

The City of New York

Commission to Combat Police Corruption

**PERFORMANCE STUDY:
A FOLLOW-UP REVIEW OF
THE INTERNAL AFFAIRS BUREAU
COMMAND CENTER**

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I. INTRODUCTION

The Internal Affairs Bureau (“IAB”) of the New York City Police Department (“Department”) maintains a Command Center that acts as a clearinghouse for all allegations received by the Department against members of the service.¹ As such, the Command Center plays a critical role in the Department’s efforts to investigate corruption and other misconduct within its ranks. Because many of these investigations begin with calls to the Command Center from civilians, the Commission to Combat Police Corruption (“Commission”) has twice previously studied the performance of the Command Center operators in handling such calls, and with this follow-up study, the Commission once again assesses this unit’s functioning.²

The Commission found improvement in the handling of civilian complaint calls to the Command Center in the sample it gathered in mid-1998. The Commission found that in what is inherently a difficult job the Command Center’s operators generally performed reasonably well in handling callers’ complaints, and in maintaining a respectful attitude and demeanor. The Commission believes that IAB’s management remains committed to achieving the highest level of professionalism in the Command Center, and that the materials used in training Command Center operators reflect this commitment.

During the course of its study, the Commission did identify several areas that call for continued improvement.³ These include the need to probe the callers’ statements for core information, and the placing of callers on “hold” for extended periods. These findings lead the

¹ See “The Role of the Internal Affairs Bureau’s Command Center,” below at p. 2.

² See “Prior Commission Study/Mollen Commission Report,” below at p. 6.

³ See “Analysis” generally, below at pp. 11-25.

Commission to make several targeted recommendations aimed at addressing these deficiencies.⁴

II. BACKGROUND

A. The Role of the Internal Affairs Bureau's Command Center

The IAB Command Center (formerly known as the "Action Desk") -- located within IAB headquarters -- serves as the clearinghouse for allegations of corruption and other misconduct against police officers, both from the public and from members of the Department. The Command Center is open 24 hours a day and receives approximately 22,000 calls and letters per year that result in logs,⁵ not all of them corruption-related.⁶ With the exception of a telephone line reserved for members of the Department reporting wrongdoing, known as the "PRIDE" line,⁷ the Command Center's telephone lines are recorded automatically by a continuously-operating, voice-activated recording machine.⁸ Although not all allegations against officers are lodged through the Command Center first, all allegations -- however they are received by the Department -- flow through the Command Center.

⁴ See "Recommendations" generally, below at pp. 31-36.

⁵ See discussion below, at p. 3.

⁶ Among a variety of other functions, the Command Center also processes reports of IAB vehicle accidents, lost Department equipment and other administrative events. The Command Center also provides Department telephone numbers, addresses and other information to Department personnel.

⁷ The "PRIDE" complaint-intake line receives calls from members of the Department who, in most cases, wish to remain anonymous. Consistent with the heightened confidentiality of this reporting mechanism, calls to this line are not recorded.

⁸ The Command Center's public telephone number for lodging complaints against members of the Department is (212) 741-8401. As discussed in the recommendations section below, see p. 36, the Commission observed that a number of calls to the Command Center were transferred there from other offices, suggesting that the Center's public telephone number should be more widely disseminated.

Officers at the Command Center receive these allegations by phone and record them, generating a record known as a "log" for all complaints of corruption, misconduct, or other criminal activity. Often, these allegations are relayed to the Command Center by other members of the service -- such as precinct officers -- who have initially received a complaint. Frequently, however, callers to the Command Center are members of the public who are making their allegations for the first time.

The complaint log -- automatically assigned a chronological number, referred to as a "log number" -- is supposed to contain all the pertinent information concerning the allegation provided by the caller, including (where possible) a description of the core allegations, the location and time of the event, and information sufficient to identify the officer(s) involved, as well as the caller's identity (unless he or she wishes to remain anonymous). At the conclusion of a call in which a complaint is made, the Command Center operator should provide the caller with the log number and instruct him that this number should be used for further inquiries with respect to the status of the Department's investigation into the allegation.

After generating the log, the Command Center operator performs a preliminary investigation concerning the allegation and the subject officer. For example, where a caller has offered incomplete data, or is unsure of certain details -- such as the name of an officer or the owner of a motor vehicle involved -- the operators may be able to obtain this information in certain cases, as well as records of previous allegations against the subject officer(s) and any relevant logs regarding them, by means of the databases available to the Command Center. Following this preliminary investigation, the Command Center operator enters the log into the

PRIDE system.⁹ Subsequently the log is reviewed by IAB, classified, and assigned to the appropriate investigative group.¹⁰

In addition, IAB forwards, on a daily basis, copies of all logs containing an allegation of criminal conduct and police impersonation, along with log updates, to each District Attorney's office with appropriate jurisdiction. The Commission also receives from IAB, on a daily basis, all logs city-wide.

For all of these reasons, it is essential that when Command Center operators take a complaint against an officer, the log be accurate and contain as many details as possible about the caller's allegation. A caller may wish to remain anonymous from the start, may later become discouraged or frightened or simply uninterested in pursuing the complaint and refuse further contact, or may prove impossible for investigators to find. Therefore, a Command Center operator must treat each call as if it presents her sole opportunity to gather information from the caller. If a Command Center operator fails to elicit the necessary information through appropriate questions, fails to generate a log, or fails to include in the log all pertinent details concerning the allegation, the caller's allegation may be lost forever, or the information passed on to IAB field investigators and prosecutors may be inaccurate or incomplete.

Moreover, because Command Center operators interact directly with the public, they

⁹ The PRIDE system is a database maintained by IAB which, among other information, contains records of past and pending internal investigations of members of the Department. This database has recently been implemented, in an effort to bring together in one place such information as other complaints at an incident location and motor-vehicle data, as well as personnel and background information about subject officers -- items that had previously been stored in a variety of separate databases. Thus, the PRIDE system is intended to provide a single means of accessing many different types of departmental records and will replace other redundant databases.

¹⁰ See note 12, below.

have a critical opportunity to convey to the public the Department's commitment to investigating corruption and misconduct. Operators who are polite and professional, who create a comfortable atmosphere for callers and who take callers' allegations seriously send a message that the Department is truly interested in addressing corruption and misconduct.

B. The Command Center's Performance Standards and Policies

The Commission has again reviewed the variety of materials used by IAB in training Command Center staff.¹¹ These documents lay out the standards IAB strives to impose for handling civilian calls to the Command Center. For example, operators are instructed to begin each call by identifying themselves with name and rank and by informing callers they have reached the Internal Affairs Bureau.

Operators are also told to obtain all necessary information about a caller's allegation, including detailed descriptions of any officers involved.¹² At least one internal memorandum directs that when in doubt, operators should err on the side of generating a log.

Perhaps most relevant to the Commission's study is the training concerning direct interaction with the public. One training memo reads in part:

¹¹ In 1997, the Commission published a performance study of the Command Center, *Performance Study: The Internal Affairs Bureau Command Center*, October 1997.

¹² All operators are to generate a log for any of the following allegations: cases of corruption, criminal activity, or serious misconduct (known as "C" cases), cases of less serious misconduct ("M" cases), cases of minor violations of the Department's Patrol Guide ("OG" cases), cases to be referred to the Civilian Complaint Review Board ("CCRB" cases), cases involving corruption by law-enforcement agents other than NYPD members ("D" cases), and allegations of an administrative nature involving other agencies ("CX" cases).

