an altercation between the individual and the subject officer. Without additional witness testimony, the investigation was unable to determine if the subject officer used force on the individual. The Board closed the Use of Force allegation as Unable to Determine.



### **3. Unfounded**

An individual was stopped by the subject officer for speeding. The subject officer issued a summons to the individual and returned to his vehicle. The individual followed the subject officer to speak to him about the summons and stood by the subject officer's vehicle. The subject officer drove off allegedly running over the individual's right foot. The individual refused to provide the investigation with access to his medical records and refused to provide video that the individual said he recorded of the incident. The subject officer's dash cam video shows the officer slowly reversing his vehicle and the individual suddenly stopping and reaching down to his feet. The investigation determined that based on the individual's physical position to the vehicle, the vehicle's front tire could not have run over his foot. BWC of two other officers who were present for almost an hour after the incident showed the individual refusing medical attention several times and refusing to show officers the video that the individual said he recorded of the incident. The investigation determined that the subject officer did not run over the individual's foot. The Board closed the Use of Force allegation as Unfounded.

### **4. Within NYPD Guidelines**

An individual was driving when the vehicle in front of him stalled in front of a traffic light. When the light turned green, the individual drove around the vehicle and made a left turn. The individual was then pulled over by the subject officer and issued a summons for an improper turn. The individual asked why he was being issued the summons and the subject officer threatened to issue additional summonses for speeding and failure to obey traffic signals. The incident was captured on BWC. When the subject officer first approached the individual, the individual apologized for speeding. The individual then asked why he was being stopped and the subject officer responded that he needed to turn from turning lanes and then handed the individual the summons for the improper turn. The individual then responded, "are you serious" and the subject officer responded "I could get you for the failed to signal, I could get you for speeding. I chose not to do that, so if you want to go that route." The investigation determined that the individual admitted to speeding at the outset of the interaction and that the subject officer's statement that the individual could be cited for speeding was a statement of fact and not a threat of summons. The Board found the subject officer's conduct to be within the Department's guidelines and closed the Abuse of Authority allegation as being Within NYPD Guidelines.

### **5. Officer Unidentified**

An individual stated that he received a call on his cellphone from a number that was listed as private on his caller ID. The speaker had a deep voice and told the individual that he was a detective from a local precinct. The individual asked for the caller's name and badge number and the caller did not give it to him. The caller then said, "I am He-Man and I have the power!" The caller then told the individual to stop calling his bosses, stop filing complaints with IAB, and that he would get the individual locked up on charges. The caller then hung up. The individual could not provide any identifying features of the caller only the deep pitch of voice. The investigation obtained a list of detectives who were on duty at the precinct at the time of the phone call. Only two detectives had any connection to the individual regarding an ongoing investigation. Both detectives denied speaking to the individual at the date and time of the incident – one of them had spoken to the individual on several occasions. No police documents showed a call being placed to the individual at the date and time of the incident. Without additional pertinent information, the investigation could not identify a subject officer. The Board closed the Abuse of Authority and Discourtesy allegations as Officer Unidentified.

\* Unable to determine is reported to the Commissioner as Unsubstantiated, meaning that there was insufficient evidence to establish whether or not there was an act of misconduct.

\*\* Within NYPD Guidelines is reported to the Commissioner as Exonerated, meaning there was a preponderance of the evidence that the acts alleged occurred but did not constitute misconduct.

## Dispositions - Full Investigations

Figure 23: Disposition Counts of Full Investigations (May 2023)

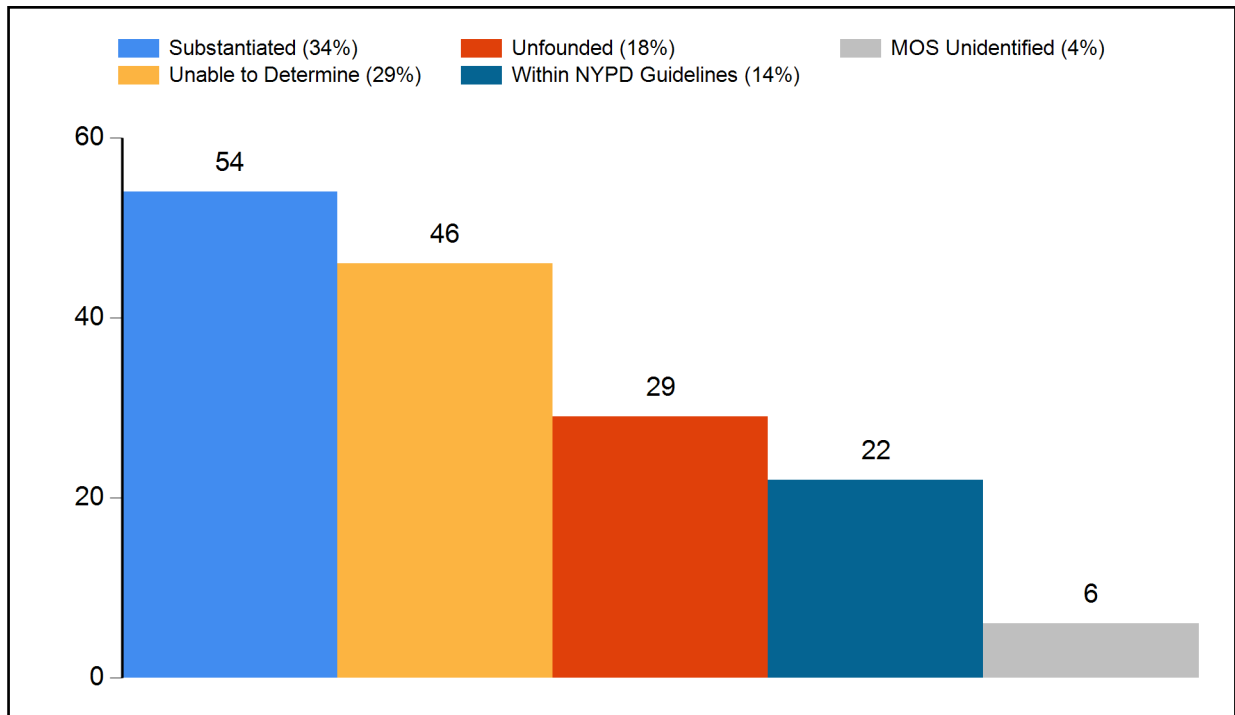
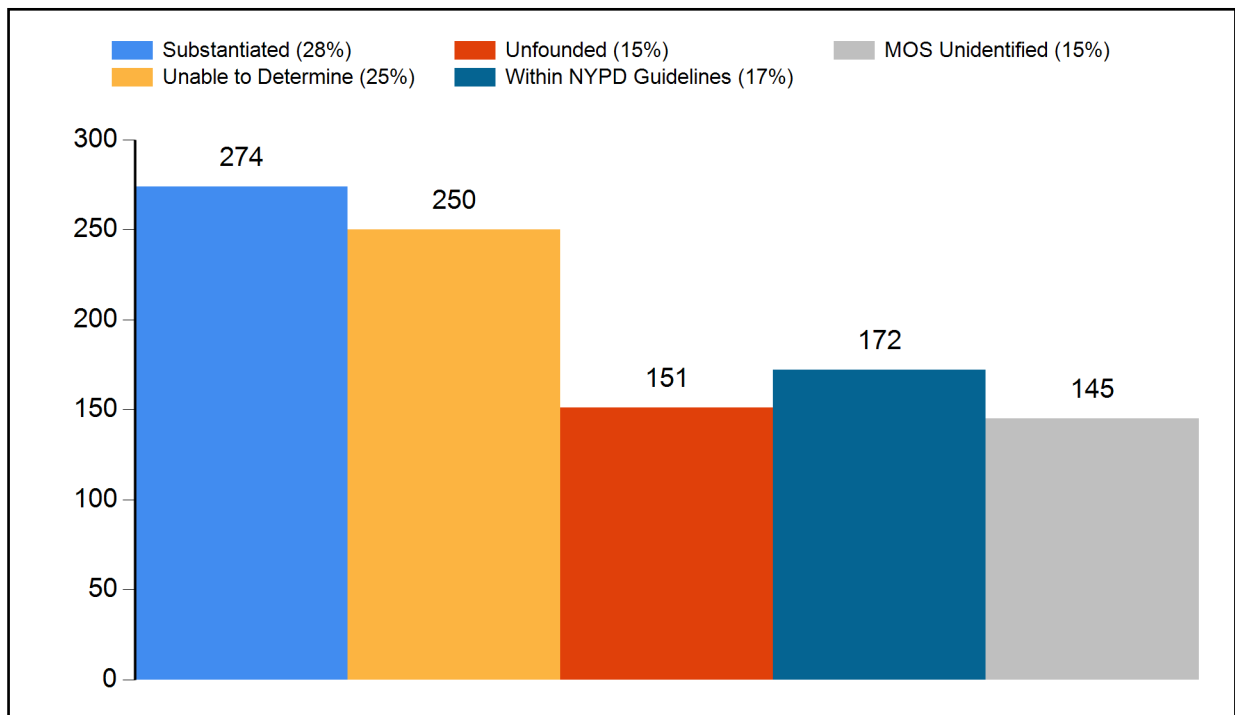


Figure 24: Disposition Counts of Full Investigations (YTD 2023)



## Dispositions - All CCRB Cases

The following table lists all the CCRB case closures for the current month and year-to-date.

