CIVILIAN COMPLAINT REVIEW BOARD
100 CHURCH STREET 10th FLOOR
NEW YORK, NEW YORK 10007 ♦ TELEPHONE (212) 912-7235
www.nyc.gov/ccrb

BILL DE BLASIO
MAYOR

MAYA D. WILEY, ESQ.
CHAIR

MINA Q. MALIK, ESQ.
EXECUTIVE DIRECTOR

Executive Director's Monthly Report

September 2016

(Statistics for August 2016)

Contents

Executive Summary

The Civilian Complaint Review Board ("CCRB") is an independent municipal Agency that investigates complaints of NYPD misconduct. Every month, the CCRB prepares an Executive Director report for its public meeting. In general, investigations are being conducted more efficiently than at any period in the Agency's history. Video evidence is playing a crucial role in the outcome of cases. Data for August 2016 included the following highlights:

1) The CCRB continues to close its cases more efficiently. Of the cases that remain in the CCRB active docket, 94% have been open for four months or less, and 99% have been open for seven months or less (page 10). In August, the CCRB opened 393 new cases (page 4), and currently has a docket of 1,085 cases (page 11).

2) The CCRB substantiated allegations in 15% of its fully investigated cases (page 19).

3) The CCRB fully investigated 29% of the cases it closed in August (page 12) and resolved (fully investigated, mediated or mediation attempted) 33% of the cases it closed in August (page 12). The Agency's truncation rate is 65% (page 12). This is primarily driven by complainant/victim/witness uncooperative which the CCRB is currently focused on examining.

4) For August, investigations using video evidence resulted in substantiated allegations in 23% of cases - compared to 12% of substantiated cases in which video was not available (page 19).

5) The Monthly Report includes a breakdown of complaints and substantiations by NYPD precinct and borough of occurrence (pages 5-6).

6) In August the PC finalized penalty decisions against 11 officers. The CCRB's Administrative Prosecution Unit (APU) prosecutes the most serious allegations of misconduct. The APU has conducted trials against 90 respondent officers year to date, and trials against 7 respondent officers in August.

Finally, the Monthly Report contains a Table of Contents, Glossary, and Appendix, all meant to assist readers in navigating this report. The CCRB is committed to producing monthly reports that are valuable to the public, and welcome feedback on how to make our data more accessible.

Glossary

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

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

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

Board Panel: The "Board" of the CCRB has 13 members appointed by the mayor. Of the 13 members, five are chosen by the Mayor, five are chosen by the City Council, and three are chosen by the Police Commissioner. Following a completed investigation by the CCRB staff, three Board members, sitting as a Board Panel, will make a finding on whether misconduct occurred and will make a recommendation on what level of penalty should follow.

Case/Complaint: For the purposes of CCRB data, a "case" or "complaint" is defined as any incident within the Agency's jurisdiction, brought to resolution by the CCRB. Cases/Complaints thus include truncations, fully investigated or ongoing cases, mediations, and completed investigations pending Board Panel review.

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

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

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

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

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

Truncation: If a case is not fully investigated due to the victim's lack of interest or availability, the case is closed and is considered "truncated."

Complaints Received

The CCRB's Intake team processes misconduct complaints from the public and referrals from the NYPD. Under the New York City Charter, the CCRB's jurisdiction is limited to allegations of misconduct related to Force, Abuse of Authority, Discourtesy and Offensive Language. All other complaints are referred to the appropriate agency. Figure 1 refers to all complaints that the CCRB receives and Figures 2 and 3 refer to new cases that remain with the Agency. In August 2016, the CCRB initiated 393 new complaints.