Further training of operators covers instruction on how to process logs, how to conduct preliminary research related to the complaint (such as identifying subject officers based on partial information, or identifying the unit to which a particular Department vehicle is assigned), and when to send an immediate "call-out" to the scene of an incident.

It is critical that the public be treated in a courteous and empathetic manner. We must strive to avoid even the appearance that our personnel discourage complaints. We must also assure, by asking the proper follow up questions, the greatest amount of information is gathered.¹³

A one-page memo used in training Command Center operators neatly summarizes ten essential components of a properly handled civilian complaint.¹⁴ For each component, the memo offers succinct advice as to how to approach each call. For example, "Ask questions about: the 5 W's [who, what, when, where, and why], other witnesses, the chronology, evidence, etc.," in the section emphasizing "gathering important information."

This memo also:

- advises listening to the caller's narrative without interruption ("Free narrative. Emphasis on listening and deciding which questions to ask after they are through.");
- suggests "restating what you have heard and giv[ing] the complainant the opportunity to make changes"; and
- recommends closing a call by asking the caller whether there is "anything else you want to tell me."¹⁵

C. Prior Commission Study/Mollen Commission Report

Previous to this study, the Command Center had been the subject of review by both the

¹³ From a June 11, 1996, memorandum from the Executive Officer of the Investigative Support Division (which oversees the Command Center), to the Command Center's commanding officers.

¹⁴ From "Communications Model for Responding to Action Desk Complaints" ("Communications Model"). Most of these ten issues are covered by the template used by the Commission in assessing calls, discussed below, at p. 11.

¹⁵ For a more thorough discussion of Command Center policies and procedures, see the Commission's report, *Performance Study: The Internal Affairs Bureau Command Center*, October 1997, at pp. 9-13.

Commission to Investigate Allegations of Police Corruption and Anti-Corruption Procedures of the Police Department ("Mollen Commission") and this Commission, in its First Annual Report and in a subsequent dedicated study.

1. Prior Findings of this Commission and the Mollen Commission

In 1994, the Mollen Commission found fault with the predecessor to the Command Center, saying it had operated in such a way as to minimize the receipt of corruption allegations and had routinely lost valuable information on such complaints. Operators were criticized for discouraging complaints in various ways and for failing to elicit details from callers. This Commission noted some improvements in its First Annual Report, published in March 1996, but identified some of the same weaknesses. In response to these findings, as well as its own on-going self-analyses, the Department took a number of steps, including: enhanced self-monitoring; improved training; the articulation of a policy requiring all complaints within the jurisdiction of the Civilian Complaint Review Board ("CCRB") to be logged;¹⁶ changing and, in appropriate circumstances, disciplining Command Center personnel; using new recruitment approaches to attract qualified personnel from the Department at large; and relocating the facility to a physical space with a more positive environment.

2. The Commission's 1997 Command Center Study

In 1997, the Commission examined a sample of Command Center calls generated between 1996 and 1997 and found that the performance of the Command Center had improved, that the Command Center's internal guidelines and policies for logging complaints and

¹⁶ See further discussion above, at note 12.

interacting with the public were appropriate, and that its management was committed to achieving a high standard of performance.¹⁷ Certain problems, however, continued to exist and the quality of individual Command Center operators' performance was uneven. Command Center operators too often did not either include critical information in logs, elicit important information, or create an environment conducive to obtaining a complaint of corruption. The Commission's principal recommendation was for the Department to examine whether fundamental changes should be made in the staffing of the Command Center through increased use of civilians. The Commission also recommended that IAB continue to improve its training program for Command Center staff and supervisors and identified specific training components that should be incorporated, including emphasis on the significance -- both to the Department's public image and to its anti-corruption efforts -- of being respectful and patient when communicating with callers.

3. The Department's Response and Commission Follow-up

Following the Commission's study, the Department informed the Commission that it had already begun to implement many of the Commission's recommendations regarding the need for enhanced training. IAB had recruited an experienced trainer from the Department's Training Academy. With the assistance of a sergeant, this officer's responsibilities were exclusively devoted to reviewing the performance of the Command Center and developing a new curriculum for training to address the weaknesses IAB had detected on its own initiative, as well as those noted in the Commission's study. Commission staff had an opportunity to review the new

¹⁷ See *Performance Study: The Internal Affairs Bureau Command Center*, October 1997.

training curriculum and noted that it addresses many of the Commission's earlier concerns, including the need for Command Center operators to be respectful and courteous to Command Center callers.

The Department, however, did not endorse the Commission's recommendation of civilianization, although it did ultimately add several civilians to the Command Center staff.¹⁸

III. METHODOLOGY

A. Obtaining the Sample

This study is based on a detailed analysis of a random sampling of calls received by the Command Center between May and July 1998. Starting in August 1998, Commission staff made several trips to IAB headquarters to listen to calls from that period. In initially selecting times to search for calls, the Commission employed a timetable drawn up to ensure that the calls would be spread out over all times of day and all personnel shifts.

B. Identifying Appropriate Calls

Most of the calls the Commission encountered on these tapes were deemed inappropriate for use in the sample:

¹⁸ These civilians, who had been carefully selected from the ranks of "911" operators, are no longer assigned to the Command Center. While we have been advised that they proved valuable and professional in their handling of calls, the staffing needs of the 911 lines required that they be transferred back to their original assignments. The Commission has been assured that should staffing levels rise in the future, this issue will be revisited by the Department.

IAB advised the Commission that these civilian operators were used to handle more routine complaints to the Command Center, thus alleviating the pressure on the other operators and freeing them to handle more complex complaints. In the Commission's sample, four (and possibly five) of the 30 calls were fielded by civilian operators. These calls included one allegation of harassment by an off-duty police officer and one allegation that a responding officer had failed to take proper action. See further discussion below, at p. 35.

- A large number involved other police officers calling in logs to the Command Center as a matter of course.¹⁹ Since these were not calls received directly from the public, the Commission did not select them for its study. Other calls came from complainants who make a habit of calling the Command Center, or who manifested emotional problems and did not express a clear and coherent allegation.²⁰ Because the study focuses on callers with new and potentially legitimate complaints, these calls were eliminated as well.
- Similarly, calls from complainants who had previously filed a complaint and were merely calling to determine the status of their complaints were not included. Occasionally, a potential complainant will call the Command Center merely to inquire as to whether police procedure has been followed in a particular instance, rather than affirmatively calling to register a complaint. In such cases, and when the caller declined to actively pursue a complaint, the call was excluded from the sample, since it did not portray a true complaint.
- Finally, any call in which a complainant hung up (or the conversation was otherwise cut off) prematurely through no fault of the operator, or a call that was clearly a continuation of an earlier conversation or a precursor to a later one, was not selected unless the remainder of the on-going dialogue could be located on the tapes; the Commission believes that calls like these provide an inadequate basis on which to judge the performance of Command Center operators, because they do not offer a full picture of IAB's handling of the complainant.

In all, Commission staff listened to part or all of easily more than a hundred of Command Center calls, and selected from these a sample of 30 that fell within the parameters of the Commission's inquiry. It should be noted that this sample does not represent a scientific sample, and that these 30 calls represent a subset of the thousands of calls received by the Command Center during the three-month period from which they are drawn. Nevertheless, the Commission's sample is broad enough to allow for a meaningful evaluation of how Command Center operators respond to complaints lodged by civilian callers.