**Figure 25: Disposition of Cases (2022 vs 2023)**

	May 2022		May 2023		YTD 2022		YTD 2023	
	Count	% of Total	Count	% of Total	Count	% of Total	Count	% of Total
<b>Full Investigations</b>								
Substantiated	59	45%	54	34%	547	43%	274	28%
Within NYPD Guidelines	9	7%	22	14%	159	12%	172	17%
Unfounded	20	15%	29	18%	129	10%	151	15%
Unable to Determine	34	26%	46	29%	340	27%	250	25%
MOS Unidentified	10	8%	6	4%	101	8%	145	15%
<b>Total - Full Investigations</b>	<b>132</b>		<b>157</b>		<b>1276</b>		<b>992</b>	
<b>Mediation Closures</b>	Count	% of Total	Count	% of Total	Count	% of Total	Count	% of Total
Mediated	4	67%	9	100%	42	49%	39	100%
Mediation Attempted	2	33%	0	0%	44	51%	0	0%
<b>Total - ADR Closures</b>	<b>6</b>		<b>9</b>		<b>86</b>		<b>39</b>	
<b>Resolved Case Total</b>	<b>138</b>	<b>63%</b>	<b>166</b>	<b>52%</b>	<b>1362</b>	<b>73%</b>	<b>1031</b>	<b>51%</b>
<b>Unable to Investigate / Other Closures</b>	Count	% of Total	Count	% of Total	Count	% of Total	Count	% of Total
Complaint withdrawn	17	21%	32	21%	90	17%	144	15%
Unable to Investigate	50	62%	87	57%	322	62%	555	56%
Closed - Pending Litigation	12	15%	33	22%	80	16%	258	26%
Miscellaneous	1	1%	1	1%	23	4%	27	3%
Administrative closure*	0	0%	0	0%	1	0%	0	0%
<b>Total - Other Case Dispositions</b>	<b>80</b>		<b>153</b>		<b>516</b>		<b>984</b>	
<b>Total - Closed Cases</b>	<b>218</b>		<b>320</b>		<b>1878</b>		<b>2019</b>	

\*Administrative closure is a special category that deals with NYPD's Internal Affairs Bureau-referred cases or spin off cases with no complainant/alleged victim, and in which CCRB attempts to locate or identify a complainant/alleged victim has yielded no results.

## Dispositions - FADO Allegations

“Allegations” are different than “cases.” A case or complaint is based on an incident and may contain one or more allegations of police misconduct. The allegation substantiation rate is 17% for the month of May 2023, and the allegation substantiation rate is 16% year-to-date.

**Figure 26: Disposition of Allegations (2022 vs 2023)**

	May 2022		May 2023		YTD 2022		YTD 2023	
	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
<b>Fully Investigated Allegations</b>								
Substantiated	178	20%	130	17%	1820	21%	765	16%
Unable to Determine	180	20%	183	24%	2093	25%	901	19%
Unfounded	164	18%	135	17%	971	11%	742	16%
Within NYPD Guidelines	266	30%	268	35%	2626	31%	1710	36%
MOS Unidentified	107	12%	60	8%	992	12%	602	13%
<b>Total - Full Investigations</b>	<b>895</b>		<b>776</b>		<b>8502</b>		<b>4720</b>	
<b>Mediation Closures</b>	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Mediated	13	57%	25	100%	125	45%	108	100%
Mediation Attempted	10	43%	0	0%	153	55%	0	0%
<b>Total - ADR Closures</b>	<b>23</b>		<b>25</b>		<b>278</b>		<b>108</b>	
<b>Unable to Investigate / Other Closures</b>	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Complaint withdrawn	45	19%	66	14%	182	11%	320	10%
Unable to Investigate	117	49%	251	52%	826	49%	1594	52%
Closed - Pending Litigation	37	16%	130	27%	234	14%	867	28%
Miscellaneous	39	16%	39	8%	441	26%	304	10%
Administrative closure	0	0%	0	0%	1	0%	0	0%
<b>Total - Other Case Dispositions</b>	<b>238</b>		<b>486</b>		<b>1684</b>		<b>3085</b>	
<b>Total - Closed Allegations</b>	<b>1248</b>		<b>1338</b>		<b>11548</b>		<b>8275</b>	

**Figure 27: Disposition of Allegations By FADO Category (May 2023)**

	Substantiated	Unable to Determine	Within NYPD Guidelines	Unfounded	Officers Unidentified	Total
Force	11 6%	37 20%	77 41%	46 25%	16 9%	187 100%
Abuse of Authority	81 18%	103 23%	176 40%	55 12%	28 6%	443 100%
Discourtesy	29 26%	33 30%	15 14%	24 22%	10 9%	111 100%
Offensive Language	5 16%	10 32%	0 0%	10 32%	6 19%	31 100%
Total	126 16%	183 24%	268 35%	135 17%	60 8%	772 100%

**Figure 28: Disposition of Allegations By FADO Category (YTD 2023)**

	Substantiated	Unable to Determine	Within NYPD Guidelines	Unfounded	Officers Unidentified	Total
Force	65 6%	139 13%	540 49%	267 24%	90 8%	1101 100%
Abuse of Authority	539 19%	559 19%	1081 38%	347 12%	349 12%	2875 100%
Discourtesy	124 21%	156 26%	88 15%	100 17%	122 21%	590 100%
Offensive Language	18 14%	45 34%	1 1%	28 21%	41 31%	133 100%
Total	746 16%	899 19%	1710 36%	742 16%	602 13%	4699 100%

## Dispositions - Untruthful Statement Allegations

Following the 2019 passage of Ballot Question #2 and the subsequent City Charter Revision, CCRB’s jurisdiction was expanded to include untruthful material statements made by police officers. As a result, CCRB added a new “Untruthful Statement” category of allegations.

There are four specific allegations in the new “Untruthful Statement” category: 1) False official statement, 2) Misleading official statement, 3) Inaccurate official statement and 4) Impeding an investigation.

**Figure 29: Substantiated Untruthful Statement Allegations with % Change**

Untruthful Statement Allegations	May 2022		May 2023			
	Count	% of Total Allegations	Count	% of Total Allegations	Change	% Change
False official statement	2	100%	3	75%	1	50%
Impeding an investigation	0	0%	0	0%	0	NA
Inaccurate official statement	0	0%	0	0%	0	NA
Misleading official statement	0	0%	1	25%	1	NA
<b>Total Allegations</b>	<b>2</b>		<b>4</b>		<b>2</b>	<b>100%</b>

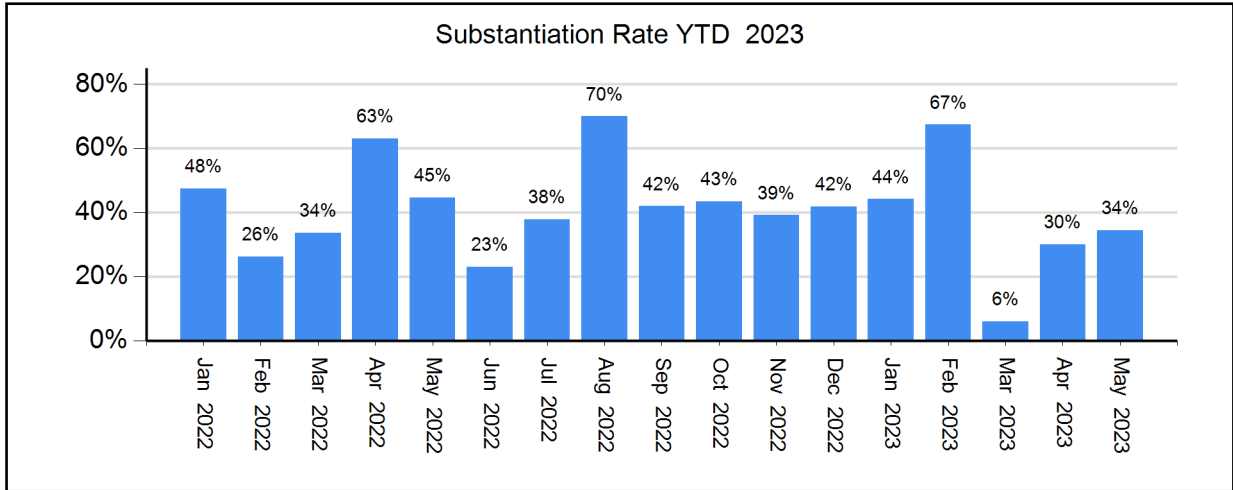
**Figure 30: Substantiated Untruthful Statement Allegations YTD with % Change**

