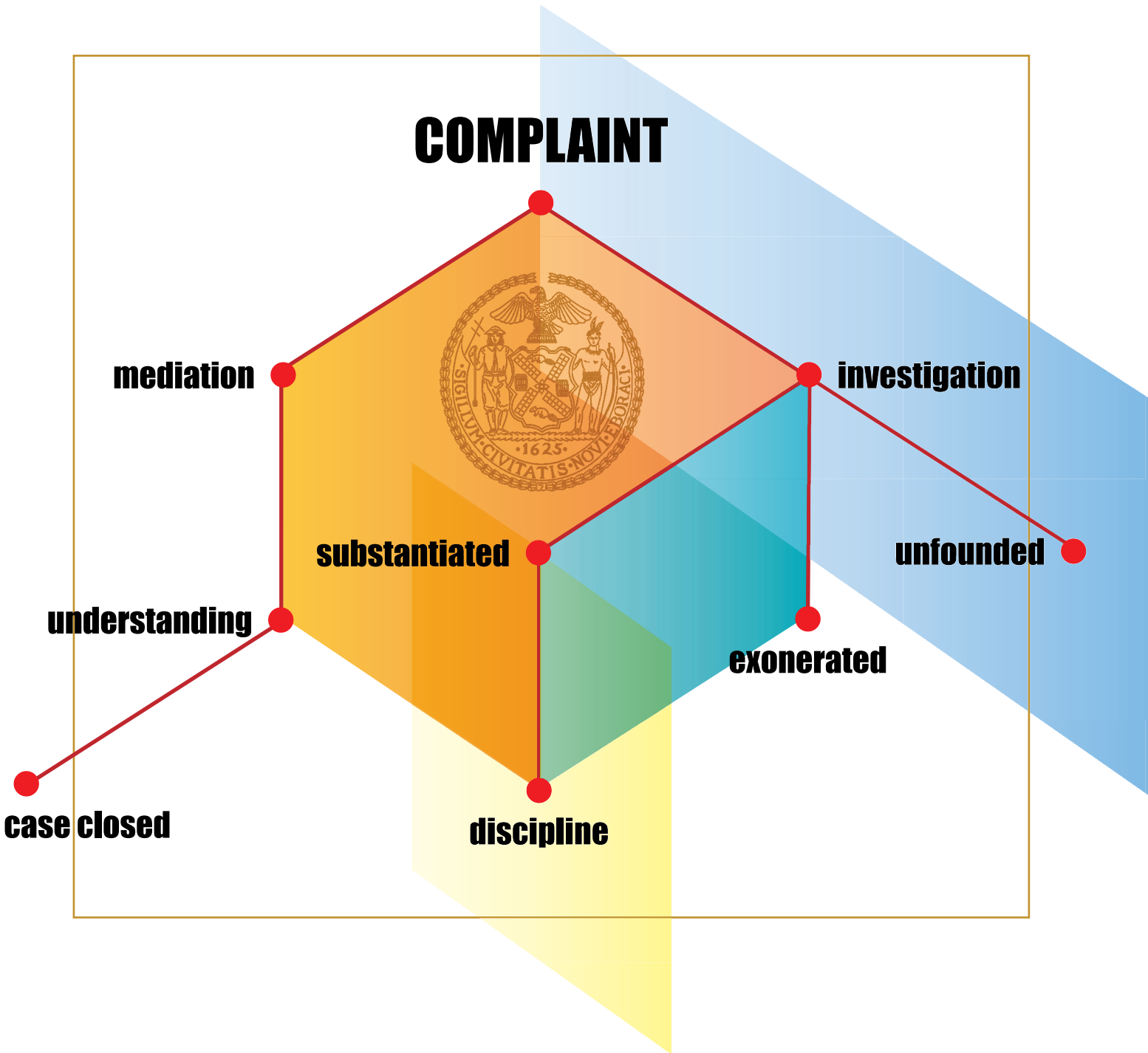




CIVILIAN COMPLAINT REVIEW BOARD



January - June 2012 Report

MICHAEL R. BLOOMBERG, Mayor | DANIEL D. CHU, Chair



Mission and Values

The New York City Civilian Complaint Review Board (CCRB) is an independent agency. It is empowered to receive, investigate, mediate, hear, make findings and recommend action on complaints against New York City police officers alleging the use of excessive or unnecessary force, abuse of authority, discourtesy, or the use of offensive language. The board's investigative staff, which is composed entirely of civilians, conducts investigations in an impartial fashion. The board forwards its findings to the police commissioner.

In fulfillment of its mission, the Board has pledged:

- To encourage members of the community to file complaints when they feel they have been victims of police misconduct.
- To encourage all parties involved in a complaint to come forward and present evidence.
- To investigate each allegation thoroughly and impartially.
- To make objective determinations on the merits of each case.
- To recommend disciplinary actions that are fair and appropriate, if the investigation determines that misconduct occurred.
- To respect the rights of civilians and officers.
- To engage in community outreach to educate the public about the agency and to respond to concerns relevant to the agency's mandate.
- To report relevant issues and policy matters to the police commissioner.
- To offer civilians and officers the opportunity to mediate complaints in order to resolve allegations and promote understanding between officers and the communities they serve.



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MAYOR

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DANIEL D. CHU
CHAIR

JOAN M. THOMPSON
EXECUTIVE DIRECTOR

March 2013

Dear Fellow New Yorkers:

As chairman of the New York City Civilian Complaint Review Board, I am pleased to present our status report for the period January through June 2012.

April 2012 marked an important milestone in the agency's history. It is in that month that the CCRB and the Police Department entered into a memorandum of understanding (MOU) that conferred prosecutorial power from the Police Department to the CCRB for substantiated cases in which subject officers face charges and specifications.

The transfer of prosecutorial power builds on an earlier pilot program under which a CCRB attorney prosecuted one in five of the cases that went to disciplinary trials at the Police Department. The MOU now provides the CCRB authority to conduct, with limited exception, nearly all trials stemming from its most serious substantiated complaints.

To help us handle this new and important responsibility, we have assembled a great team of seasoned trial attorneys to staff our new prosecution unit. I am confident that having the CCRB, an independent agency, prosecuting these cases will further enhance transparency and public confidence in the New York City Police Department and its disciplinary process.

Now, perhaps more than ever, the City looks to the CCRB for fair and impartial investigations of alleged police misconduct. The Board, the staff and I stand committed to provide this vital public service.

Sincerely,

A handwritten signature in blue ink that reads "Daniel D. Chu".

Daniel D. Chu, Esq.