¹⁹ A typical call of this nature might involve a complaint that had been filled out by a civilian complainant in person at a precinct station house, and was merely being relayed by precinct officers to the Command Center to be logged, or a report of an officer who had lost a piece of equipment.

²⁰ In its 1996 review of calls, the Commission found that the Command Center generally handled this type of call well. (See *Performance Study: The Internal Affairs Bureau*, October 1997, at p. 50.)

C. Analyzing the Calls and Drawing Conclusions

In analyzing each of the calls, the Commission applied the same template it used in the previous study (attached as Appendix). This eight-page form poses 33 yes-or-no questions, but the issues it raises fall generally within three broad areas:

1. *the demeanor of the individual Command Center operator and the manner in which that operator handled the call*
2. *the operator's exploration of the facts of the caller's complaint*
3. *the completeness of the log filled out by the operator as a record of the call*

IV. ANALYSIS

A. General Observations

There was a higher standard of overall professionalism shown by the Command Center operators in the Commission's 1998 call sample than in its 1996-97 sample, and the large majority of calls in the new sample were handled well.

None of the calls in the 1998 sample was inappropriately transferred to another agency.²¹ All calls that should have resulted in the creation of a log were, in fact, logged by the operators. The accuracy of the logs kept for the 1998 sample of calls -- in terms of faithfully recording the information gathered during the call -- was greatly improved over that of the 1996-97 logs. Log numbers were consistently given to the callers, although the callers were rarely told that they

²¹ In fact, one model call, discussed below at p. 13, poses the example of an operator going out of his way to try to remedy a situation on behalf of a caller, by phoning a station house himself to get to the bottom of the complaint.

could refer to that log number if it became necessary for them to call IAB again for any reason relating to the reported incident, or to check on the status of their complaint.

The logs accurately reflected the basic allegation told by the callers, but did not always include all pertinent information that was elicited by the Command Center operator -- such as identification of the subject officers, or complete descriptions of the conduct alleged. Because IAB investigators are now routinely provided with tapes of the calls, the significance of incomplete logs has been somewhat reduced. As discussed below, however, because these logs are used by District Attorney's Offices, Departmental borough investigation units, and the Commission, it remains important for the log to include as much pertinent detail from the recorded call as possible.²² In addition, Command Center operators identified themselves to each caller. In short, the Commission determined that the overall proficiency in the handling of the calls in the 1998 sample has increased.

While overall proficiency has increased, certain problems were identified in the sample. As discussed more fully later in this report, there were calls in the sample during which the Command Center operator argued with the caller regarding the validity of the caller's allegations.²³ Such demeanor on the part of the Command Center operator could potentially inhibit a caller from reporting his allegations in detail, and might cause the caller to expedite his call by skipping over those details that could disclose genuine corruption on the part of the subject officers. There also were lapses in questioning that resulted in areas of callers'

²² See discussion below, at pp. 20-21.

²³ One-half of the calls displaying this problem were handled by one operator. As discussed below at p. 25, this operator was transferred out of the Command Center because of his low performance.

allegations remaining unexplored. Although the interviews were, for the most part, well conducted, full and complete questioning is an area in which there is room for continued improvement.²⁴

The Commission found that Command Center training materials are thorough and complete, and the policies they articulate are appropriate. Every significant area for improvement identified by the Commission is addressed by IAB in its training materials, suggesting that where there is room for improvement in Command Center performance, it is in getting the message to individual operators -- not in the message itself.

B. Well-Handled Calls

The commission has identified the following calls, from various perspectives, as examples of appropriate performance by Command Center operators.

1. Appropriate Attitude and Demeanor

The caller describes a problem he²⁵ is having with officers in his local precinct. He says that his car was stolen and he needs the help of the officers in activating the car's alarm system, so that the car can be tracked and located. However, he tells the operator, when he called the precinct, he was told that no one there would be able to activate the system for several more hours, since none of the officers present were properly trained on the required computer.

The operator patiently explores the complaint with the caller, obtaining details on the

²⁴ See "Areas for Continued Improvement," below, at pp. 16-24.

²⁵ In some examples in this report, the sex of the caller and/or operator has been changed.

specific officers the caller conversed with and the actions that disturbed the caller. He did not stop there, though. Recognizing the immediacy of the problem, the operator takes the further step of contacting the precinct himself. He speaks to a sergeant there, who explains to him that there has been a misunderstanding as to the nature of the alarm system -- that in fact the manufacturer must trigger the alarm upon being contacted directly by the car's owner, and then contact the police itself, to ensure that they are aware of the situation and will respond appropriately when they pick up the car's signal.

Although the Command Center exists to receive complaints and initiate investigations on officers who may have engaged in misconduct, these complaints on occasion deal with on-going situations calling for immediate action. Here, the operator -- who understood that the caller's main concern was not the propriety of the behavior of the officers involved but the urgent need to get his vehicle back -- took action to remedy the situation, rather than passively recording information for a future investigation into the precinct officers.

2. Complete and Thorough Exploration of the Facts of the Complaint

In a second call, the caller states that he was recently arrested, that upon his release his car keys were not returned to him, and that the car has apparently been stolen in the meantime. It turned out that while going to the precinct station house to report the stolen vehicle, he found his car parked in the parking lot of an apartment building across the street from the station house. The caller went into the parking lot, where he met the security guard of the building, who told him that the parking spot the car was in belonged to a police officer who worked in that precinct.

After obtaining identifying information, the Command Center operator allowed the caller to make his complaint all the way through, virtually without interruption. The caller related

many details of his case, most of which are not recounted in the condensed version above. After obtaining basic facts, the operator asked clarifying questions, and listened to the additional issues raised by the caller. He asked follow-up questions wherever necessary, eliciting a full set of facts. Toward the end of the call, the caller realized that, because his arrest violated his parole, he might be incarcerated by the time that the investigator tried to reach him. The operator suggested that the caller call back and give his log number once he knew his facility, so that an investigator could get in touch with him there regarding his complaint.

The operator conducted a very good preliminary investigation of the complaint without making the caller feel that he was being interrogated -- especially important in the case of a caller who had recently been arrested. He thought of a solution to the problem of re-contacting the caller, and explained his suggestion to the caller in a clear manner, being careful not to intimidate or condescend to the caller. The operator did not express any hostility or skepticism toward the caller's claim, nor did he indicate any judgment regarding the caller's recent arrest or pending incarceration, despite the fact that he had to ask questions regarding that arrest. The operator elicited a lot of relevant information that would assist an investigator in investigating the claims, and did so without appearing to cross-examine the caller or attempting to offer explanations for the situation.²⁶

²⁶ An example of an operator properly pursuing an allegation that at first seemed unrelated to the caller's main complaint arises in a call in which the caller initially complains of teenagers hanging out in front of his building, making noise and displaying weapons. According to the caller, nothing had ever been done by the precinct police to address the situation. The caller's focus was the noise and the guns, but in the telling of his story, the caller revealed some facts that were, if substantiated, evidence of true corruption.

The caller spoke briefly of an incident during which the police responded to one of his calls. When the police arrived, the caller saw one of the teenagers drop a \$100 bill on the sidewalk. One of the police officers walked over, picked up the bill, put it in his pocket and left without dispersing the crowd. The Command Center operator receiving that call appropriately followed through, obtaining all relevant facts regarding the \$100 bill allegation, despite the fact that it had not been the caller's focus in making his complaint.