Untruthful Statement Allegations	YTD 2022		YTD 2023			
	Count	% of Total Allegations	Count	% of Total Allegations	Change	% Change
False official statement	33	51%	14	74%	-19	-58%
Impeding an investigation	0	0%	0	0%	0	NA
Inaccurate official statement	1	2%	3	16%	2	200%
Misleading official statement	31	48%	2	11%	-29	-94%
<b>Total Allegations</b>	<b>65</b>		<b>19</b>		<b>-46</b>	<b>-71%</b>

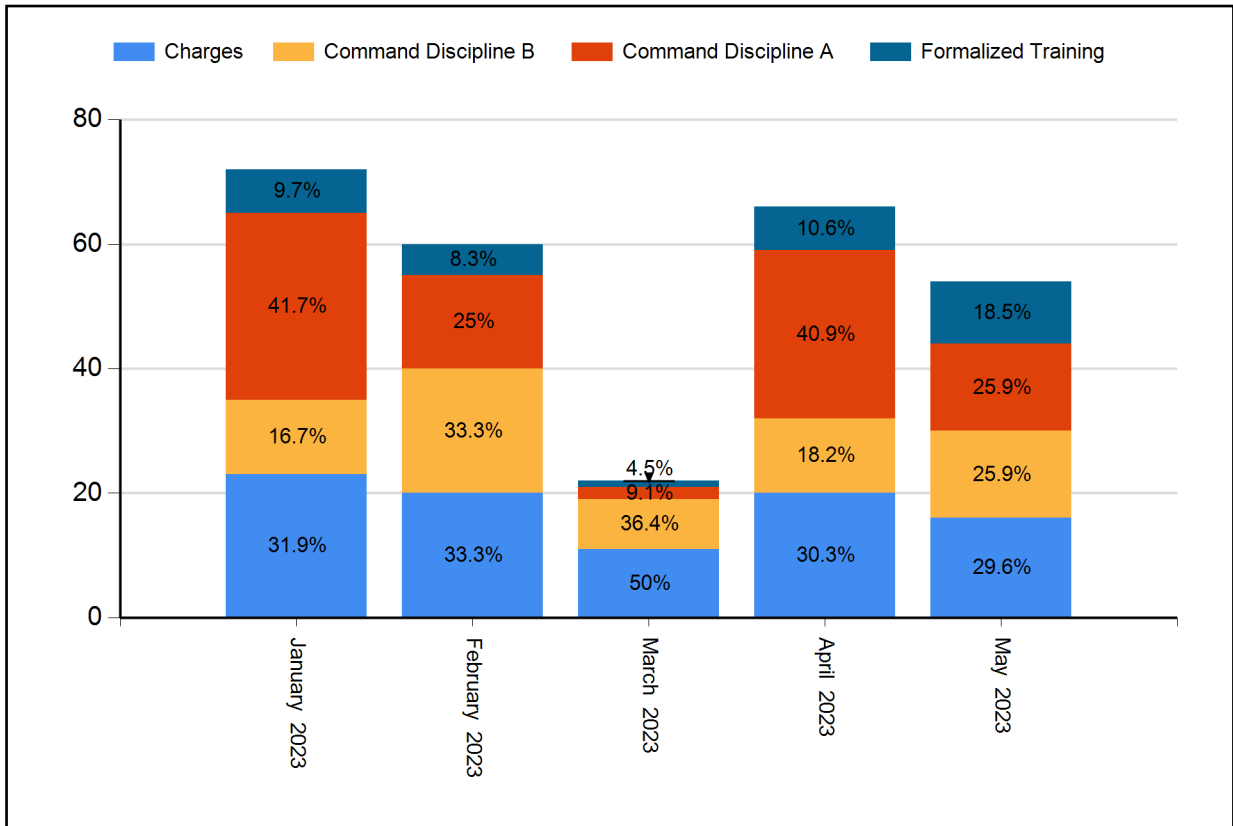
## Substantiation Rates

The May 2023 case substantiation rate was 34%.

**Figure 31: Percentage of Cases Substantiated (January 2022 - May 2023)**



**Figure 32: Disposition of Substantiated Complaints\* (2023)**

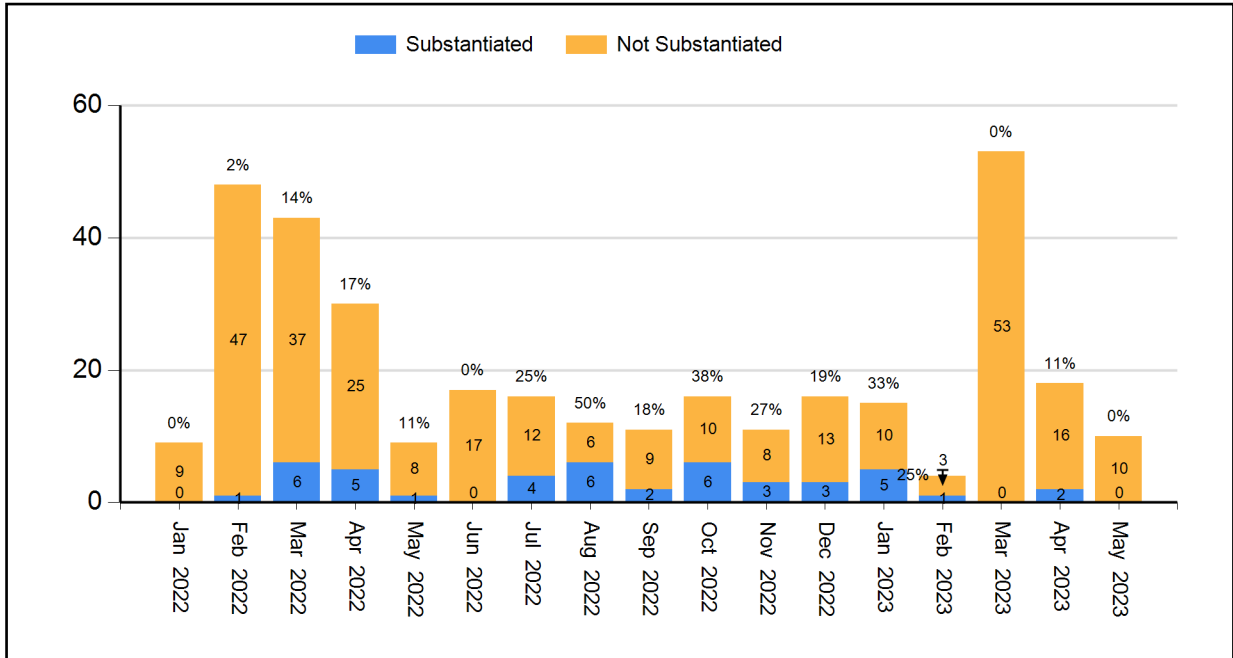


\* A substantiated complaint may contain a number of substantiated allegations with different dispositions. To determine the disposition associated with the complaint as a whole, the CCRB uses the most severe of the substantiated allegation dispositions. The order of severity is: 1) Charges 2) Command Discipline B 3) Command Discipline A 4) Formalized Training.

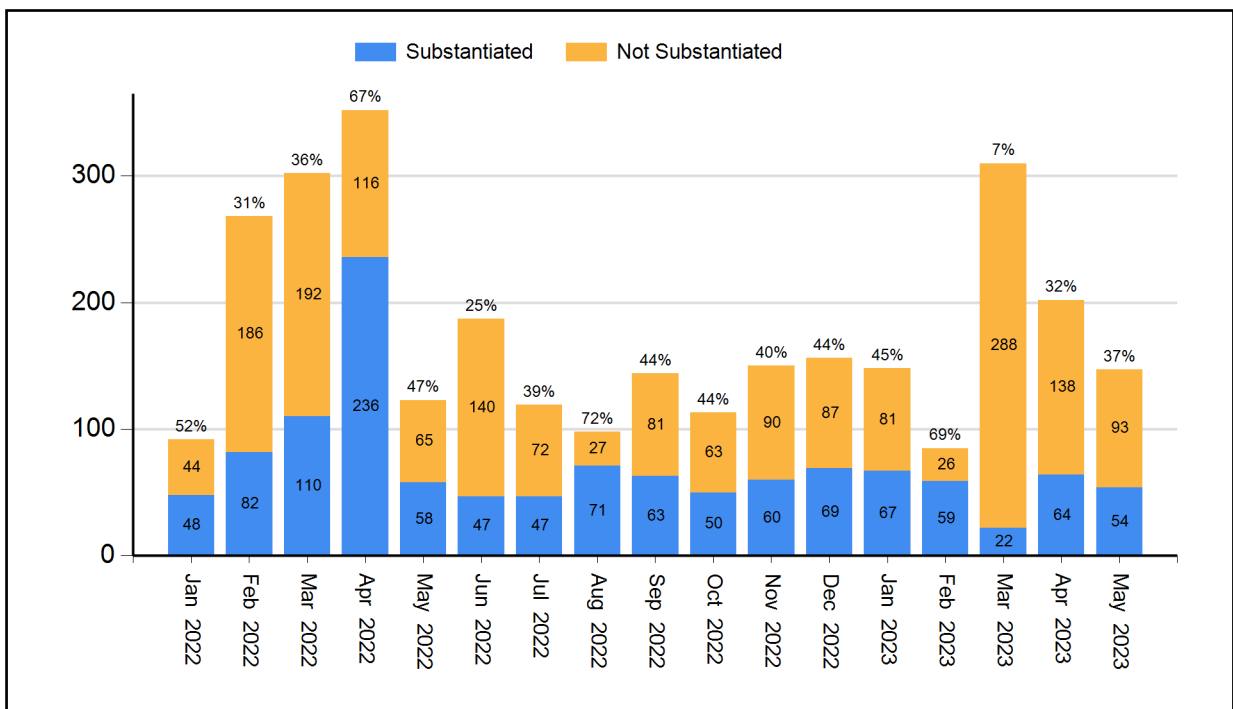
## Substantiation Rates and Video

In general, investigations relying on video evidence result in much higher substantiation rates.