Board Members January – June 2012

Mayoral Designees

Daniel D. Chu, Esq. (Chair)
 Janette Cortes-Gomez, Esq.
 Dr. Mohammad Khalid
 David G. Liston, Esq.
 Vacant

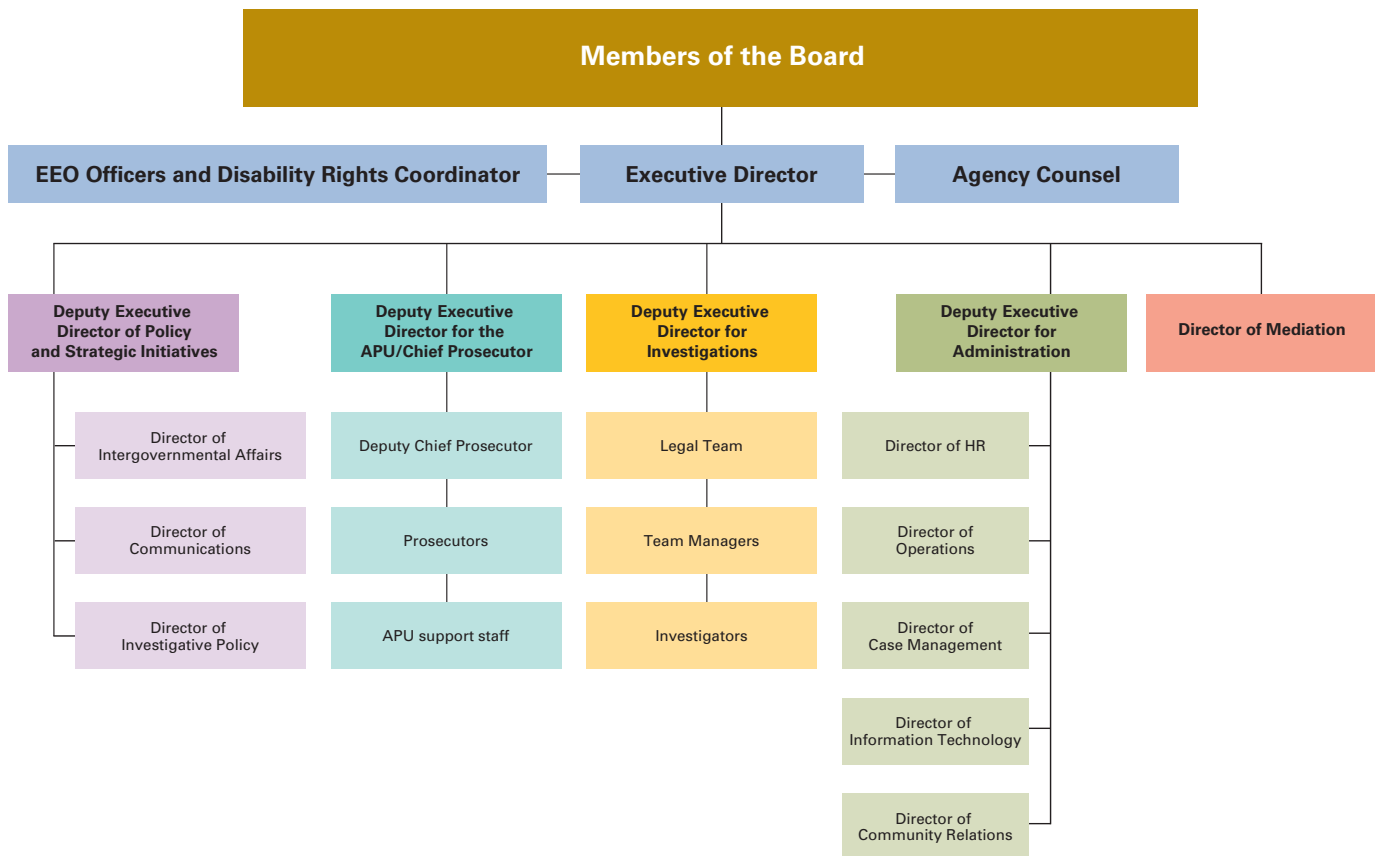
City Council Designees

James F. Donlon, Esq. (Staten Island)
 Alphonzo A. Grant Jr., Esq. (Brooklyn)
 Bishop Mitchell G. Taylor (Queens)
 Youngik Yoon, Esq. (Bronx)
 Vacant (Manhattan)

Police Commissioner Designees

Rudolph Landin
 Jules A. Martin, Esq.
 Tosano Simonetti

Organizational Chart



Agency Operations and Resources

The Civilian Complaint Review Board (CCRB) is an independent New York City agency that investigates, mediates and prosecutes complaints of misconduct that members of the public file against New York City Police Department (NYPD) officers. The CCRB was established in its all-civilian form, independent from the police department, in 1993.

The board consists of thirteen members who are New York City residents and reflect the diversity of the city's population. The city council designates five board members (one from each borough); the police commissioner designates three; and the mayor designates five, including the chair. Board members review and make findings on all misconduct complaints once they have been investigated by an all-civilian staff. When the board finds that an officer has committed misconduct, the case is officially referred to the police commissioner, usually with a disciplinary recommendation. Under an April 2012 Memorandum of Understanding (MOU) between the CCRB and the NYPD, all substantiated cases going to administrative trials will be prosecuted by a team of CCRB attorneys in the agency's new administrative prosecution unit (APU).

The board also hires the executive director. The director is responsible for the agency's daily operations, including the hiring and supervision of the agency's staff. The staff is organized according to the core functions they perform.

In addition to the investigations division, the CCRB has an active mediation program that gives people the opportunity to resolve their complaints face-to-face with police officers (see Mediation chapter). There is also an outreach unit that increases public awareness of the CCRB's mission and programs through presentations to community groups, tenant associations, public schools, libraries and advocacy organizations throughout the five boroughs.

The administrative division supports the other units, managing the large-scale computerized complaint tracking system (CTS), producing statistical analyses of complaint activity, processing cases for board review, managing office operations and vehicle fleet, and performing budgeting, purchasing, personnel, and clerical services.

For Fiscal 2013 (July 1, 2012 – June 30, 2013), the adopted budget is \$12,048,652 and supports 164 full time positions. By comparison, the adopted budget for Fiscal 2012 was \$9,610,246 and supported 141 positions. The 2013 budget included the allocation of funds to create a new administrative prosecution unit, (see Police Discipline chapter).

Jurisdiction and Case Processing

The CCRB investigates and mediates complaints against NYPD officers involving four types of allegations: Force, Abuse of Authority, Discourtesy, and Offensive Language (FADO). Complaints can be filed directly with the CCRB by phone, fax, or mail, through the agency web site, in-person at CCRB's 40 Rector Street office in Manhattan, or through the city's 311 system. Complaints can also be filed through the NYPD's Internal Affairs Bureau or at any police station house. Mail-in complaint forms are also available at station houses.

Once the CCRB receives a complaint within its jurisdiction, an in-depth fact-finding inquiry begins. This investigation typically includes interviewing the alleged victim, witnesses and subject officers and obtaining all relevant documentary evidence, including medical records. Investigators also review police department documents such as roll calls, officer memo books, radio dispatch reports, precinct command logs, arrest reports and "stop, question and frisk" reports. A large number of investigations are cut short, or truncated because the civilian is unavailable or unwilling to cooperate.

At the conclusion of an investigation, the investigative team drafts a report summarizing the results, relevant case law and police department regulations for review by the board. If the board substantiates an allegation of misconduct, the case is forwarded to the police commissioner who has the sole authority to impose discipline. Going forward, substantiated complaints will be prosecuted by the CCRB's administrative prosecution unit (APU), when the board has recommended that charges be brought against an officer.

Not all complaints are investigated—some cases are handled by the agency's mediation unit. When a case is deemed suitable, an investigator will offer mediation to a complainant, as an alternative to a full investigation.