3. All Relevant Information Recorded in the Log

A third caller related that he had been in a nightclub fight during which jewelry was stolen from him, but when he contacted the police, the responding officers refused to take his robbery and assault complaint or to talk to witnesses. The caller was phoning from in front of the club, having been ejected because of the fight.

The Command Center operator asked many relevant questions. She then called 911 for a supervisor to report to the scene and take a complaint from the caller. The log reflects that the complaint was made and that the caller was taken to the hospital.

The Command Center operator was very helpful and professional in her conduct of the call. She let the caller tell his story and then asked appropriate clarifying questions. The operator made an extra effort, not only to take the caller's complaint, but to obtain needed assistance for the caller.

A review of the log taken for the call reveals that every detail relayed to the operator was recorded in the log. Furthermore, information obtained by her from available resources at the Command Center augmented the information provided by the caller, making a complete and accurate record for the investigator when following up on the complaint.²⁷

C. Areas for Continued Improvement

While, as discussed above, meaningful progress has been made in the operations of the

²⁷ Using Department databases available to the Command Center, the operator determined the two patrol cars that responded to the scene and the officers assigned to those cars, and all of this information was included in her log of the incident.

Command Center, opportunities for improvement continue to exist. Even though many of the 30 calls in the Commission's sample indicated areas, described below, in which some improvement was warranted, it is the Commission's belief that in the majority of even these calls, the Command Center operators performed reasonably well, in that the core allegations were explored and recorded professionally, and the callers generally were treated with respect. It is important to note, in assessing the performance of Command Center operators, that it may be unreasonable to expect an outstanding, highly-nuanced performance from every operator on every call.

Command Center operators are asked to take calls for eight hours from complainants who are frequently irate, incoherent, or agitated. Moreover, as noted above, Command Center operators receive about 20,000 calls each year. It is only human nature for occasional lapses to occur, and for that reason the Commission chose to focus only on those common problems that appeared to recur within the sample and appeared in prior samples reviewed by the Commission.

1. Attitude and Demeanor

a. Operators sometimes fail to create a receptive environment

In two calls in the Commission's sample, operators spoke in a tone that conveyed a lack of interest in taking a complaint.²⁸ Whether by speaking in an uninflected tone, sighing audibly, or simply not responding to callers' direct questions or comments, these operators failed to offer the callers a welcoming ear. A caller who feels that his complaint is not of interest to the operator, or that he is wasting the operator's time will be less inclined to provide complete details and more likely to come away from the call believing that nothing will be done to investigate his

²⁸ One of these two calls was handled by Operator X -- see discussion at p. 25 below.

complaint.

In four calls -- an improvement over the sample obtained by the Commission in 1997 for its prior study of the Command Center -- an operator could be heard to cross the line between apathy and outright hostility or open skepticism. Two of these calls were fielded by Operator X, who was subsequently transferred out of the Command Center by IAB management for inadequate performance.²⁹ While it is clear that an operator should avoid getting into an argument with a caller, this is exactly what happened in these calls.³⁰

b. Operators occasionally rationalize or justify conduct alleged in calls

During three of the four calls discussed above, operators were heard to propose explanations to callers that portrayed the behavior complained of in a favorable light, by casting the subject officer's actions as either entirely innocent, or as understandable given the circumstances. Because of their investigative training, it may not be surprising that Command Center operators sometimes pose questions that go beyond simple fact-gathering and into the realm of determining whether in fact misconduct has been committed.³¹ The Commission also recognizes that it is entirely appropriate for Command Center operators to explain specific, relevant Department policies to callers when asked, or to clear up any confusion. Such neutral

²⁹ See discussion below at p. 25.

³⁰ On this subject, one of the lessons used in orientation for new Command Center operators advises them, "You are expected to remain courteous, professional, respectful, calm and compassionate." It goes on to suggest that operators "[b]e aware of your tone of voice. ... Your tone of voice may be misinterpreted by the caller." Operators are also instructed on how to "disarm verbal attacks" by belligerent callers. Another lesson urges operators to "[b]e empathic -- create an atmosphere conducive to reporting."

³¹ In one of the calls, an operator conveys a belief that the officers cited in the caller's allegation did nothing wrong, telling the caller, "Now, wait a minute now. They came there to help you and you didn't give them no information. What do you expect them to do?" He later asks whether the caller expected the officers to "read your mind" and berates him that "you automatically assumed that they had to talk to you."

explanations are legitimate.

However, it is crucial that an operator appear impartial -- merely soliciting and recording information from a caller and answering questions when asked -- lest she suggest to a caller that her mind may already be made up as to the veracity of the complaint. It is especially damaging for an operator to not merely characterize an officer's actions as appropriate but to propose scenarios which may serve to explain away seemingly improper actions, as at least one of the operators in these three calls did. Such comments may well discourage callers from going through with their complaints and leave the impression that IAB is not a neutral investigator.³²

2. Exploration of the Facts of the Complaint

The need to obtain critical information through adequate questioning

Because a call to the Command Center may represent IAB's only chance to gather information from a complainant, it is paramount that all relevant questions be asked of the caller while she is on the phone. Yet in nearly half of the calls in the Commission's sample, operators failed to fully probe potentially meaningful areas in the callers' statements.³³

This occurred most commonly in the context of obtaining descriptions of subject officers and pursuing aspects of an allegation that may initially seem only tangential to a caller's main complaint. A detailed description of an officer's appearance can provide the surest means of identifying the subject of a complaint; without an identified subject, an investigation is unlikely

³² During orientation, operators are warned to "[a]ssume the truth -- (a) it is not the Command Center investigator's role to determine the veracity of the caller, (b) when you assume the truth your questions will not be interpreted as threatening [and] you will maintain credibility ..."

³³ The importance of proper questioning is hammered home several times in Command Center training materials. One relevant passage advises that operators remember to ask callers "when," "where," "who," "what," "how," and "why."

to produce a satisfactory result.

This same problem also occasionally arises in the context of a call in which the complainant offers an allegation and then touches upon either a distinct aspect of the allegation, or an entirely separate allegation.³⁴ It is important to pursue such remarks, in case they lead to promising information for investigators.³⁵

3. Information Taken in Logs

The need to fully record the substance of a caller's complaint in the log recorded after the call

Since its last study on the Command Center, the Commission has determined that it is now routine that an IAB investigator assigned a case arising from a call to the Command Center will receive a tape of the original call, along with the log and any other materials relevant to the investigation. This policy should ensure that even if an operator fails to record key information in a log, the information will still be accessible to the investigator, even if the complainant ultimately becomes unavailable or refuses to cooperate further with the investigation. Yet because IAB assigns many cases to investigators in Departmental units outside of IAB -- and does not routinely forward Command Center tapes to investigators in these cases -- there is still the potential for a caller's useful comments in the course of a call to escape the notice of a

³⁴ One caller, lodging a complaint about an illegally-expanded neighborhood bar that he feels is being protected by local police, happens to mention that he is continually being harassed by the son of a former police officer (and possibly the owner of the bar). The operator never pursues this allegation, never cites it in the log, and never even determines whether the son was himself a police officer. In addition, part of the caller's main complaint is that when officers from his precinct have responded to the bar, these call-outs have not been documented. Here, too, the operator does not ask follow-up questions on this issue, such as how the caller knows this -- even though the caller gives an approximate date of one such instance -- nor is this remark reflected in the log.

³⁵ See note 26 for a discussion of an exemplary call in this regard.