**Figure 33: Substantiation Rates for Full Investigations without Video (Jan 2023 - May 2023)**  
(% substantiated shown)



**Figure 34: Substantiation Rates for Full Investigations with Video (Jan 2023 - May 2023)**  
(% substantiated shown)





## Board Discipline Recommendations for Substantiated Officers

After a CCRB investigative team has completed its investigation, a panel of Board members determines whether to substantiate the allegation(s) and make a disciplinary recommendation against the officer(s).

- “Charges and Specifications” are the most severe form of discipline. A decision to assign Charges commences a process that may result in an administrative trial in the NYPD Trial Room. An officer may lose vacation days, be suspended, or be terminated if the officer is found guilty.
- “Command Discipline B” and "Command Discipline A" are recommended for misconduct that is moderately serious. An officer can lose up to ten vacation days as a result of Command Discipline B and up to five vacation days as a result of Command Discipline A.
- “Formalized Training” are the least severe discipline, often recommended for officers who misunderstand a policy. This determination results in training at the Police Academy or NYPD Legal Bureau (Formalized Training).
- When the Board has recommended Formalized Training or Command Discipline, the case is sent to the NYPD Commissioner to impose training and/or other penalties. Cases where the Board recommends charges are prosecuted by the CCRB’s Administrative Prosecution Unit.

**Figure 35: Board Discipline Recommendations for Officers with Substantiated Allegations\*  
(May 2022, May 2023, YTD 2022, YTD 2023)**

Disposition	May 2022		May 2023		YTD 2022		YTD 2023	
	Count	%	Count	%	Count	%	Count	%
Charges	26	27%	22	28%	324	34%	122	28%
Command Discipline B	28	29%	21	26%	226	24%	100	23%
Command Discipline A	39	41%	23	29%	343	36%	164	38%
Formalized Training	3	3%	14	18%	47	5%	47	11%
Total	96		80		940		433	

\* The Board issues a separate Board Discipline Recommendation for each officer in a complaint against whom an allegation is substantiated.

Prior to the CCRB’s adoption of the NYPD’s Disciplinary Matrix on 03/15/2021, the Board Discipline Recommendation for each officer was determined by the most severe disposition of the allegation(s) substantiated against the officer, with the order of severity as follows: 1. Charges 2. Command Discipline B 3. Command Discipline A 4. Formalized Training 5. Instructions. With the adoption of the NYPD Disciplinary Matrix on 03/15/2021, the CCRB no longer issues Instructions as a Board Discipline Recommendation.

Following the adoption of the NYPD Disciplinary Matrix on 03/15/2021, the Board Discipline Recommendation for each officer is determined by the sum of the Matrix penalty days associated with the allegation(s) substantiated against the officer as follows: 1. Charges (penalty days >= 11) 2. Command Discipline B (6 <= penalty days <= 10) 3. Command Discipline A (1 <= penalty days <= 5) 4. Formalized Training ( 0 < penalty days < 1)

**Figure 36: Substantiated Allegations By Borough and NYPD Precinct (May 2023)**

The figures in this table reflect all substantiated allegations for each MOS.

Board Disposition	Officer	FADO&U Category	Allegation	Precinct of Occurrence	Borough of Occurrence
Substantiated (Command Discipline B)	PO Pawel Wala	Abuse of Authority	Threat of arrest	10	Manhattan
Substantiated (Charges)	SGT David Yan	Force	Physical force	13	Manhattan
Substantiated (Command Discipline B)	PO William Curley	Abuse of Authority	Threat of arrest	20	Manhattan
Substantiated (Command Discipline A)	SGT Erickson Zamora	Abuse of Authority	Forcible Removal to Hospital	23	Manhattan
Substantiated (Command Discipline B)	PO Kirsy Medina	Discourtesy	Action	23	Manhattan
Substantiated (Formalized Training)	PO Dominic Bracco	Abuse of Authority	Failure to provide RTKA card	28	Manhattan
Substantiated (Charges)	SGT Miguele Amoresano	Abuse of Authority	Threat of arrest	30	Manhattan
Substantiated (Charges)	LT Ahmad Othman	Abuse of Authority	Threat of arrest	30	Manhattan
Substantiated (Charges)	LT Ahmad Othman	Abuse of Authority	Threat of arrest	30	Manhattan
Substantiated (Charges)	SGT Miguele Amoresano	Abuse of Authority	Search of Premises	30	Manhattan
Substantiated (Formalized Training)	PO Marilyn Estrada	Abuse of Authority	Failure to provide RTKA card	30	Manhattan
Substantiated (Formalized Training)	PO Rolando Llovera	Abuse of Authority	Failure to provide RTKA card	30	Manhattan
Substantiated (Formalized Training)	PO Marlene Flores	Abuse of Authority	Refusal to provide name	32	Manhattan
Substantiated (Formalized Training)	PO Marlene Flores	Abuse of Authority	Refusal to provide shield number	32	Manhattan
Substantiated (Formalized Training)	PO Arhenis Lopezestevez	Abuse of Authority	Vehicle search	33	Manhattan
Substantiated (Command Discipline B)	SGT Bryant Harinarain	Abuse of Authority	Entry of Premises	34	Manhattan
Substantiated (Command Discipline B)	SGT Bryant Harinarain	Abuse of Authority	Search of Premises	34	Manhattan
Substantiated (Command Discipline A)	PO Matthew Barlow	Abuse of Authority	Entry of Premises	40	Bronx
Substantiated (Command Discipline A)	PO Carlos Velasquez	Abuse of Authority	Entry of Premises	40	Bronx
Substantiated (Charges)	PO Hugo Albarracin	Abuse of Authority	Search of Premises	41	Bronx
Substantiated (Charges)	LT Francisco Hernandez	Discourtesy	Word	41	Bronx
Substantiated (Charges)	LT Francisco Hernandez	Untruthful Statement	Misleading official statement	41	Bronx
Substantiated (Charges)	SGT Danny Aguilar	Abuse of Authority	Threat of force (verbal or physical)	42	Bronx
Substantiated (Charges)	SGT Danny Aguilar	Abuse of Authority	Frisk	42	Bronx
Substantiated (Charges)	SGT Danny Aguilar	Abuse of Authority	Search (of person)	42	Bronx
Substantiated (Charges)	SGT Danny Aguilar	Abuse of Authority	Stop	42	Bronx
Substantiated (Charges)	PO Jose Rodriguez	Abuse of Authority	Sex Miscon (Sexual Harassment, Verbal)	42	Bronx