Figure 1: Total Intake by Month (January 2015 - August 2016)

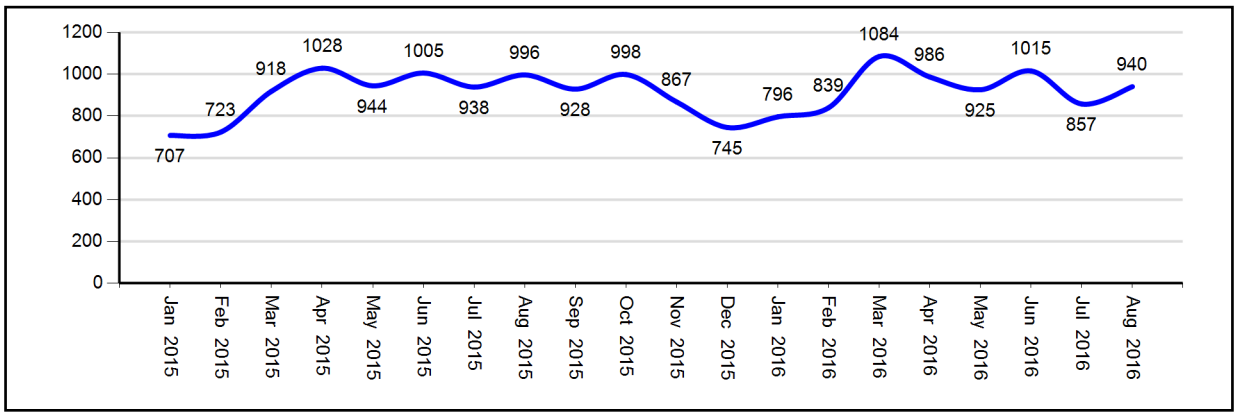


Figure 2: New CCRB Complaints by Month (January 2015 - August 2016)

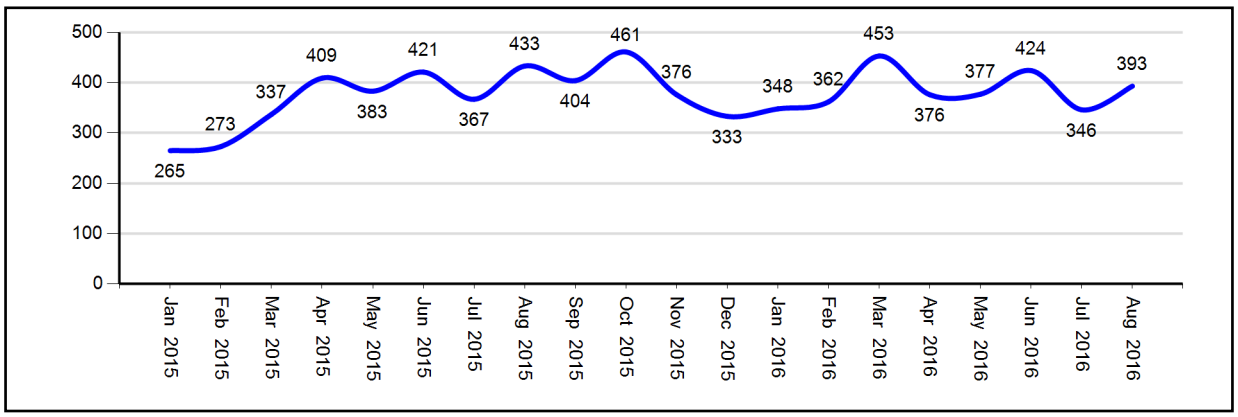
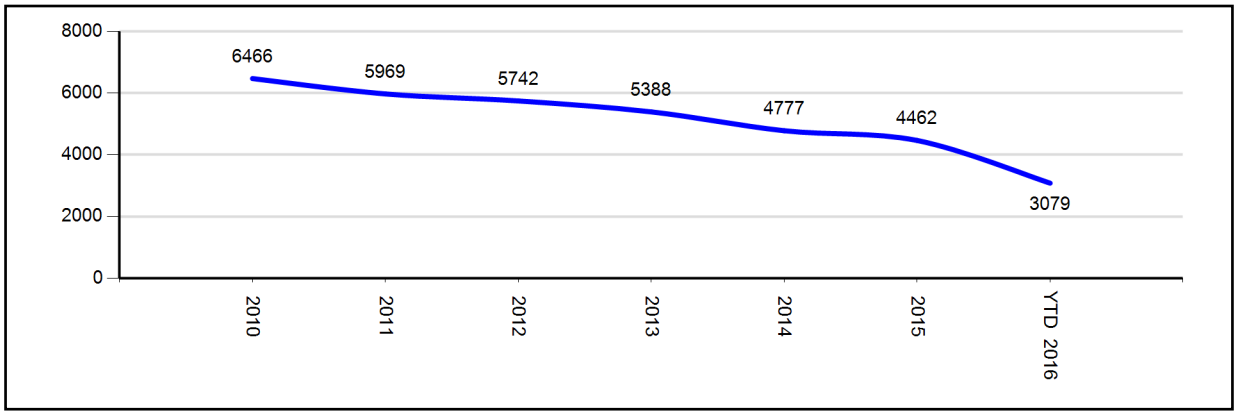