Departmental investigator if they are not noted in the log.³⁶

Regardless of whether the tapes are sent to investigators, the Commission still believes firmly that operators should record all pertinent information gathered from callers in their logs, and in the vast majority of calls reviewed, the Commission determined that this was done. In four calls in the sample, however, the Commission noted that the logs were incomplete. In one of these calls, reference to a core allegation was not included,³⁷ and in the three remaining calls, physical descriptions of subject officers -- which were provided to the operator -- were not included in the logs.³⁸ It is important for logs to be as complete as possible because in subsequent investigations into an officer's actions, the log of a prior complaint may be helpful in assessing the subject officer's culpability or in exposing patterns of misconduct. Moreover, inclusion of officers' physical descriptions or distinctive clothing may also reveal patterns linking past misconduct to particular officers. And unless the logs contain all core details, prosecutors who review these logs may not be able to properly evaluate the allegations and decide whether to participate in a case at an early phase.³⁹

³⁶ See discussion below at pp. 31-32.

³⁷ This case involved a caller who alleged mistreatment of her nephew by an arresting officer. The aunt implied that the youth's step-father, an NYPD detective, had improperly intervened in the case, but the operator did not explore this charge, nor note it in the log.

³⁸ These figures do not include calls in which an operator failed to gather information about the physical description of a subject officer. See discussion above, at pp. 19-20.

³⁹ Command Center operators are continually reminded -- in orientation and through frequent memos -- of the importance not only of thoroughly recording in the log all information gathered during a phone call, but also of recording a log, to be on the safe side, even in cases in which it might not appear necessary or appropriate. Operators are given further, detailed guidance on the proper wording to use in their logs.

4. Other Areas of Concern

Aside from the primary concerns discussed above, the Commission also detected a few lesser problems in a number of calls. While these types of problems are less likely to hamper an investigation, their recurrence indicates that further training in these discrete areas may be advisable.

a. Operators occasionally interrupt callers with repeated questions, which can cause confusion or create a non-receptive environment

In five instances, the operator subjected the caller to a series of initial questions before allowing the caller to address the substance of her allegation. While these questions -- which may have arisen from an interest in obtaining enough information on the caller to allow an investigator to contact the caller in case the call is prematurely disconnected -- were generally designed to establish background information (such as the name, address, and telephone number of the caller), other questions (such as the identity of the subject officer, and the time and location of the incident) could just as easily have been asked after the caller had explained the substance of his or her allegation.⁴⁰

Aside from the possibility of such confusion, however, efforts by the operator to "front-load" these questions run the risk of intimidating a caller, perhaps leading her to assume that the operator is merely interested in obtaining answers to a pre-determined list of questions, rather than exploring the particulars of the individual call. In one call in particular, the operator spends the first three-and-a-half minutes asking not just about details to identify the caller, but also

⁴⁰ While it may be preferable to obtain the name and telephone number of the caller at the outset (in case the call is disconnected, for example), the Commission believes that this point should be explained to the caller, and that it is inappropriate to ask a series of other questions in the same manner up-front.

initial questions about the misconduct being alleged -- without knowing anything about the nature of the misconduct. Specifically, the operator asks for the date, time and location of the "occurrence," and the subject officer's name, description, shield number, and attire, as well as asking whether other officers were involved, before the caller has had the opportunity to say anything about his complaint. When the operator finally becomes too confused, he asks the caller for a description of the incident.

Generally, a better approach is to let a caller start to put the complaint into her own words, and then ask follow-up questions as needed to fill in the blanks of the narrative, thus allowing the caller's narrative to dictate the course of the operator's inquiry. Indeed, IAB's own Command Center training materials concur, noting in one place the importance of "letting the complainant tell his/her story, what happened, how they feel about it, etc., without interruption or stopping to clarify."⁴¹

The Commission recognizes the necessity of obtaining answers to certain standard questions during the interview. However, by waiting until after the complainant has been allowed to present her narrative, an operator will be less likely to intimidate or discourage a caller. Indeed, many times a caller will obviate the need for asking certain questions by providing the answers herself in her own narrative.

b. Callers placed on hold

Many operators continue to place callers on hold without offering a reason for doing so.

⁴¹ Communications Model. See note 14 above.

This can be especially irksome to a caller who is placed on hold for an extended period. Moreover, eleven holds -- more than a third of the calls in the sample -- were for longer than two minutes, and even approached four minutes in two calls.⁴² In two instances, an operator placed a caller on hold, another operator picked up the line and continued interviewing the caller without explanation, and then the call was transferred back to the initial operator -- again without explanation.

While there are legitimate reasons for placing callers on hold (for example, to consult with a supervisor about a call, or to obtain a log number for the caller's complaint from the Command Center database), it can be discouraging for a caller to be placed on hold for an extended period of time without knowing the reason.

c. Operators frequently do not restate the caller's complaint

The Command Center Communications Model referred to above advises operators to "repeat story and information in caller's words" and to "give the complainant the opportunity to make changes."⁴³ Yet the Commission found that, in the calls it listened to, barely half of the operators reviewed the basic facts of the complaint with the caller before concluding the call. To best guarantee that a completely accurate log of the complaint is taken, operators should take time to do so before disconnecting, in a manner that would prompt the caller to add information or revise the operator's understanding of the facts.

⁴² Before each of the two longest holds, the operators did explain why they were required to place the caller on hold.

⁴³ See pp. 5-6.

D. Operator X

Operator X fielded two calls in the sample, each of which was found inadequate by the Commission.⁴⁴ In each case, he was rude, argumentative and unprofessional toward the caller and made little effort to gather even basic information either on the officers who were the subject of the allegation, or on other details about the incidents -- such as the officers' vehicle or the location of the incident. He instructed one caller to try to find a police officer nearby to whom to complain, but would not tell her where the nearest precinct was. And when pressed for information on a telephone number she could call to follow up on her complaint, he finally suggests, "555-1212," the number for telephone-directory assistance.

Operator X displayed his lack of interest and his impatience explicitly, telling one caller to "be quiet and listen for a second," and later commenting sarcastically, "That's nice to know." When the other caller stated he was "very angry right now," the Officer replied, "Well don't take it out on me."

When the Commission identified this pattern, it brought it to the attention of the Chief of Internal Affairs. The Commission learned that this officer had been the subject of on-going IAB scrutiny and that IAB had been prepared to remove this operator from the Command Center in any event. The Bureau subsequently transferred the officer to a different assignment, outside the Command Center.

⁴⁴ It should be noted that a third call fielded by Operator X was recorded and later determined by the Commission not to qualify for the 30-call sample. However, the call is very troublesome, since it was so limited by the fact that, during the course of the caller's narrative, Operator X failed to respond to the caller's statements and questions, having apparently fallen asleep.

V. IAB INITIATIVES TO IMPROVE THE COMMAND CENTER'S FUNCTIONING

Investigative Review Unit

The Investigative Review Unit ("IRU") of IAB functions as an internal quality-control unit, responsible for the review and evaluation of open and closed corruption investigations and monitoring the performance of the Command Center.⁴⁵ The Unit is staffed by a lieutenant assisted by one sergeant and five detectives. In performing the important function of monitoring the quality of IAB's investigations and identifying areas where IAB management may take necessary corrective action, IRU assists in IAB's efforts to maintain and improve the quality of its investigative work. Indeed, given the importance of this unit, the Commission has commenced a separate study of its effectiveness, which will be published in the forthcoming months.