<b>Board Disposition</b>	<b>Officer</b>	<b>FADO&amp;U Category</b>	<b>Allegation</b>	<b>Precinct of Occurrence</b>	<b>Borough of Occurrence</b>
Substantiated (Charges)	SGT Danny Aguilar	Abuse of Authority	Refusal to provide name	42	Bronx
Substantiated (Charges)	PO Jose Rodriguez	Discourtesy	Word	42	Bronx
Substantiated (Charges)	PO Lissa Solemarte	Force	Gun Pointed	42	Bronx
Substantiated (Charges)	PO Jose Rodriguez	Offensive Language	Sexual orientation	42	Bronx
Substantiated (Charges)	SGT Danny Aguilar	Untruthful Statement	False official statement	42	Bronx
Substantiated (Command Discipline B)	DTS Juan Germanfrias	Abuse of Authority	Refusal to provide name	43	Bronx
Substantiated (Command Discipline B)	DTS Juan Germanfrias	Abuse of Authority	Refusal to provide shield number	43	Bronx
Substantiated (Command Discipline B)	PO Jorge Rodriguez	Abuse of Authority	Unlawful Arrest	43	Bronx
Substantiated (Command Discipline B)	DTS Juan Germanfrias	Discourtesy	Word	43	Bronx
Substantiated (Command Discipline B)	PO Christopher Pelcher	Discourtesy	Word	43	Bronx
Substantiated (Charges)	PO Anes Ibrahimagic	Abuse of Authority	Strip-searched	44	Bronx
Substantiated (Command Discipline A)	PO Elvis Cruz	Abuse of Authority	Refusal to provide shield number	44	Bronx
Substantiated (Charges)	DTS Fausto Ramirez	Abuse of Authority	Entry of Premises	46	Bronx
Substantiated (Charges)	DTS Fausto Ramirez	Untruthful Statement	False official statement	46	Bronx
Substantiated (Charges)	PO Luis Sotomayor	Untruthful Statement	False official statement	46	Bronx
Substantiated (Charges)	SGT Bryan Ortiz	Abuse of Authority	Threat of force (verbal or physical)	48	Bronx
Substantiated (Command Discipline A)	PO Juan Acostavilla	Abuse of Authority	Failure to provide RTKA card	48	Bronx
Substantiated (Command Discipline A)	PO Avdo Javorovac	Abuse of Authority	Failure to provide RTKA card	48	Bronx
Substantiated (Command Discipline A)	PO Brian Mcallister	Abuse of Authority	Failure to provide RTKA card	48	Bronx
Substantiated (Charges)	PO Alisa Bajraktarevic	Discourtesy	Word	48	Bronx
Substantiated (Charges)	PO Alisa Bajraktarevic	Discourtesy	Word	48	Bronx
Substantiated (Command Discipline A)	PO Gloria Silverio	Discourtesy	Action	48	Bronx
Substantiated (Charges)	PO Alisa Bajraktarevic	Force	Physical force	48	Bronx
Substantiated (Command Discipline B)	PO Hector Rodriguez	Abuse of Authority	Entry of Premises	49	Bronx
Substantiated (Command Discipline B)	PO Benjamin Bayan	Abuse of Authority	Entry of Premises	49	Bronx
Substantiated (Command Discipline B)	PO Hector Rodriguez	Abuse of Authority	Entry of Premises	49	Bronx
Substantiated (Command Discipline B)	PO Hector Rodriguez	Abuse of Authority	Search of Premises	49	Bronx
Substantiated (Command Discipline B)	PO Hector Rodriguez	Abuse of Authority	Search of Premises	49	Bronx

<b>Board Disposition</b>	<b>Officer</b>	<b>FADO&amp;U Category</b>	<b>Allegation</b>	<b>Precinct of Occurrence</b>	<b>Borough of Occurrence</b>
Substantiated (Command Discipline B)	PO Benjamin Bayan	Abuse of Authority	Search of Premises	49	Bronx
Substantiated (Formalized Training)	PO Ariel Guzman	Abuse of Authority	Vehicle search	52	Bronx
Substantiated (Formalized Training)	PO Jose Cepeda	Abuse of Authority	Vehicle search	52	Bronx
Substantiated (Charges)	SGT Jonathan Rivera	Abuse of Authority	Threat of force (verbal or physical)	52	Bronx
Substantiated (Charges)	SGT Jonathan Rivera	Force	Gun fired	52	Bronx
Substantiated (Command Discipline A)	PO Shantel Creary	Abuse of Authority	Threat re: removal to hospital	60	Brooklyn
Substantiated (Charges)	PO Alan Lee	Discourtesy	Word	60	Brooklyn
Substantiated (Charges)	PO Alan Lee	Force	Physical force	60	Brooklyn
Substantiated (Command Discipline B)	PO Wael Jaber	Discourtesy	Word	63	Brooklyn
Substantiated (Command Discipline A)	SGT Joseph Piscatella	Discourtesy	Word	63	Brooklyn
Substantiated (Command Discipline B)	PO Wael Jaber	Discourtesy	Word	63	Brooklyn
Substantiated (Charges)	DTS Julio Martinez	Abuse of Authority	Vehicle search	67	Brooklyn
Substantiated (Charges)	DTS Fabian Modesto	Abuse of Authority	Threat of force (verbal or physical)	67	Brooklyn
Substantiated (Charges)	DTS Julio Martinez	Abuse of Authority	Threat of force (verbal or physical)	67	Brooklyn
Substantiated (Formalized Training)	PO Jeffrey Morante	Abuse of Authority	Refusal to provide name	67	Brooklyn
Substantiated (Formalized Training)	PO Patrick Leveille	Abuse of Authority	Refusal to provide name	67	Brooklyn
Substantiated (Formalized Training)	PO Patrick Leveille	Abuse of Authority	Refusal to provide shield number	67	Brooklyn
Substantiated (Formalized Training)	PO Jeffrey Morante	Abuse of Authority	Refusal to provide shield number	67	Brooklyn
Substantiated (Formalized Training)	PO Dayana Rosa	Abuse of Authority	Failure to provide RTKA card	67	Brooklyn
Substantiated (Charges)	SGT Robert Cox	Abuse of Authority	Unlawful Arrest	67	Brooklyn
Substantiated (Charges)	SGT Robert Cox	Abuse of Authority	Unlawful Arrest	67	Brooklyn
Substantiated (Charges)	PO Nicholas Cardieri	Discourtesy	Word	67	Brooklyn
Substantiated (Charges)	DTS Fabian Modesto	Discourtesy	Word	67	Brooklyn
Substantiated (Charges)	DTS Fabian Modesto	Offensive Language	Race	67	Brooklyn
Substantiated (Command Discipline A)	SGT Joseph Amodio	Abuse of Authority	Search (of person)	68	Brooklyn
Substantiated (Command Discipline A)	SGT Joseph Amodio	Discourtesy	Word	68	Brooklyn
Substantiated (Command Discipline B)	PO Edward Obrien	Discourtesy	Word	70	Brooklyn
Substantiated (Command Discipline B)	PO Ruben Romero	Force	Physical force	70	Brooklyn
Substantiated (Command Discipline B)	PO Bryan Crisantos	Abuse of Authority	Refusal to process civilian complaint	71	Brooklyn

<b>Board Disposition</b>	<b>Officer</b>	<b>FADO&amp;U Category</b>	<b>Allegation</b>	<b>Precinct of Occurrence</b>	<b>Borough of Occurrence</b>
Substantiated (Command Discipline B)	PO Austin Carozza	Abuse of Authority	Entry of Premises	75	Brooklyn
Substantiated (Command Discipline B)	PO Austin Carozza	Abuse of Authority	Entry of Premises	75	Brooklyn
Substantiated (Command Discipline B)	PO Colm Moylan	Abuse of Authority	Entry of Premises	75	Brooklyn
Substantiated (Charges)	PO Matthew Bessen	Abuse of Authority	Threat of force (verbal or physical)	75	Brooklyn
Substantiated (Charges)	PO Matthew Bessen	Discourtesy	Word	75	Brooklyn
Substantiated (Charges)	PO Christopher Francis	Abuse of Authority	Threat of force (verbal or physical)	79	Brooklyn
Substantiated (Charges)	PO Haris Ahmemulic	Abuse of Authority	Refusal to provide name	79	Brooklyn
Substantiated (Charges)	PO Krishawni Denton	Abuse of Authority	Refusal to provide name	79	Brooklyn
Substantiated (Charges)	PO Krishawni Denton	Abuse of Authority	Refusal to provide shield number	79	Brooklyn
Substantiated (Charges)	PO Haris Ahmemulic	Abuse of Authority	Refusal to provide shield number	79	Brooklyn
Substantiated (Charges)	PO Haris Ahmemulic	Discourtesy	Word	79	Brooklyn
Substantiated (Charges)	PO Christopher Francis	Discourtesy	Word	79	Brooklyn
Substantiated (Charges)	PO Haris Ahmemulic	Offensive Language	Disability	79	Brooklyn
Substantiated (Charges)	PO Christopher Francis	Offensive Language	Disability	79	Brooklyn
Substantiated (Formalized Training)	PO Khaled Mohamed	Abuse of Authority	Stop	83	Brooklyn
Substantiated (Charges)	PO John Dominguez	Force	Physical force	88	Brooklyn
Substantiated (Charges)	PO John Dominguez	Force	Physical force	88	Brooklyn
Substantiated (Charges)	PO John Dominguez	Force	Nonlethal restraining device	88	Brooklyn
Substantiated (Charges)	PO John Dominguez	Force	Nonlethal restraining device	88	Brooklyn
Substantiated (Charges)	SGT Joanna Barletta	Abuse of Authority	Strip-searched	90	Brooklyn
Substantiated (Command Discipline B)	SGT Derek Sambolin	Abuse of Authority	Threat of force (verbal or physical)	90	Brooklyn
Substantiated (Charges)	PO Jonathan Galindosanchez	Abuse of Authority	Frisk	90	Brooklyn
Substantiated (Charges)	PO Piotr Trusewicz	Abuse of Authority	Search (of person)	90	Brooklyn
Substantiated (Charges)	PO Jonathan Galindosanchez	Abuse of Authority	Search (of person)	90	Brooklyn
Substantiated (Charges)	PO Jonathan Galindosanchez	Abuse of Authority	Question	90	Brooklyn
Substantiated (Charges)	PO Piotr Trusewicz	Abuse of Authority	Failure to provide RTKA card	90	Brooklyn
Substantiated (Charges)	PO Jonathan Galindosanchez	Abuse of Authority	Failure to provide RTKA card	90	Brooklyn
Substantiated (Charges)	PO Jonathan Galindosanchez	Discourtesy	Word	90	Brooklyn
Substantiated (Command Discipline B)	SGT Joanna Barletta	Discourtesy	Word	90	Brooklyn