Types of CCRB Allegations

- **Force** refers to the use of unnecessary or excessive force, up to and including deadly force.
- **Abuse of Authority** refers to improper street stops, frisks, searches, the issuance of retaliatory summonses, unwarranted threats of arrest, and other similar actions.
- **Discourtesy** refers to inappropriate behavior or language, including rude or obscene gestures, vulgar words, and curses.
- **Offensive Language** refers to slurs, derogatory remarks and/or gestures, including but not limited to references to a person's sexual orientation, race, ethnicity, religion, gender, or disability.

CCRB Investigation Outcomes

After an investigation is completed, board members decide the outcome of the case. In order to make findings on the allegations, the board reviews the investigator's closing report and evaluates the evidence gathered during the course of the investigation. This case review is conducted by panels composed of three board members – one mayoral designee, one city council designee and one police commissioner designee. Under the New York City Charter, no such panel shall consist exclusively of members of a designating authority. A unanimous vote or a two-to-one vote by the panel results in the following possible outcomes:

Findings on the Merits reflect the board's determination on whether or not an officer's actions are misconduct. There must be a preponderance of evidence to support a finding.

- **Substantiated:** There is sufficient credible evidence to believe that the subject officer committed the act charged in the allegation and thereby engaged in misconduct. Substantiated cases are sent to the police department with a disciplinary recommendation.
- **Exonerated:** The subject officer was found to have committed the act alleged, but the subject officer's actions were determined to be lawful and proper.
- **Unfounded:** There is sufficient credible evidence to believe that the subject officer did not commit the alleged act of misconduct.

Other Findings reflect the board's decision that there is not enough evidence to determine whether or not what the officer did was wrong.

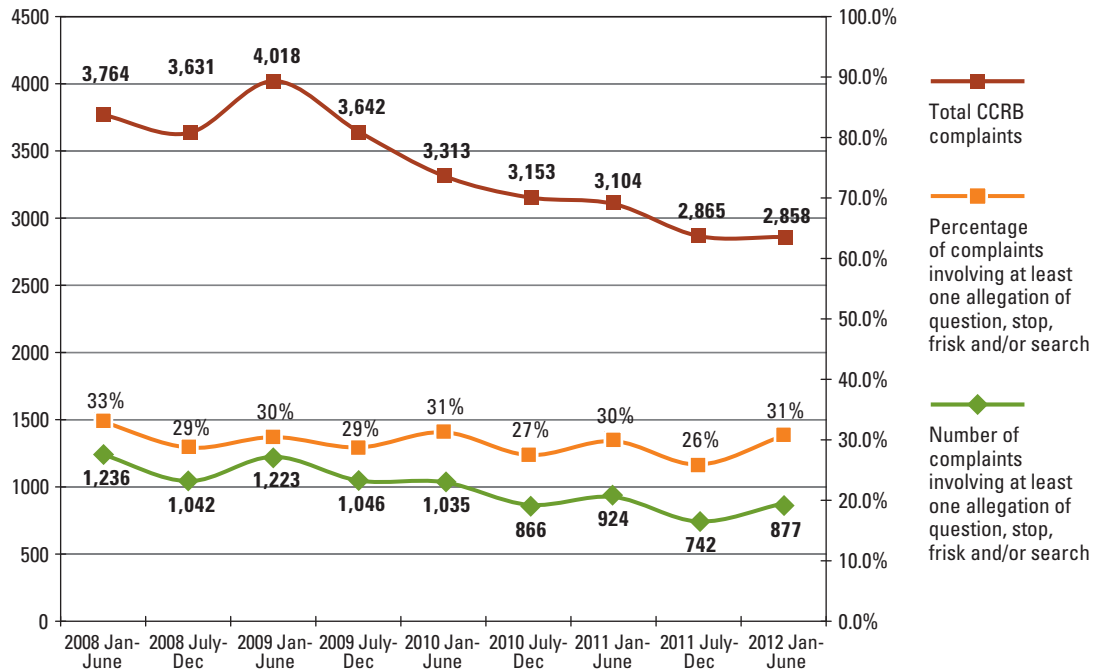
- **Unsubstantiated:** The available evidence is insufficient to determine whether the officer did or did not commit misconduct.
- **Officer(s) Unidentified:** The agency was unable to identify the subject(s) of the alleged misconduct.
- **Miscellaneous:** Most commonly, the subject officer is no longer a member of the NYPD.

Truncated Investigations

Investigations truncate when no factual finding is ever made about whether or not misconduct occurred. Truncated investigations are closed for the following reasons:

- **Complainant/Victim Uncooperative:** The person does not respond to repeated attempts by the investigator to set up an interview or fails to show up for two scheduled interviews. The investigator must send at least two letters and make five phone calls before a case is closed for this reason.
- **Complainant Unavailable:** The complaint was filed without any contact information or with inaccurate information, and the investigator is unable to locate the complainant. Investigators use many methods to try to find a person before a case is closed for this reason, including searching reverse-number directories and several other resources.
- **Complaint Withdrawn:** The complainant no longer wishes to move forward with the case and asks to withdraw the complaint. No case is closed for this reason until the person states that they are voluntarily withdrawing the complaint.
- **Victim Unidentified:** There is not enough information available to locate an alleged victim, usually after someone else has filed a complaint about the incident.

Complaints Received January 2008–June 2012



The CCRB received 2,858 complaints in the period from January through June of 2012. It was the lowest complaint activity level for any January through June period since 2003. In comparison, 3,104 and 3,313 misconduct complaints were filed from January through June 2011 and January through June 2010. This was a decrease of 8% and 14%, respectively.

In terms of “total intake,” which refers to complaints within the CCRB’s jurisdiction plus those complaints outside our jurisdiction, there was also a decline. A complaint outside jurisdiction could be an allegation of corruption or a complaint against a non-NYPD law enforcement officer or other city employee. The total intake in the period from January through June of 2012 was 8,104. It was the lowest intake level for any January through June period since 2005. In comparison, the intake was 8,261 for January through June 2011 and 8,635 for January through June 2010. This was a decrease of 2% and 6%, respectively.

While the precise reasons for an increase or decrease in complaint activity are not known, some of the contextual factors can be discerned. One such factor is where civilians file complaints. Civilians file complaints either with the CCRB or with the police department. Compared to the

first six months of 2011, from January through June of 2012 the number of complaints filed with the NYPD declined 13% (from 1,176 to 1,021), while complaints filed directly with the CCRB decreased by 5% (from 1,921 to 1,831). When the first half of 2012 is compared to the same period of 2010, the number of complaints filed with the NYPD declined 25%, while complaints filed with the CCRB declined 6%. The proportion of complaints filed directly with the CCRB increased from 62% in January through June 2011 to 65% in January through June 2012.

Another factor is how civilians file complaints. Civilians file complaints in person, by phone, by mail or electronic filing. Complaint filing by phone continues to be the most common method of filing. In the first half of 2012, 79% of all complaints filed with the CCRB were filed by phone. By comparison, 15% of all complaints were filed by electronic means and 4% were filed in person. Compared to the first six months of 2011, from January through June of 2012 the number of complaints filed by phone decreased 9% (from 1,593 to 1,446), while complaints filed by email increased by 20% (from 237 to 280). In two years, the number of complaints filed by phone has declined by 11% and the number of complaints filed by email has increased by 36%.