Monitoring the performance of the Command Center is one of the most important functions performed by IRU. In furtherance of this responsibility, each month IRU reviews a select sample of ten calls handled by the Command Center. Through this self-monitoring, IAB seeks to ensure that calls that were logged were logged properly, that logs were generated for calls containing allegations of corruption or misconduct, and that staff is performing professionally. After each call is reviewed, IRU prepares a written evaluation addressing various aspects of the call, including the operator's name, the substance of the allegation, and whether the operator handled the call in an appropriate manner. Deficiencies noted by IRU are brought to

⁴⁵ Until August 1997, the Investigative Review Unit was named the Quality Control Unit. In addition to the functions noted above, IRU handles inspections of various units of IAB, and prepares the Prosecution Monitoring List, a list of all IAB cases that have been referred to the Department's Advocate's Office.

the attention of the Commanding Officer of the IAB Investigative Support Division, who responds to problems as required, such as by contacting the complainant to obtain a full recitation of the allegation, providing the Command Center operator with individual training, and, if appropriate, disciplining or transferring the operator who failed to perform adequately. A final monthly report prepared by IRU discussing the ten selected calls is submitted to the Chief of IAB for review.

Given IAB's initiative in monitoring the Command Center, the Commission determined that as part of this study it should review IRU's monthly reports.⁴⁶ In total, evaluations of calls for a six-month period were reviewed. Because IAB reuses the master tapes of all calls to the Command Center, only recordings for September and October 1998 were available for listening. To this end, the Commission listened to the calls evaluated in the September and October 1998 reports.

In addition, the logs for these calls were obtained and reviewed for the purpose of determining whether critical information had been recorded.⁴⁷ To assist in this review, and to provide methodological continuity with the Commission's review of its core sample of 30 calls, the Commission used the same questionnaire used in evaluating the larger sample.

In selecting its monthly sample of ten calls, IRU chooses calls spanning all three daily shifts of operators, as well as a sampling of days covering the entire month. Only calls from the public that resulted in a log being generated are selected for review. Calls made by members of

⁴⁶ As noted above, the Commission is in the process of conducting a separate study of IRU. This broader study will include an evaluation of IRU's monitoring of corruption investigations.

⁴⁷ For a discussion of the importance of recording all critical information in the log, see pp. 20-21.

the service reporting administrative events are not evaluated for purposes of the monthly IRU report.

As part of the Commission's review, 19 of the 20 calls comprising IRU's evaluation for September and October 1998 were studied.⁴⁸ As with the calls in its own sample, Commission staff evaluated these 19 calls to determine the overall quality of the operator's work, including whether the operator: (1) obtained all necessary background information including identifying information about the caller and subject officer(s); (2) displayed appropriate attitude and demeanor during the call; (3) completely and thoroughly explored the facts of the complainant's allegation, and allowed the caller to narrate without inappropriate interruption; and (4) placed the caller on hold without explanation for an extended period of time or transferred the caller without explanation. Additionally, Commission staff evaluated the logs corresponding to the 19 calls to determine whether all relevant information was recorded.

In reviewing 19 calls from September and October 1998, the Commission found that in most respects, all of the calls were handled professionally and competently. The Command Center operators elicited the critical and necessary information concerning the allegations, generally displayed appropriate demeanor and attitude toward callers and, in all but two calls, properly logged all relevant information and displayed appropriate professionalism.

While the overall quality of the 19 calls was high, two of the logs generated by the calls in the group failed to contain all relevant information. In the first, a complainant alleged that officers had failed to arrest an individual who had allegedly assaulted him, and that the officers

⁴⁸ One of the calls in the October sample could not be located when calls were copied from the master reels of Command Center recordings.

had prepared a false report in connection with the incident. Although the Commission found that the operator generally handled the call in an appropriate manner, the corresponding log failed to record critical information provided by the complainant regarding the possible names and physical descriptions of the subject officers.

In a second call, a complainant reported that he and other residents of a Brooklyn residential development had observed on numerous occasions a car displaying a NYPD Transit Bureau parking plaque. The caller noted that the car did not have the requisite parking permit for the residential development and stated that he believed the plaque was being used to avoid receiving summonses. While the operator did review Department of Motor Vehicles records to determine that the registered owner of the vehicle and license plate described by the caller was a member of the Department, the operator did not permit the complainant to narrate his allegation without interruption, and placed the caller on hold without explanation a total of three times during the course of the conversation. Additionally, the log incorrectly stated that the complainant identified the officer by name; in fact the officer's identity was unknown to the caller. Given that the complainant may later be questioned by an investigator about the accuracy of this statement, it is important that the log correctly record what the complainant said.

In general, the IRU written evaluations did not include critical commentary regarding the 19 calls. While the Commission had minor criticisms concerning the manner in which some of the calls were handled, overall the Commission does not disagree with IRU's assessment. However, in both of the problematic calls discussed above, IRU's evaluations failed to note the

inadequacy of the corresponding logs.⁴⁹ Though the adequacy of the recorded logs is less critical given that all IAB investigators receive a tape recording of the corresponding call, prosecutors, as discussed above, rely on the logs in making their initial assessments of corruption allegations.⁵⁰ Thus, in all instances corresponding logs should include all critical and relevant information.

IRU's monitoring of Command Center calls provides an important internal review mechanism for addressing on-going issues raised by the Command Center's performance. While the monthly reports generally provide helpful evaluations of the sampled calls, the Commission recommends that in all instances corresponding logs be reviewed and commented upon where inadequacies exist.

In addition to retrospective reviews by IRU, the Commission was informed that "test calls" are regularly made to the Command Center, under the auspices of the office of the Chief of Internal Affairs. These calls are designed to evaluate operators on such issues as proper demeanor, adequate probing for information, and handling of complaints from callers who do not speak English.

⁴⁹ Additionally, some of the calls evinced problems, not identified by IRU, that were similar to those the Commission noted in its own sample -- such as placing callers on hold for extended periods and subjecting callers to extensive up-front questions before inquiring as to the nature of the complaint -- albeit to a lesser degree than in the Commission's sample.

⁵⁰ Moreover, in those cases which are not investigated by IAB -- namely, allegations which do not involve corruption or serious misconduct -- tape recordings are not routinely provided to the investigative units handling such matters. This fact provides further reason for complete logging in all cases.

VI. RECOMMENDATIONS

A. Distribution of Command Center Tapes to Non-IAB Investigators

IAB has taken a valuable step in making it a routine practice to send tapes of Command Center calls to its own investigators who are assigned cases arising from such calls. This can ensure that information elicited by a Command Center operator, but not memorialized in the log that the operator ultimately prepares, will not be lost to the investigator who pursues the allegation.

The Commission considered recommending that investigators in bureau/borough investigation units who are assigned cases arising from complaints made by civilian callers to the Command Center also receive these calls as a matter of course. Although IAB retains the most serious complaints and typically assigns complaints of lesser misconduct to these non-IAB investigators, these investigations also should not be jeopardized by a loss of information.⁵¹ Non-IAB investigators who wish to request tapes must act quickly, because approximately every 90 days, the Command Center reuses the reels on which it records calls, thus erasing the previously-recorded calls.