<b>Board Disposition</b>	<b>Officer</b>	<b>FADO&amp;U Category</b>	<b>Allegation</b>	<b>Precinct of Occurrence</b>	<b>Borough of Occurrence</b>
Substantiated (Command Discipline B)	SGT Joanna Barletta	Discourtesy	Word	90	Brooklyn
Substantiated (Command Discipline B)	PO Jesse Trap	Discourtesy	Word	90	Brooklyn
Substantiated (Formalized Training)	PO Conrade Joseph	Abuse of Authority	Question	94	Brooklyn
Substantiated (Command Discipline A)	PO Edmond Decio	Discourtesy	Gesture	101	Queens
Substantiated (Command Discipline A)	PO Manish Sharma	Abuse of Authority	Vehicle search	102	Queens
Substantiated (Command Discipline A)	PO Bart Glowa	Abuse of Authority	Threat to damage/seize property	105	Queens
Substantiated (Command Discipline B)	PO Veekash Khedna	Abuse of Authority	Vehicle search	106	Queens
Substantiated (Command Discipline B)	PO Veekash Khedna	Discourtesy	Word	106	Queens
Substantiated (Command Discipline B)	PO Kasanel Robinson	Force	Physical force	106	Queens
Substantiated (Command Discipline A)	LT Nicko Singkuan	Abuse of Authority	Refusal to obtain medical treatment	110	Queens
Substantiated (Charges)	PO Walter Feit	Discourtesy	Word	111	Queens
Substantiated (Charges)	PO Walter Feit	Offensive Language	Other	111	Queens
Substantiated (Command Discipline B)	PO Marco Libongco	Abuse of Authority	Threat of force (verbal or physical)	112	Queens
Substantiated (Command Discipline A)	PO Anthony Lombardi	Discourtesy	Word	113	Queens
Substantiated (Formalized Training)	DT3 Roberto Pagan	Abuse of Authority	Entry of Premises	121	Staten Island
Substantiated (Command Discipline A)	PO Richard Defrancesco	Discourtesy	Word	122	Staten Island
Substantiated (Command Discipline A)	PO Richard Defrancesco	Discourtesy	Word	122	Staten Island

## Unable to Investigate and Withdrawn Complaints

When the CCRB is unable to obtain a sworn statement from the complainant/alleged victim, the case is closed as unable to investigate. When the complainant/alleged victim asks that their complaint be withdrawn, the case is closed as withdrawn.

**Figure 37: Unable to Investigate and Withdrawn Allegations (May 2023)**

	Withdrawn	Unable to Investigate	Total
Force	12	51	63
Abuse of Authority	47	181	228
Discourtesy	6	17	23
Offensive Language	1	2	3
<b>Total</b>	66	251	317

**Figure 38: Unable to Investigate and Withdrawn CCRB Complaints (May 2023)**

	Withdrawn	Unable to Investigate	Total
<b>Total</b>	32	87	119

**Figure 39: Unable to Investigate and Withdrawn Allegations (YTD 2023)**

	Withdrawn	Unable to Investigate	Total
Force	68	650	718
Abuse of Authority	216	817	1033
Discourtesy	30	89	119
Offensive Language	6	38	44
<b>Total</b>	320	1594	1914

**Figure 40: Unable to Investigate and Withdrawn CCRB Complaints (YTD 2023)**

	Withdrawn	Unable to Investigate	Total
<b>Total</b>	144	555	699

## Complaints Against Officers Assigned to Police Service Areas

The Police Service Areas (PSA) are commands that police New York City Housing Developments throughout the five boroughs. PSA complaints are defined as complaints that contain at least one FADO allegation against an officer assigned to a PSA command.

**Figure 41: PSA Complaints Closed as % of Total Complaints Closed**

	May 2022	May 2023	YTD 2022	YTD 2023
PSA Complaints	13	13	124	90
Total Complaints	218	320	1878	2019
PSA Complaints as % of Total	6.0%	4.1%	6.6%	4.5%

A single PSA complaint may contain allegations against multiple officers assigned to multiple PSA commands. The following table breaks out the different PSAs and shows the number of officers assigned to each PSA against whom FADO allegations have been made.

**Figure 42: Closed Complaints Against Officers Assigned to a PSA**

	May 2022	May 2023	YTD 2022	YTD 2023
PSA 1	1	0	12	7
PSA 2	17	4	52	32
PSA 3	3	8	29	36
PSA 4	3	2	11	14
PSA 5	0	5	19	31
PSA 6	0	1	7	4
PSA 7	6	0	111	24
PSA 8	0	6	32	14
PSA 9	6	1	22	10
Total	36	27	295	172

Complaints typically contain more than one allegation. The following table shows the allegations made against officers assigned to PSA commands broken out by FADO type.

**Figure 43: Closed Allegations Against Officers Assigned to a PSA by FADOU Type**

	May 2022		May 2023		YTD 2022		YTD 2023	
	Count	% of Total	Count	% of Total	Count	% of Total	Count	% of Total
Force (F)	15	27%	7	19%	119	29%	103	43%
Abuse of Authority (A)	27	49%	19	51%	195	48%	90	38%
Discourtesy (D)	9	16%	8	22%	68	17%	34	14%
Offensive Language (O)	4	7%	3	8%	14	3%	11	5%
Untruthful Statement (U)	0	0%	0	0%	8	2%	0	0%
Total	55	99%	37	100%	404	99%	238	100%



## Dispositions of Officers Assigned to PSAs

The following tables show the Board disposition of officers assigned to a PSA with a FADO&U allegation made against them.

**Figure 44: Disposition of PSA Officers (2022 vs 2023)**

	May 2022		May 2023		YTD 2022		YTD 2023	
	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
<b>Full Investigations</b>								
Substantiated	13	43%	9	47%	99	46%	26	29%
Within NYPD Guidelines	8	27%	6	32%	44	20%	35	39%
Unfounded	2	7%	2	11%	19	9%	12	13%
Unable to Determine	6	20%	2	11%	51	24%	15	17%
MOS Unidentified	1	3%	0	0%	4	2%	1	1%
<b>Total - Full Investigations</b>	<b>30</b>		<b>19</b>		<b>217</b>		<b>89</b>	
<b>Mediation Closures</b>	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Mediated	0	0%	1	100%	2	15%	3	100%
Mediation Attempted	0	0%	0	0%	11	85%	0	0%
<b>Total - ADR Closures</b>	<b>0</b>		<b>1</b>		<b>13</b>		<b>3</b>	
<b>Resolved Case Total</b>	<b>30</b>	<b>83%</b>	<b>20</b>	<b>74%</b>	<b>230</b>	<b>78%</b>	<b>92</b>	<b>53%</b>
<b>Unable to Investigate / Other Closures</b>	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Complaint withdrawn	3	50%	1	14%	5	9%	4	5%
Unable to Investigate	2	33%	1	14%	27	51%	39	50%
Closed - Pending Litigation	0	0%	3	43%	3	6%	32	41%
Miscellaneous	1	17%	2	29%	18	34%	3	4%
Administrative closure*	0	0%	0	0%	0	0%	0	0%
<b>Total - Other Case Dispositions</b>	<b>6</b>		<b>7</b>		<b>53</b>		<b>78</b>	
<b>Total - Closed Cases</b>	<b>36</b>		<b>27</b>		<b>295</b>		<b>172</b>	

\*Administrative closure is a special category that deals with NYPD's Legal Bureau-referred cases or spin off cases with no complainant/alleged victim, and in which CCRB attempts to locate or identify a complainant/alleged victim has yielded no results.

# Mediation Unit

Whenever mediation between a complainant/alleged victim and subject officer is suitable, it is offered by CCRB investigators. If the complainant/alleged victim and subject officer both agree to participate, a neutral, third-party mediator facilitates a conversation between the parties. The chart below indicates the number of mediations in May and this year.