An additional factor is the number of interactions between police officers and members of the public and the type of complaints civilians filed. In the first half of 2012, 31% of all complaints filed were “stop and frisk” complaints. This was consistent with the figures for 2011 and 2010. However, in absolute numbers, the number of stop and frisk complaints declined from 1,035 from January through June 2010 to 924 in the same period of 2011 and to 881 in the first half of 2012. This was a decrease of 11% and 15%, respectively.

Paradoxically, the decline in the number of stop and frisk complaints has coincided with an increase in police “stop, question and frisk” activity (stops). In the first half of 2012, there were 337,434 stops conducted by the NYPD and CCRB received one complaint per 383 stops. From January through June 2011, the NYPD reported that they conducted 362,150 stops and CCRB received complaints at the rate of one complaint per 392 stops. In the first half of 2010, there were 318,702 stops and CCRB received one complaint per 308 stops.

There is a category of complaints in which there has been a minor change. In the first half of 2012, 22% of all complaints filed involved vehicular and residential searches.

This was slightly higher than the figures for 2011 (19%) and 2010 (18%). In absolute numbers, the number of vehicular and residential search complaints increased from 548 from January through June 2011 to 633 in 2012 – a 16% increase. There were 623 such complaints in the first half of 2010.

Characteristics of Encounters

Characteristics of complaints have changed slightly – only two to three percentage points per allegation type. In the first half of 2012, abuse of authority was alleged in 64% of all complaints, excessive use of force was alleged in 49% of complaints, discourtesy was involved in 40% of complaints, and 8% involved alleged offensive language. In the first half of 2011, abuse of authority was alleged in 61% of all complaints, excessive force in 48%, discourtesy in 42%, and 8% of complaints alleged offensive language.

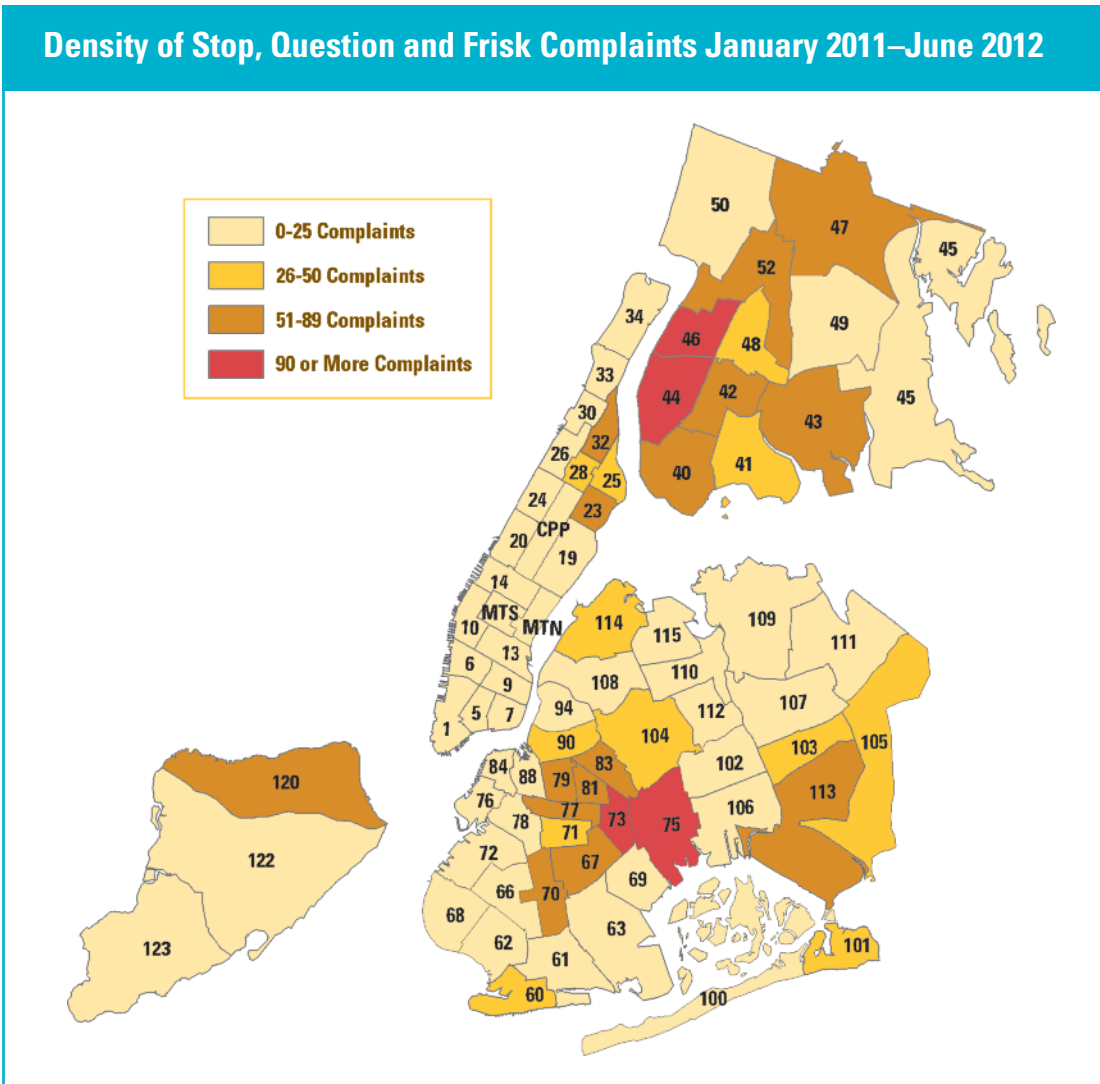
From January to June in 2012, an arrest or summons was involved in 52% of the complaints, with 36% being arrests and 16% being summonses. This statistic is slightly lower than in the same time period in 2011 as well as in 2010, in which 54% stemmed from either summonses or arrests.

Location of Stop, Question and Frisk Incidents Resulting in Complaints

The map illustrates the distribution of stop, question and frisk complaints in New York City during the 18-month period from January 2011 to June 2012. Based on location of the incident that led to the complaint, this distribution has remained relatively consistent over the past half-decade. This map does not reflect the number of uniformed personnel assigned to a precinct, crime statistics, precinct size, or population density.

There were four precincts where incidents resulted in ninety or more stop, question and frisk complaints: the 44th and the 46th Precincts in the Bronx and the 73rd and 75th Precincts in Brooklyn. The highest number of complaints in the city by far came from the 75th Precinct in Brooklyn, where there were 191 complaints, up from 185 in the 18-month period ending in June 2011.