When this issue was discussed with IAB, they responded that routine taping would impose an extraordinary burden on IAB, in locating and copying thousands of calls each year from the master reels. To address the Commission's concerns, however, IAB now includes a transmittal memorandum with each "M" case referred to non-IAB investigators which indicates

⁵¹ In addition, all but the most serious domestic violence allegations -- which are retained by IAB -- are assigned to borough investigators. The Commission believes that it is essential that tapes of such calls be forwarded to investigators -- both because of the importance of such allegations and because of the possibility that a caller who has been the victim of domestic violence may later recant her complaint or refuse to cooperate with investigators.

that should the investigative group need a copy of the call to the Command Center, it must be requested within 90 days. Additionally, borough and bureau commanders were told of the need for investigative units in their command to act within 90 days in deciding whether to request a tape of the Command Center call in any of their cases. The Commission continues to believe that these tapes may, in some cases, yield valuable information to investigators that is not otherwise disclosed in the log, and that investigators should be encouraged to listen to tapes whenever they feel this could prove relevant. Not routinely making copies of such tapes also makes it even more important that logs be as complete as possible.

B. On-Going Training Is Needed

Although the Commission has found that the overall handling of complaints by Command Center operators has improved, and that few calls are plainly inadequate, the Commission also found that certain problems arose routinely in its sample of calls, suggesting that more focused training of operators on these issues could further improve their performance.

As noted above,⁵² some of these areas are:

- creating a friendly, receptive environment, free of hostility and argumentativeness, in which callers feel comfortable explaining their complaints
- making an effort not to appear skeptical or to try to explain or excuse the conduct alleged
- probing all aspects of a complaint and recording all relevant information in the log -- especially where separate allegations are involved
- allowing callers to tell their stories in the first instance, and allowing the caller's narrative to dictate the course of the discussion -- rather than following a standard set of questions

⁵² See pp. 11-25 for analysis of the calls in the Commission's sample.

- restating the caller's complaint to verify that the information is accurate
- not putting callers on unexplained holds

The Commission found, in its review of Command Center training materials, that all of these areas are discussed with operators by their supervisors -- either in introductory orientation training, or in memos distributed regularly to staff from the unit's commanding officers. These materials thoroughly and completely establish appropriate performance standards for Command Center operators.

However, the occasional recurrence of certain problems in calls in the Commission's sample indicates that additional instruction on these points may be indicated. The Commission recommends that formal re-training sessions be held on a regular basis, as a way of discussing with operators ways in which performance can be improved. The Commission was informed that informal one-to-one re-training is conducted with individual operators whenever any problems are discovered by the supervisors who routinely review calls. However, training sessions, scheduled approximately four times a year, can provide a beneficial forum for further instruction of those issues on which a reminder of proper procedure is in order.

IAB responded that it will endeavor to conduct formalized training, in small groups, throughout the year.

C. IRU Can Be More Comprehensive in Its Evaluations

The calls contained in IRU's September and October samples reflected minor problems. Nonetheless, the memos produced by IRU assessing these calls noted only the generally positive

handling of the calls and did not address any of the shortcomings. The Commission was informed by IAB that these calls are used to further the on-going training of operators when problems are noted. The Commission believes that the IRU quality-control system offers a means to provide formal, targeted instruction on key issues to individual operators, who may feel that more general reminders do not apply to them.

The Commission supports the mission of IRU and believes that it can be uniquely helpful in further improving the quality of the Command Center's performance by studying calls more closely, identifying and commenting on weak areas (if any) in their monthly call samples, and explaining in detail with operators any areas in which they can enhance their handling of complaints. Regular meetings of Command Center operators with supervisors, at which IRU's sample calls -- both positive and negative examples -- would be discussed and analyzed, would prove helpful, as well, in eliminating certain problems in Command Center calls.

D. Consolidation of Training Materials

The Commission found that although the principal guide used by IAB to introduce newly-assigned officers to the Command Center⁵³ is adequate and useful, it is not presented in a manner that encourages its use as a reference tool. A revamping of the training guide to make it more accessible is recommended to enhance its effectiveness. The one-page Communications Model offers a template for such an effort -- and should be incorporated into the training guide.⁵⁴

⁵³ IAB's "Action Desk Training Guide." See "The Command Center's Performance Standards and Policies" above, at p. 5.

⁵⁴ See above, at p. 6. This document is used as part of the orientation materials for new Command Center operators.

The Commission also reviewed other valuable training materials issued by IAB to its Command Center operators. The Commission recommends that the guide, as well as all other training materials and guidelines issued by IAB, be consolidated in one binder for easy reference by Command Center operators, enhancing its value as both an orientation tool and a reference source.

In discussions about this issue, IAB has indicated that all recent internal directives and memoranda have been centralized, and that the guide and the Communications Model itself, as well as all other new and existing training materials will likewise be consolidated and made accessible within the Command Center.

E. The Department Should Continue to Pursue Employing Civilian Command Center Operators

The Commission supports the Department's recent efforts to staff some Command Center positions with civilian employees. Civilian operators who have experience in handling telephone complaints -- as did the "911" operators who briefly served in the Command Center -- can bring to the position many of the same investigative skills required of Command Center operators.⁵⁵ At the same time, they are more likely to view the job as an end in itself, rather than as a means of professional advancement or as a detour on a career path -- as police officers and detectives assigned to the Command Center may feel. Furthermore, the mere presence of these additional operators in the Command Center can take pressure off the other operators by reducing their workload and allowing them to attend to more complex complaints. Employing civilian

⁵⁵ Clearly, operators originally trained to handle 911 calls would need re-training in the different aspects of call intake at the Command Center.

operators would also allow the Department to put more officers on the street, instead of in the Command Center.

F. The Department Should More Broadly Publicize the Command Center's Telephone Number

The Commission believes that the Department should undertake to publicize more widely its Command Center lines, so that more individuals who may have complaints of police corruption or other misconduct will come forward. A number of the callers heard in the Commission's sample were transferred to the Command Center from other offices, indicating they had not known of the existence of a dedicated line for complaints against police officers. These callers, obviously, were successfully connected to the Command Center, but it is not known how many others who wished to lodge complaints were unsuccessful in doing so.

The Commission has been informed by IAB that posters in each precinct house alert the public to the Command Center hotline's existence, and that each year during the winter holiday season, all patrol officers are provided with IAB's telephone number and address, in the course of the Department's "Holiday Integrity Program." However, the Commission believes that a further effort should be made to disseminate IAB's telephone number to citizens.

* * *

Appendix

CCPC Questionnaire

IAB ACTION DESK QUESTIONNAIRE

CALL IDENTIFICATION:

DATE: _____

TIME: Begin _____

End _____

TRACK #: _____

OPERATOR: _____

LOG #: _____

Reviewer: _____

Date Reviewed: _____

NARRATIVE:

COMMENTS:

IAB ACTION DESK QUESTIONNAIRE

Background Information

- | | | | | |
|----|---|---|---|-----|
| 1. | Did the Action Desk officer identify self (name & rank)? | Y | N | |
| 2. | Did the Action Desk officer attempt to ascertain identifying information about the caller if it was not provided: | | | |
| | Name? | Y | N | N/A |
| | Address? | Y | N | N/A |
| | Phone number? | Y | N | N/A |
| 3. | If the caller wanted to remain anonymous, did the Action Desk officer: | | | |
| | Explain the purpose of the caller identifying self? | Y | N | N/A |
| | Attempt to trick the caller into providing identifying information? | Y | N | N/A |
| | Discourage the caller from making the allegation if he/she continued to remain anonymous? | Y | N | N/A |

Fact Gathering

- | | | | | |
|----|---|---|---|--|
| 4. | Did the Action Desk officer let the complainant, in the first instance, tell his/her story without interruption (except for clarification)? | Y | N | |
|----|---|---|---|--|

- | | | | | |
|----|---|---|---|-----|
| 5. | Did the Action Desk officer ask questions about apparent contradictions and/or unclear information? | Y | N | N/A |
| | | | | |
| 6. | Did the Action Desk officer attempt to ascertain identifying information about the subject officer(s)? | | | |
| | Name(s)? | Y | N | N/A |
| | Shield Number(s)? | Y | N | N/A |
| | Physical Description(s)? | Y | N | N/A |
| | | | | |
| 7. | When the complained conduct was not contemporaneous with the call, did the Action Desk officer find out why the caller was filing the complaint at that time? | Y | N | N/A |
| | | | | |
| 8. | Did the Action Desk officer restate or confirm the critical information provided? | Y | N | N/A |
| | | | | |
| 9. | Given the substance of the allegation, did the Action Desk officer attempt to gather all reasonably pertinent information? | Y | N | |

Inappropriate Questions Asked

10. Did the Action Desk officer ask any of the following about the caller:

Employment status?