**Figure 45: Mediated Complaints Closed**

	May 2023	YTD 2023
Mediated Complaints	9	39

**Figure 46: Mediated FADO Allegations Closed**

	May 2023	YTD 2023
Force	1	10
Abuse of Authority	21	88
Discourtesy	3	10
Offensive Language	0	0
<b>Total</b>	<b>25</b>	<b>108</b>

**Figure 47: Mediated Complaints By Borough (May 2023)**

	Mediations
Bronx	1
Brooklyn	3
Manhattan	2
Queens	1
Staten Island	1

**Figure 48: Mediated Allegations By Borough (May 2023)**

	Mediations
Bronx	1
Brooklyn	14
Manhattan	3
Queens	3
Staten Island	2

**Figure 49: Mediated Complaints By Precinct  
(May 2023 - YTD 2023)**

Precinct	May 2023	YTD 2023	Precinct	May 2023	YTD 2023
5	1	1	68	1	2
6	1	2	69	1	2
7	0	1	77	0	1
13	0	1	78	1	1
14	0	3	79	0	1
26	0	1	101	0	1
40	0	1	105	1	3
44	0	2	106	0	1
46	0	1	108	0	1
48	0	1	113	0	1
49	0	1	114	0	1
50	0	1	115	0	2
63	0	1	120	1	2
67	0	1	NA	2	2

**Figure 50: Mediated Allegations By Precinct  
(May 2023 - YTD 2023)**

Precinct	May 2023	YTD 2023	Precinct	May 2023	YTD 2023
5	2	2	68	2	14
6	1	2	69	6	7
7	0	1	77	0	1
13	0	1	78	6	6
14	0	6	79	0	2
26	0	4	101	0	4
40	0	4	105	3	9
44	0	6	106	0	1
46	0	4	108	0	2
48	0	10	113	0	1
49	0	1	114	0	4
50	0	2	115	0	5
63	0	1	120	2	3
67	0	2	NA	3	3

# Administrative Prosecution Unit

The CCRB’s Administrative Prosecution Unit (APU) prosecutes police misconduct cases when the Board has recommended charges, in the NYPD Trial Room. The APU is also able to offer pleas to officers who admit guilt rather than going to trial. Following a plea agreement or the conclusion of a disciplinary trial, cases are sent to the Police Commissioner for final penalties.

**Figure 51: Administrative Prosecution Unit Case Closures**

Disposition Category	Prosecution Disposition	May 2023	YTD 2023
Disciplinary Action	Not guilty after trial but Discipline Imposed	0	0
	Guilty after trial	0	1
	Trial verdict dismissed by PC, Comm. Disc. A imposed	0	0
	Trial verdict dismissed by PC, Comm. Disc. B imposed	0	0
	Trial verdict dismissed by PC, Formalized Training imposed	0	0
	Trial verdict dismissed by PC, Instructions imposed	0	0
	Trial verdict reversed by PC, Final verdict Guilty	0	0
	Resolved by plea	3	10
	Plea Renegotiated by PC	0	0
	Plea set aside, Comm. Disc. B	0	0
	Plea set aside, Comm. Disc. A	0	0
	Plea set aside, Formalized Training	1	8
	Plea set aside, Instructions	0	0
	*Retained, with discipline	0	1
	<b>Disciplinary Action Total</b>	<b>4</b>	<b>20</b>
No Disciplinary Action	Not guilty after trial	3	6
	Trial verdict reversed by PC, Final verdict Not Guilty	0	0
	Plea set aside, Without discipline	0	2
	**Retained, without discipline	1	3
	Dismissed by Police Commissioner	0	0
	Dismissed by APU	0	0
	SOL Expired in APU	0	0
	<b>No Disciplinary Action Total</b>	<b>4</b>	<b>11</b>
Not Adjudicated	Charges not served	1	33
	Deceased	0	0
	Other	0	0
	***Previously adjudicated, with discipline	0	1
	***Previously adjudicated, without discipline	0	0
	†Reconsidered by CCRB Board	0	0
	Retired	2	5
	Resigned	1	3
	Terminated	0	0
	Terminal leave	0	0
	SOL Expired prior to APU	3	13
	<b>Not Adjudicated Total</b>	<b>7</b>	<b>55</b>
<b>Total Closures</b>	<b>15</b>	<b>86</b>	

\*Retained cases are those in which the Department kept jurisdiction pursuant to Section 2 of the April 2, 2012 Memorandum of Understanding between the NYPD and the CCRB. \*\* When the Department keeps jurisdiction pursuant to Section 2 and does not impose any discipline on the officer, it is the equivalent of a category referred to as "Department Unable to Prosecute" (DUP). Cases are referred to as DUP when the department decides that it will not discipline an officer against whom the Board recommended discipline other than charges. \*\*\* In some cases, the Department conducts its own investigation and prosecution prior to the completion of the CCRB's investigation. In those cases, the APU does not conduct a second prosecution. † Under the Board's reconsideration process, an officer who has charges recommended as the penalty for a substantiated allegation may have the recommended penalty changed to something other than charges or have the disposition changed to something other than substantiated. In those cases, the APU ceases its prosecution.

# NYPD Discipline

Under the New York City Charter, the Police Commissioner makes the final decision regarding discipline and the outcome of disciplinary trials. When the Police Commissioner issues the discipline recommended by the CCRB, we report it as discipline concurrence.

**Figure 52: NYPD-CCRB Discipline Concurrence**

Discipline Report Year	Non APU %	APU %	Total %
2021	77.21	45.00	73.35
2022	41.44	41.67	41.46
2023 YTD	47.63	56.76	48.59

The remaining charts in this section provide additional detail regarding NYPD-imposed discipline, both for cases brought by the APU (Charges) and for Non-APU cases referred to the Police Commissioner with a recommendation of Command Discipline or Formalized Training.

**Figure 53: NYPD Discipline Imposed for Adjudicated APU Cases**

Discipline*	May 2023	YTD 2023
Terminated	0	0
Suspension for or loss of vacation time of 31 or more days and/or Dismissal Probation	0	1
Suspension for or loss of vacation time of 21 to 30 days	0	0
Suspension for or loss of vacation time of 11 to 20 days	0	3
Suspension for or loss of vacation time of 1 to 10 days	1	2
Command Discipline B	1	3
Command Discipline A	1	2
Formalized Training**	1	9
Warned & Admonished/Reprimanded	0	0
<b>Disciplinary Action† Total</b>	<b>4</b>	<b>20</b>
No Disciplinary Action†	4	11
<b>Adjudicated Total</b>	<b>8</b>	<b>31</b>
<b>Discipline Rate</b>	<b>50%</b>	<b>65%</b>
Not Adjudicated† Total	7	55
<b>Total Closures</b>	<b>15</b>	<b>86</b>

\*Where more than one penalty is imposed on a respondent, it is reported under the more severe penalty.

\*\* Formalized training is conducted by the Police Academy, the NYPD Legal Bureau, or other NYPD Unit.

† The case closure types that define the "Disciplinary Action", "No Disciplinary Action" and "Not Adjudicated" categories are listed in Figure 51 on the previous page.

**Figure 54: NYPD Discipline Imposed for Non-APU Cases**

<b>Disposition</b>	<b>Disposition Type*</b>	April 2023	YTD 2023
Disciplinary Action	Terminated	0	0
	Suspension for or loss of vacation time of 31 or more days and/or Dismissal Probation	0	0
	Suspension for or loss of vacation time of 21 to 30 days	0	0
	Suspension for or loss of vacation time of 11 to 20 days	0	0
	Suspension for or loss of vacation time of 1 to 10 days	0	0
	Command Discipline B	8	42
	Command Discipline A	17	81
	Formalized Training**	2	30
	Closed Administratively (With Discipline) ††	0	3
	<b>Total</b>	<b>27</b>	<b>156</b>
No Disciplinary Action	Retired	0	5
	Resigned	1	7
	SOL Expired	1	16
	Department Unable to Prosecute†††	14	157
	Closed Administratively (No penalty reported) ††	0	2
	<b>Total</b>	<b>16</b>	<b>187</b>
	<b>Discipline Rate</b>	<b>63%</b>	<b>45%</b>
	<b>DUP Rate</b>	<b>33%</b>	<b>46%</b>

\*Where the respondent is found guilty of charges, and the penalty imposed would fall into more than one of the above listed categories, it is reported under the more severe penalty.

\*\* Formalized training is conducted by the Police Academy, the NYPD Legal Bureau, or other NYPD Unit.

† Trial outcomes in non-APU cases typically involve MOS who turned down command discipline, prompting the police department to proceed with charges.

†† "Closed Administratively" is a term typically used by the police department to report on an incident of misconduct that has been previously adjudicated by the department itself prior to the receipt of a disciplinary recommendation from the CCRB.

††† When the department decides that it will not discipline an officer against whom the Board recommended discipline other than charges, those cases are referred to as "Department Unable to Prosecute," or DUP.