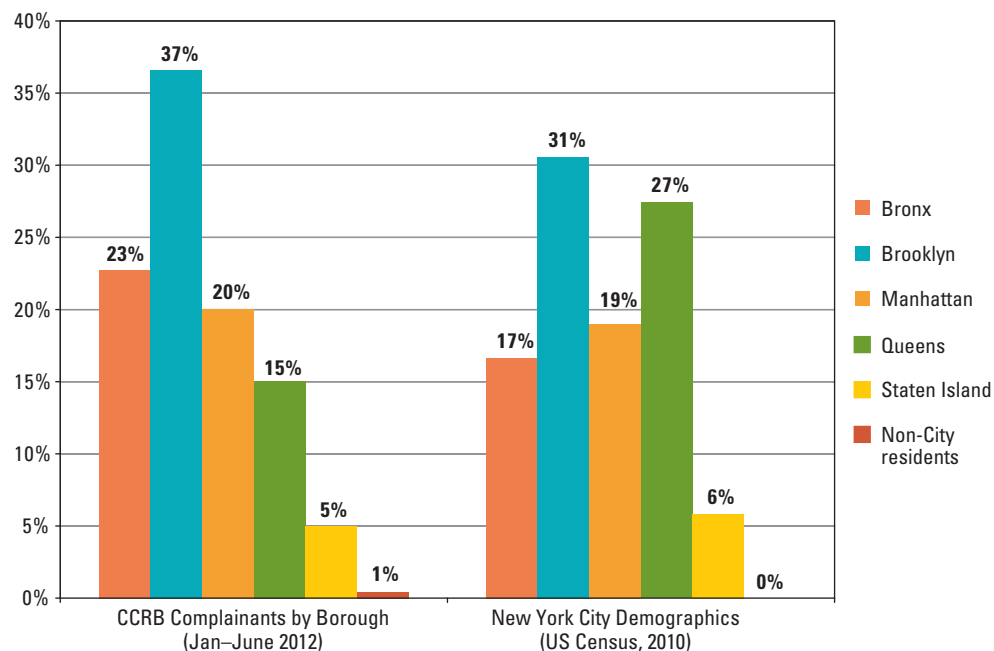
Additional precincts with notable complaint rates include Manhattan's 23rd with 61 complaints and 32nd with 63 complaints, as well as Staten Island's 120th Precinct with 70 complaints. The Bronx had five precincts in which 51 to 80 complaints were filed: the 40th had 73; the 42nd had 56; the 43rd had 61; the 47th had 67; and the 52nd had 65. Similarly, Brooklyn held four such precincts; the 70th had 67; the 77th had 80; the 79th had 54; and the 81st had 55. Queens had one precinct with complaints in this range, the 113th with 52.



There were 46 precincts where incidents resulted in 25 or fewer stop, question and frisk complaints between January 2011 and June 2012. Eighteen of these precincts were in Manhattan: Midtown South, Midtown North, Central Park and the 1st, 5th, 6th, 7th, 9th, 10th, 13th, 18th, 19th, 20th, 24th, 26th, 30th, 33rd, and 34th. Two precincts were in Staten Island: the 122nd and the 123rd. Eleven precincts were in Queens: the 100th, 102nd, 104th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, and the 115th. Twelve were in Brooklyn: the 61st, 62nd, 63rd, 66th, 68th, 69th, 72nd, 76th, 78th, 84th, 88th, and 94th. The Bronx had three precincts with 25 or fewer stop complaints: the 45th, 49th, and 50th.

Complainant Demographics

Complainants' Boroughs of Residence and NYC Demographics



Historically, the breakdown by race of CCRB complainants has differed greatly from the breakdown by race of the city's population as reported by the United States Census Bureau.

In the first half of 2012, blacks comprised the majority of CCRB complainants (56%), continuing a decade-long trend. This group is significantly overrepresented considering that blacks are 23% of the total New York City population, an overrepresentation of 33 percentage points. Hispanics are the second largest group of complainants at 25%. This is slightly below the group's actual percentage of 28% of the New York City population. Whites and Asians continue to be underrepresented as a percentage of complainants. Whites were 14% of all complainants in 2012 and Asians were 2%. They are 35% and 12% of the New York City population, respectively.

Complaint Distribution by Borough

In the first half of 2012, Brooklyn residents made the greatest number of complaints, and were 37% of total complainants. The second biggest group was Bronx complainants (23%) followed by Manhattan (20%). Queens comprised 15% of complainants, Staten Island accounted for 5% of complainants and 1% of complainants did not reside in New York City. These statistics show a 6% decrease in complainants from the Bronx, a 3% increase from Brooklyn, a 2% increase in Manhattan, a 1% decrease in Queens, and a 2% increase in complainants from Staten Island compared to the first half of 2011.

Board Dispositions

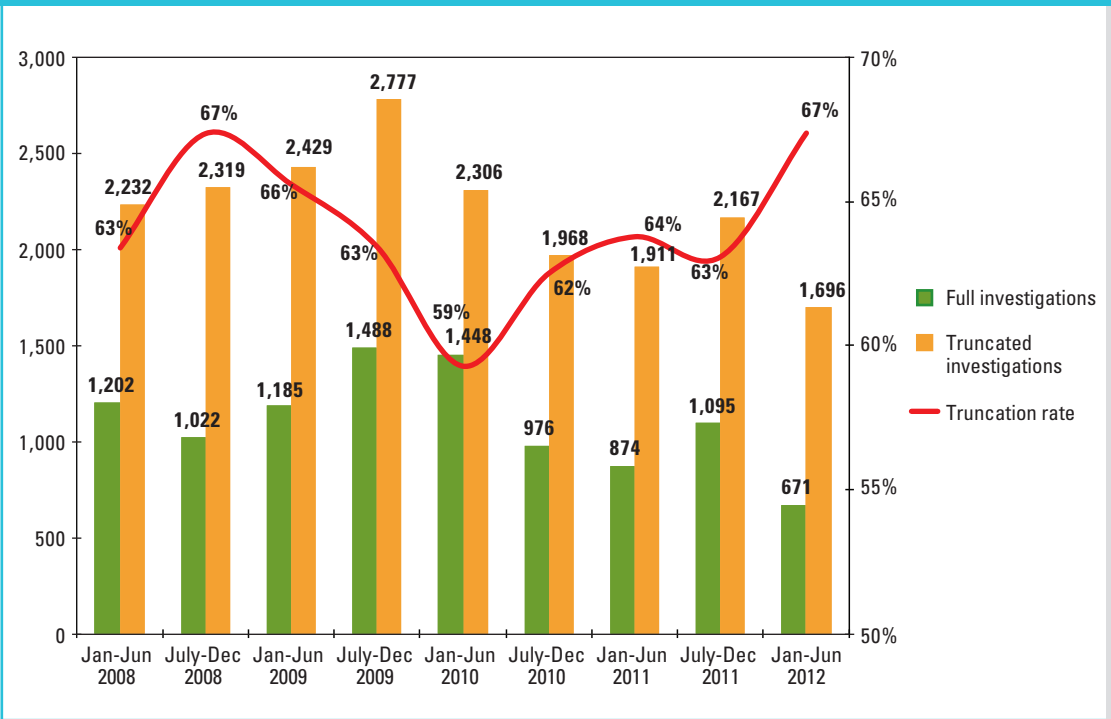
Each CCRB complaint consists of one or more FADO allegations. Also, there are instances in which cases reveal other types of police misconduct, such as failure to make a proper memo book entry or failure to document a stop and frisk interaction, as required by the police department. Case investigations follow one of three paths: some are investigated to their fullest; some are mediated as an alternative to full investigations; and others are truncated because a full investigation cannot proceed.