Y N

Race?

Y N

Sex?

Y N

Social security number?

Y N

Administrative Actions

11. Did the Action Desk officer put the caller on hold without saying so?

Y N

12. Was the caller on hold for more than 2 minutes at a single time?

Y N N/A

13. Did the Action Desk officer transfer the call without explaining the reason for the transfer?

Y N N/A

14. Did the Action Desk officer provide the name of the organization caller was transferred to?

Y N N/A

15. Did the Action Desk officer provide the direct number of the organization caller was transferred to?

Y N N/A

16.	▶Did the Action Desk officer transfer a call in which corruption or serious misconduct was alleged?	Y	N	N/A
-----	---	---	---	-----

Log Information

17.	▶Did the Action Desk officer fail to assign the call a log number when one was required?	Y	N	
-----	--	---	---	--

18.	Did the Action Desk officer give the assigned log number to the caller?	Y	N	N/A
-----	---	---	---	-----

19.	Did the Action Desk officer tell the caller to use the log number for future communication with the department?	Y	N	N/A
-----	---	---	---	-----

20.	▶Does the identifying information in the log substantially correspond to the information elicited in the call?	Y	N	N/A
-----	--	---	---	-----

21.	Regarding the summary of the allegations in the log: Did the Action Desk officer omit any allegations?	Y	N	N/A
-----	---	---	---	-----

	▶If yes, did these allegations involve corruption or serious misconduct?	Y	N	N/A
--	--	---	---	-----

	Does the summary accurately reflect the substance of the allegation?	Y	N	N/A
--	--	---	---	-----

Non-English Speaking

22. If the officer was not able to communicate with the caller, did the Action Desk officer expeditiously find an interpreter for the caller? Y N N/A

Manner of Action Desk Officer

23. Did the Action Desk officer prematurely hang up on the caller? Y N DK
24. Was the officer argumentative regarding the legitimacy of the caller's allegation? Y N
25. Did the Action Desk officer try to discourage the caller from making an allegation? Y N
26. Did the Action Desk officer laugh at the caller? Y N
27. Did the Action Desk officer appear disinterested and/or unconcerned about the allegation? Y N

28. Was the conduct of the Action Desk officer at any time (pick all that apply):

Professional Y

Unprofessional Y

Courteous Y

Discourteous Y

Patient Y

Abrupt Y

29. Did the Action Desk officer blatantly misrepresent the Action

Desk's function? Y N

Overall Impressions

30. Did the Action Desk officer create a comfortable and safe environment where the caller felt they could talk openly? Y N
31. Was the overall conduct of the Action Desk officer unprofessional, rude, and discourteous to the caller? Y N
32. Was the overall conduct of the Action Desk officer professional, polite, and understanding toward the caller? Y N
33. Was the overall interaction with the caller beyond any acceptable standard of decency? Y N

COMMISSION TO COMBAT POLICE CORRUPTION

The Commission to Combat Police Corruption was created pursuant to Executive Order No. 18 of 1995. The Commission is mandated to monitor the New York City Police Department's anti-corruption systems. To accomplish this, the Commission conducts audits, studies, and analyses regarding the Department's anti-corruption policies and procedures. These include studies to determine the effectiveness of the Department's systems and methods for: investigating allegations of corruption; gathering intelligence; implementing a system for command accountability, supervision, and training for corruption matters; and such other policies and procedures relating to corruption controls as the Commission deems appropriate.

COMMISSIONERS

Richard J. Davis, Chair

Currently, Mr. Davis is a partner with the law firm of Weil, Gotshal & Manges. He was Assistant Secretary of the Treasury (Enforcement and Operations) between 1977 and 1981, where he supervised the activities of the Secret Service, the Customs Service, the Bureau of Alcohol, Tobacco and Firearms and the Federal Law Enforcement Training Center. He had previously served as an Assistant United States Attorney in the Southern District of New York from 1970-73 and as an Assistant Special Prosecutor for the Watergate Special Prosecution Force. In 1987 he was appointed to a Commission to review the operations of the Philadelphia Police Department. In 1993 he served on a panel of experts appointed by the Justice and Treasury Departments to provide advice in addressing situations which may occur in the future similar to those which took place in Waco, Texas.

Charles M. Carberry

Mr. Carberry is currently a partner with the law firm of Jones, Day, Reavis & Pogue. He is a former federal prosecutor, having served from 1979 through 1987 as an Assistant United States Attorney in the Southern District of New York (including service as Chief of the Securities and Commodities Fraud Unit and Deputy Chief of the Criminal Division). Pursuant to his appointment by the federal district court, from 1989 to the present, Mr. Carberry oversees investigations and administrative prosecutions of allegations of corruption and dishonesty involving the Teamsters Union. Mr. Carberry is on the boards of editors of the White Collar Crime Reporter, Business Crimes Bulletin, and the Money Laundering Law Report. He has written numerous articles and has spoken frequently at seminars on white collar crime, securities fraud, and money laundering.

Rhea Kemble Dignam

Ms. Dignam currently is a Vice President and Deputy General Counsel at New York Life Insurance Company. She is a former federal and state prosecutor, having served from 1976 through 1988 as an Assistant United States Attorney in the Southern District of New York (including service as Chief, Narcotics Unit; Chief, Public Corruption Unit; and Executive Assistant United States Attorney). From 1988-1989 Ms. Dignam was the Chief Assistant District Attorney in Kings County and served as the Executive Deputy Comptroller, City of New York from 1990-1993 in which position she gained extensive experience monitoring the work of City agencies.

Ann Hayes

Ann Hayes is the Chief Executive Officer of Strang Hayes Consulting, Inc., a leading international investigative management firm. She is a former Special Agent with the Federal Drug Enforcement Administration, having served from 1984 through 1988. As an undercover agent, Ms. Hayes was directly involved in infiltrating and combating organized crime, and later supervised numerous high-level, international investigations. Ms. Hayes was the first woman to graduate first in her class from the DEA Agent Basic Training Academy. Her law enforcement career began as a police officer following graduation from college. In 1987, Ms. Hayes served on the President's Organized Crime Drug Task Force. Ms. Hayes was recently appointed by Mayor Giuliani to the Mayoral Task Force on Police/Community Relations, which was established to improve the relationship between the police and community in New York City. She was also appointed to the Board of Directors of the National Center for Victims of Crime, the nation's only organization devoted exclusively to the needs of crime victims

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