NYPD Penalty Departure Letters are posted on the CCRB website at: <https://www.nyc.gov/site/ccrb/complaints/redacted-departure-letter.page>

**Figure 55: NYPD Discipline Imposed for Allegations - Non-APU Cases (April 2023)**

Board Disposition	Officer	FADO &U	Allegation	Precinct	Borough	NYPD Discipline
Substantiated (Command Discipline A)	PO Gonzalo Ramirez	D	Word		Manhattan	Command Discipline - A (Vacation: 1 day)
Substantiated (Formalized Training)	PO Alen Mariano	A	Failure to provide RTKA card	5	Manhattan	Formalized Training
Substantiated (Command Discipline A)	SGT Tyrell Hardoman	A	Failure to provide RTKA card	5	Manhattan	Command Discipline - A
Substantiated (Command Discipline B)	SGT Joseph Carlsen	A	Refusal to process civilian complaint	6	Manhattan	Command Discipline - B (Vacation: 5 days)
Substantiated (Command Discipline A)	PO Giuseppe Muriale	A	Failure to provide RTKA card	6	Manhattan	Command Discipline - A
Substantiated (Command Discipline A)	DT3 Michael Agnese	A	Entry of Premises	7	Manhattan	No penalty
Substantiated (Command Discipline B)	PO Kenneth Granshaw	A	Threat of arrest	19	Manhattan	No penalty
Substantiated (Command Discipline A)	SGT Darwin Marrero	A	Vehicle search	25	Manhattan	No penalty
Substantiated (Command Discipline A)	SGT Darwin Marrero	A	Vehicle search	25	Manhattan	No penalty
Substantiated (Command Discipline A)	PO Martin Sierra	A	Entry of Premises	30	Manhattan	Command Discipline - B (Vacation: 5 days)
Substantiated (Command Discipline B)	SGT Joseph Chon	A	Refusal to process civilian complaint	30	Manhattan	Command Discipline - B (Vacation: 6 days)
Substantiated (Command Discipline A)	PO Martin Sierra	D	Word	30	Manhattan	Command Discipline - B (Vacation: 5 days)
Substantiated (Command Discipline B)	PO Nicholas Kaywood	A	Threat of arrest	32	Manhattan	Resigned
Substantiated (Command Discipline B)	SGT Aditya Kanojia	A	Threat of arrest	32	Manhattan	Command Discipline - B (Vacation: 5 days)
Substantiated (Formalized Training)	PO Charlie Ruizreyes	A	Obstructed Shield Number	32	Manhattan	Formalized Training
Substantiated (Command Discipline A)	SGT Sherlon Cromwell	A	Forcible Removal to Hospital	34	Manhattan	No penalty
Substantiated (Command Discipline A)	SGT Timothy Cawley	A	Threat to damage/seize property	47	Bronx	No penalty
Substantiated (Command Discipline A)	SGT Timothy Cawley	A	Threat to damage/seize property	47	Bronx	No penalty
Substantiated (Command Discipline A)	SGT Timothy Cawley	D	Word	47	Bronx	No penalty
Substantiated (Command Discipline A)	PO Steven Brown	A	Failure to provide RTKA card	49	Bronx	Command Discipline - A
Substantiated (Command Discipline A)	PO Brandon Tom	A	Failure to provide RTKA card	49	Bronx	Command Discipline - A
Substantiated (Command Discipline A)	SGT Ryan Jaffe	A	Vehicle search	50	Bronx	Command Discipline - B (Vacation: 1 day)
Substantiated (Command Discipline A)	SGT John Pirando	A	Failure to provide RTKA card	50	Bronx	Command Discipline - A (Vacation: 1 day)
Substantiated (Command Discipline A)	SGT Ryan Jaffe	A	Failure to provide RTKA card	50	Bronx	Command Discipline - B (Vacation: 1 day)
Substantiated (Command Discipline A)	PO Alexis Realegeno	D	Word	61	Brooklyn	Command Discipline - A
Substantiated (Command Discipline A)	PO Jorge Quiles	D	Word	61	Brooklyn	Command Discipline - A
Substantiated (Command Discipline A)	PO Jorge Quiles	D	Word	61	Brooklyn	Command Discipline - A

<b>Board Disposition</b>	<b>Officer</b>	<b>FADO &amp;U</b>	<b>Allegation</b>	<b>Precinct</b>	<b>Borough</b>	<b>NYPD Discipline</b>
Substantiated (Command Discipline A)	PO John Mchugh	A	Failed to Obtain Language Interpretation	61	Brooklyn	Command Discipline - A (Vacation: 0.38 days)
Substantiated (Command Discipline A)	PO Thomas Clementi	D	Word	63	Brooklyn	No penalty
Substantiated (Command Discipline A)	PO Anthony Vargas	D	Word	63	Brooklyn	No penalty
Substantiated (Command Discipline A)	PO Michael Cioffi	D	Word	63	Brooklyn	No penalty
Substantiated (Command Discipline A)	SGT Casey Kolokithias	A	Forcible Removal to Hospital	66	Brooklyn	No penalty
Substantiated (Command Discipline A)	PO Vasvija Beharovic	A	Refusal to provide shield number	66	Brooklyn	Command Discipline - A (Vacation: 1 day)
Substantiated (Command Discipline A)	PO Brian Williams	A	Vehicle search	67	Brooklyn	Command Discipline - A
Substantiated (Command Discipline A)	POM Anthony Waite	A	Frisk	75	Brooklyn	No penalty
Substantiated (Command Discipline A)	POM Anthony Waite	A	Search (of person)	75	Brooklyn	No penalty
Substantiated (Formalized Training)	POM Anthony Waite	A	Failure to provide RTKA card	75	Brooklyn	No penalty
Substantiated (Command Discipline A)	PO Felix Rosa	A	Vehicle search	76	Brooklyn	Command Discipline - A
Substantiated (Command Discipline A)	PO Christopher Sadasy	A	Refusal to provide name	79	Brooklyn	Command Discipline - A
Substantiated (Command Discipline A)	PO Jeffrey Chin	D	Word	83	Brooklyn	Command Discipline - A (Vacation: 1 day)
Substantiated (Command Discipline B)	PO Arthur Sturman	A	Threat of force (verbal or physical)	84	Brooklyn	No penalty
Substantiated (Command Discipline A)	PO Arthur Sturman	D	Word	84	Brooklyn	No penalty
Substantiated (Command Discipline A)	SGT DS Harrison Berkowitz	A	Threat of force (verbal or physical)	101	Queens	No penalty
Substantiated (Command Discipline A)	SGT DS Harrison Berkowitz	D	Word	101	Queens	No penalty
Substantiated (Command Discipline B)	SGT Patrick Chilton	A	Threat of force (verbal or physical)	102	Queens	No penalty
Substantiated (Command Discipline B)	LT Pamela Candia	A	Refusal to process civilian complaint	104	Queens	Command Discipline - B (Vacation: 5 days)
Substantiated (Command Discipline A)	SGT Timothy Geary	A	Forcible Removal to Hospital	104	Queens	Command Discipline - B (Vacation: 1 day)
Substantiated (Command Discipline A)	SGT Timothy Geary	A	Failure to provide RTKA card	104	Queens	Command Discipline - B (Vacation: 1 day)
Substantiated (Command Discipline A)	PO Thomas Marzocchi	D	Word	113	Queens	Command Discipline - A
Substantiated (Command Discipline A)	DT3 Jose Sura	D	Word	113	Queens	Command Discipline - A
Substantiated (Command Discipline A)	LT James Hoffmann	A	Search (of person)	114	Queens	Command Discipline - B
Substantiated (Command Discipline A)	PO Stephanie Vacchio	A	Search (of person)	114	Queens	No penalty
Substantiated (Command Discipline A)	LT James Hoffmann	A	Failed to Obtain Language Interpretation	114	Queens	Command Discipline - B
Substantiated (Command Discipline A)	SGT Robert Rastetter	A	Vehicle search	121	Staten Island	No penalty



<b>Board Disposition</b>	<b>Officer</b>	<b>FADO &amp;U</b>	<b>Allegation</b>	<b>Precinct</b>	<b>Borough</b>	<b>NYPD Discipline</b>
Substantiated (Command Discipline A)	DI Andrey Smirnov	A	Failure to provide RTKA card	123	Staten Island	Command Discipline - A

**Figure 56: NYPD Discipline Imposed for Allegations - APU Adjudicated Cases (May 2023)**

<b>Board Disposition</b>	<b>Officer</b>	<b>FADO&amp;U</b>	<b>Allegation</b>	<b>Precinct</b>	<b>Borough</b>	<b>NYPD Discipline</b>
Substantiated (Charges)	POM Francis Pinales	A	Strip-searched	43	Bronx	Forfeit vacation 5 days
Substantiated (Charges)	POF Marleny Estevez	A	Threat to damage/seize property	46	Bronx	Command Discipline A 5 days
Substantiated (Charges)	POM Ariel Eusebio	A	Entry of Premises	52	Bronx	Formalized Training
Substantiated (Charges)	POM Philip Huynh	F	Nonlethal restraining device	68	Brooklyn	Command Discipline B 10 days
Substantiated (Command Discipline B)	PO Cody Duffy	A	Entry of Premises	103	Queens	Dismissed
Substantiated (Command Discipline A)	PO Cody Duffy	D	Action	103	Queens	Dismissed
Substantiated (Command Discipline B)	PO Cody Duffy	A	Search of Premises	103	Queens	Dismissed