Cases are categorized as full investigations when the board reviews a case and determines whether or not, under the preponderance of the evidence standard, the officer(s) committed the alleged act of misconduct. This is the same standard required in most civil cases. The standard is met if the allegation is more likely to be true than not true. If the board finds misconduct in at least one of the allegations, it closes the case as substantiated.

There are five other ways of closing a full investigation: exonerated when the officer's actions are determined to be lawful and proper; unfounded when the board finds that the officer did not commit the alleged act; and unsubstantiated if it finds that the evidence is insufficient to make a determination. In addition, a case is closed as officer unidentified if officer identification cannot be made and a case is closed as miscellaneous if the officer is no longer employed by the NYPD.

Cases are truncated when a full investigation cannot proceed. This happens for several reasons: the complainant and/or alleged victim(s) withdraw the complaint, refuse to provide a formal statement, or cannot be located. The board then closes the case as: Complaint Withdrawn; Complainant/Victim Uncooperative; Complainant/Victim Unavailable; or Victim Unidentified, depending on the underlying circumstances. The board has the discretion to re-open a truncated case upon request by the complainant.

Disposition of Investigated Cases January 2008–June 2012

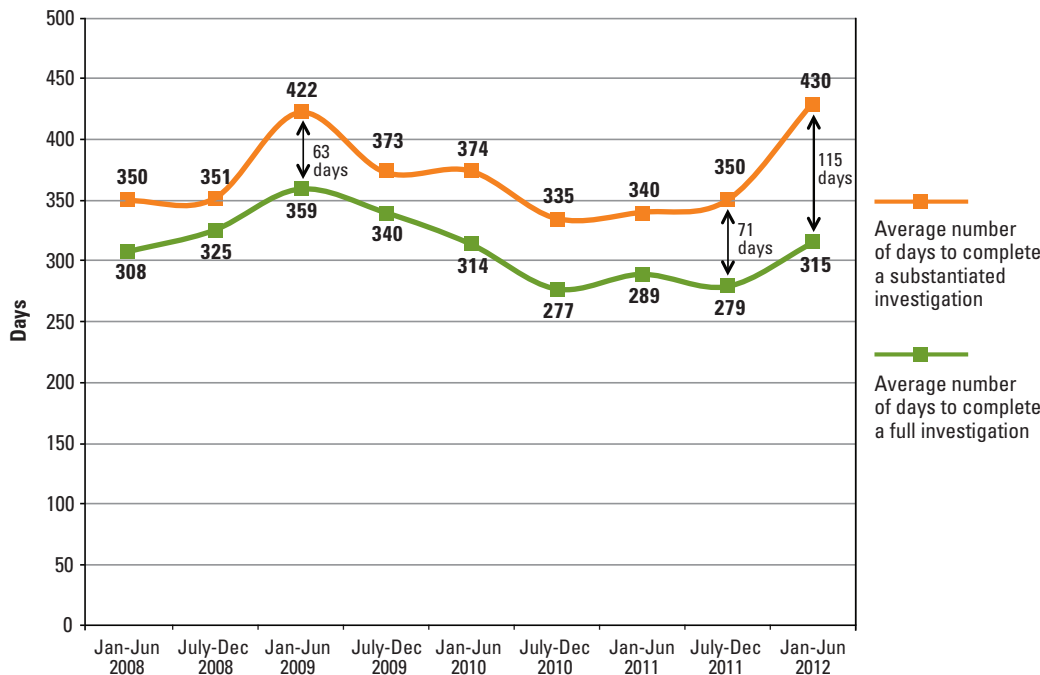


The CCRB closed 2,518 cases in the first half of 2012. Of these cases, 671 (27%) were full investigations, 151 (6%) were closed by the mediation unit, and 1,696 (67%) were truncated. By comparison 2,997 cases were closed in the first half of 2011. Of those cases, 874 (29%) were full investigations, 212 (7%) were closed by the mediation unit, and 1,911 (64%) were truncated.

Of the 671 cases that were full investigations, 74 were substantiated. For the same period of last year, the CCRB substantiated 61 cases. The substantiation rate increased by four percentage points, from 7% to 11%. These 74 substantiated cases contained 141 allegations. There were 12 allegations of force, 107 abuse of authority, 20 discourtesy, and two were offensive language allegations.

In the first half of 2012, 6% of total allegations were fully investigated (141 out of 2,198). This was up from 4% (113 out of 3,040) in the first half of 2011. The percentage of allegations that that were unsubstantiated increased from 38% in the first half of 2011 to 45% in the same period of 2012. Also, 9% of allegations were unfounded this year, while 12.5% were unfounded last year. Additionally, 27% of allegations were exonerated compared to 32.5% of cases in the first half of 2011. The percent of allegations with unidentified officers remained the same for both time periods, at 12%.

Average Number of Days to Complete Investigations January 2008–June 2012



30, 2012, compared to 2,902 as of June 30, 2011. The difference of 109 cases represents a 4% decrease in the open docket. On June 30, 2012, nine cases were 18 months or older based on the dates of incident or 0.3% of the open docket. By comparison, on June 30, 2011, 14 cases were 18 months or older or 0.5% of the open docket.

Completion Time

During the first half of 2012, the average number of days to complete a full investigation increased to 315, from 289 in the first half of 2011, a 9% increase. The average number of days it took to complete a substantiated investigation was 430 days as compared to 340 days in the first half of 2011. This is a 26% increase.

The CCRB uses three key indicators to measure its productivity: the size and age of the open docket; the time it takes to complete an investigation; and the average number of case closures per investigator. By two out of the three measures, the agency's productivity declined when compared to the same period of last year. During the first half of 2012, the CCRB had a higher than usual vacancy rate. By June the actual number of investigators had shrunk to 92, down from an authorized headcount of 108 investigators, or a 15% vacancy rate.

Docket Size and Age

The CCRB uses the term open docket to refer to the number of cases being processed by the agency at a given time. There were 2,793 open cases as of June

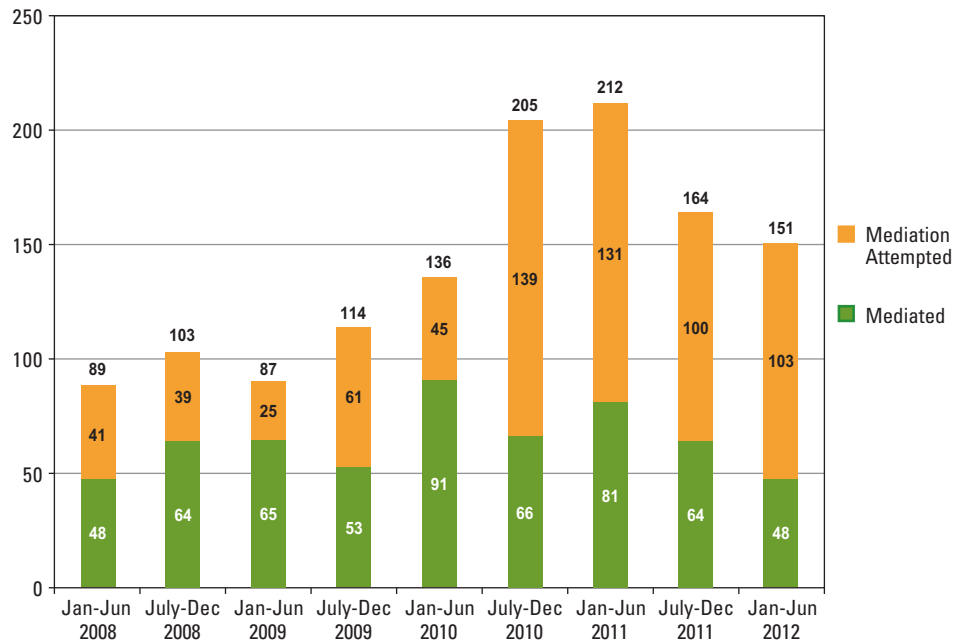
Investigators' Case Closures

The average number of case closures per investigator did not decline in the first half of 2012. Each investigator closed an average of 35 cases in the first six months of both years. However, when the case closure rate is adjusted to the size of the caseload available (new cases plus cases four months and older in the open docket), investigator productivity declined considerably. In the first half of 2012, an investigator closed 62% of all cases available, as opposed to 72% in the first half of 2011.

Mediation is a process where civilians and police officers meet with a trained, neutral mediator to address the issues raised in the complaint. The mediator guides discussion between the parties to help them resolve the complaint. Participation in mediation is voluntary for both complainants and officers.

The CCRB has the largest mediation program in the United States for complaints against the police. In the first half of 2012, the mediation unit resolved a total of 151 complaints. The CCRB mediated 48 cases and closed as mediation attempted 103 cases. By comparison, in the first half of 2011, the CCRB mediated 81 cases and closed a total of 131 cases as mediation attempted for total of 212 cases closed through the unit.

Total Number of Mediation Unit Closures January 2008–June 2012



The total number of cases resolved through the mediation program as a percentage of total agency closures is 6% compared to 7% last year. The total number of cases closed as mediated decreased from 3% to 2% this year.

The number of cases referred to the mediation unit remained flat. In the first half of 2012, the investigative teams referred 304 cases as opposed 302 cases in 2011. However, the number and proportion of cases in which investigators offered mediation has increased. In the first half of 2012, mediation was offered in 736 cases – 60% of all suitable and eligible cases. By comparison, in the

same period of 2011, mediation was offered in 718 cases – 56% of all suitable and eligible cases. The number and proportion of cases in which people agreed to mediate their complaints increased slightly. In the first half of 2012, civilians agreed to mediate 365 cases – 54% of all cases in which mediation was offered. By comparison, in the same period of 2011, people agreed to mediate 359 cases – 53% of all cases where it was offered.

Finally, the rate at which officers agreed to participate in mediation increased from 73% to 74%. However, the number of officers that participated in mediation decreased from 230 to 194.

The CCRB's outreach unit makes public presentations to increase awareness of the agency's mission and to build public confidence in the complaint process. The outreach director, as well as investigators and other agency staff, visit schools, public libraries, tenant associations, advocacy organizations, community groups, churches, community boards, and precinct community councils, among other groups in all five boroughs.

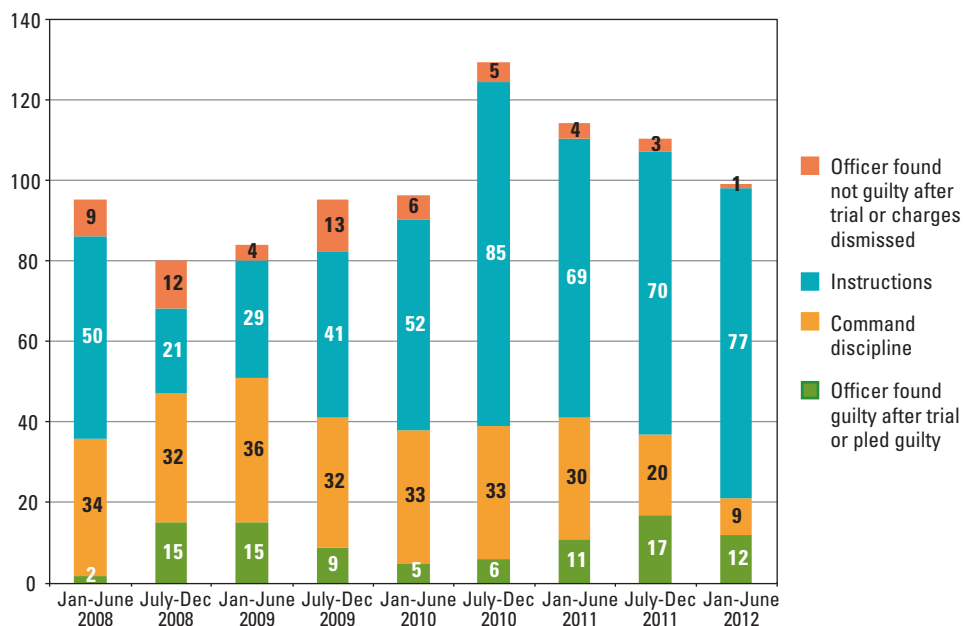
In the first six months of 2012, staff members gave 59 presentations, continuing the targeted outreach that began in 2010 to residents living in public housing. During this period most presentations were given at New York City Housing Authority (NYCHA) locations, and at schools, churches and community groups serving NYCHA residents, particularly youth. While youth between the ages of 15 to 24 are 16% of the NYC population, they are 33% of alleged victims in CCRB complaints.

The agency also targeted the immigrant community to make people aware of the CCRB's language assistance

services for alleged victims and witnesses. The CCRB provided translations on 416 occasions in 10 different languages in the first half of 2012. The vast majority of translations provided were in Spanish (90%), followed by Arabic (3%), Chinese (3%), and Russian (2%). This figure was slightly down from last year, when the CCRB provided translations on 474 occasions, but well above the 217 translations provided in the second half of 2010 when the agency began tracking translation and interpretation services.

The CCRB also uses its agency web site as an outreach tool. In the first half of 2012, the web site received 12,424 visitors. Twenty percent of the visitors went to the web site two or more times. The number of visits increased by 5%, from 117,905 in the first half of 2011 to 123,362 in 2012. The web page that attracted the most traffic was the "employment opportunities" page. Pages on how to file a complaint were the second most popular. The section dedicated to the board had approximately 6,000 visits.

Police Department Pursued Discipline in Substantiated CCRB Cases January 2008–June 2012



When the board determines that an officer has committed misconduct, it forwards the case to the police commissioner, usually with a disciplinary recommendation. Under the law, the police commissioner has sole discretion over whether to issue discipline and the level of punishment.

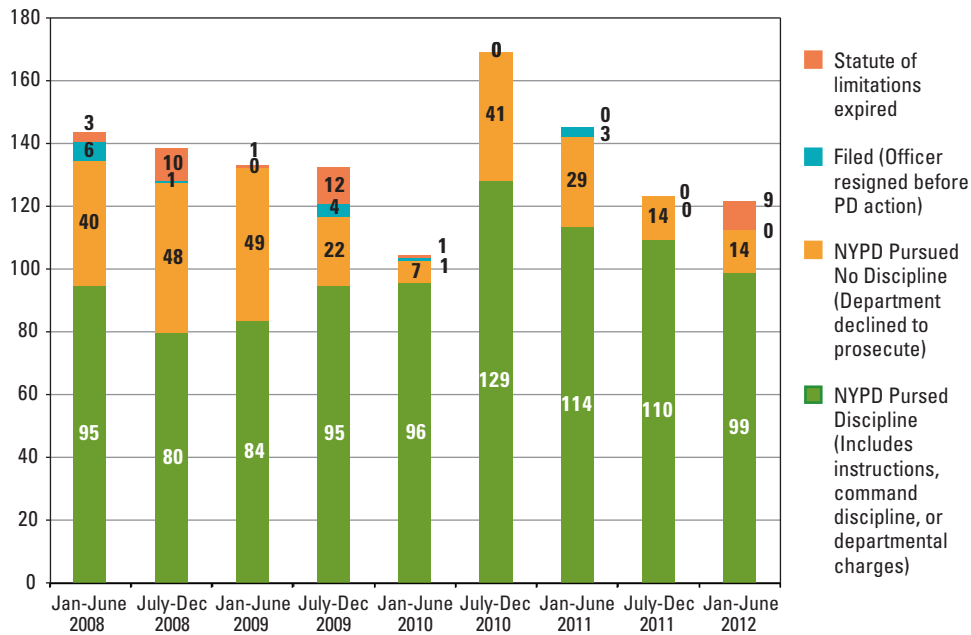
From January to June 2012, the discipline rate was 80%, up from 77% during the same time period of 2011. The police department closed 122 cases that had previously been substantiated by the CCRB. The department disciplined officers in 98 cases and did not discipline officers in the remaining 24 cases. In the first half of 2011, the police department closed 146 cases.

Of the 98 cases in which the department disciplined officers, four officers were found guilty after trial and eight officers pled guilty before trial. Also, nine officers received command discipline and 77 received instructions.

Of the 24 cases where the police department took no disciplinary action, the department declined to prosecute 14 cases and in nine cases the statute of limitations expired. In one case, the officer was found not guilty after trial.

During this period, the trial conviction rate was 80% and the percentage of cases in which the department declined to prosecute a case was 11.5%. By comparison, in the first half of 2011, the guilty rate was 43% and the department declined to prosecute rate was 20%.

Police Department Action in Substantiated CCRB Cases January 2008–June 2012

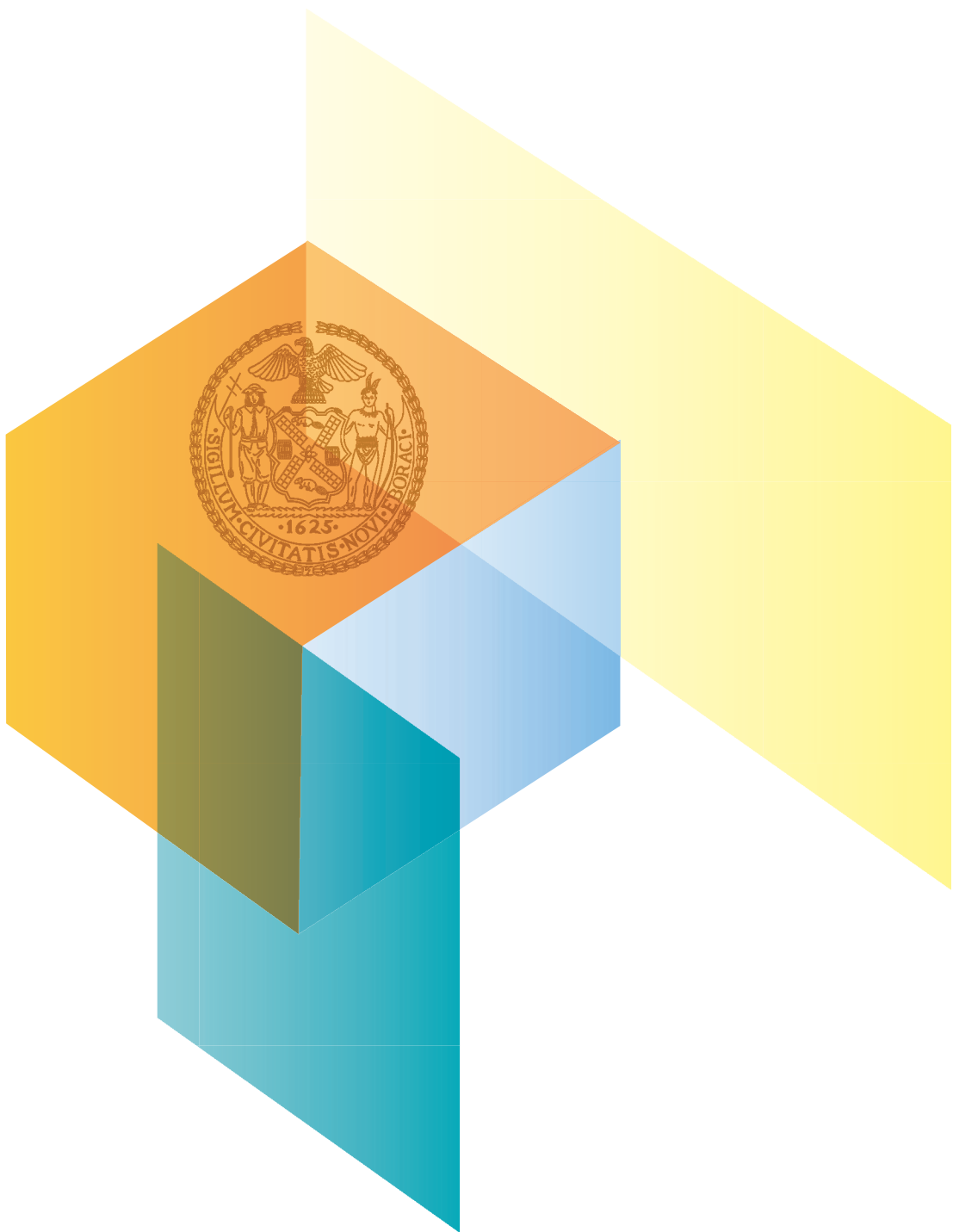


Administrative Prosecution Unit

On March 27, 2012, Mayor Michael Bloomberg, City Council Speaker Christine Quinn, Police Commissioner Raymond Kelly and CCRB Chair Daniel Chu announced an agreement to give the CCRB authority to prosecute substantiated misconduct complaints. Under this agreement, attorneys with a new CCRB administrative prosecution unit, rather than attorneys working for the police department, will prosecute all substantiated cases where the subject officer ultimately faces administrative charges and a disciplinary trial.

On April 2nd a Memorandum of Understanding (MOU) was signed between the CCRB and the NYPD that sets in motion the first steps in the implementation of the administrative prosecution unit. The process will conclude with the adoption of a new set of rules by both agencies.

The CCRB received funding in the Fiscal 2013 budget to establish a 20-person prosecution unit, comprised of 12 attorneys and support staff. The budget also provides funds to enhance the agency's complaint tracking system.



NYC

CIVILIAN COMPLAINT REVIEW BOARD

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Complaints and General Information

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