Figure 3: New CCRB Complaints by Year (2010 - YTD 2016)



CCRB Cases Received by Borough and Precinct

Of the five boroughs, the largest number of misconduct complaints stemmed from incidents occurring in Brooklyn, followed by Manhattan. A leading 24 incidents took place in the 75th Precinct.

Figure 4: CCRB Complaints Received By Borough of Occurrence (August 2016)

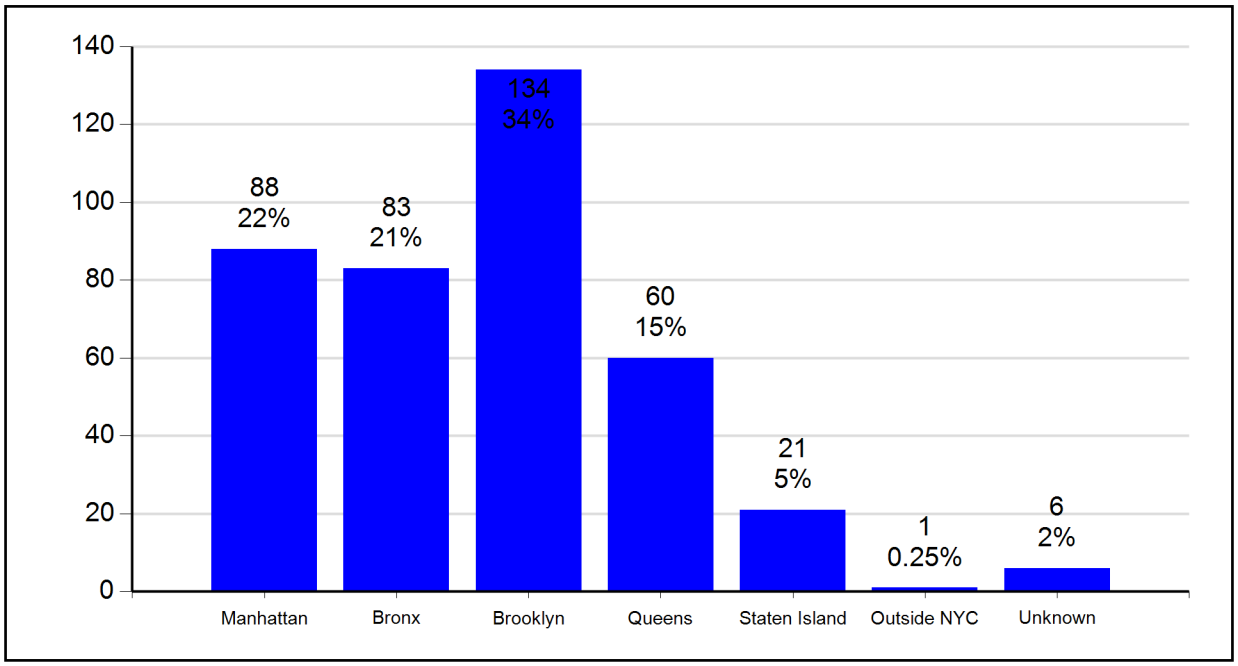


Figure 5: CCRB Complaints Received By Borough of Occurrence (YTD 2016)

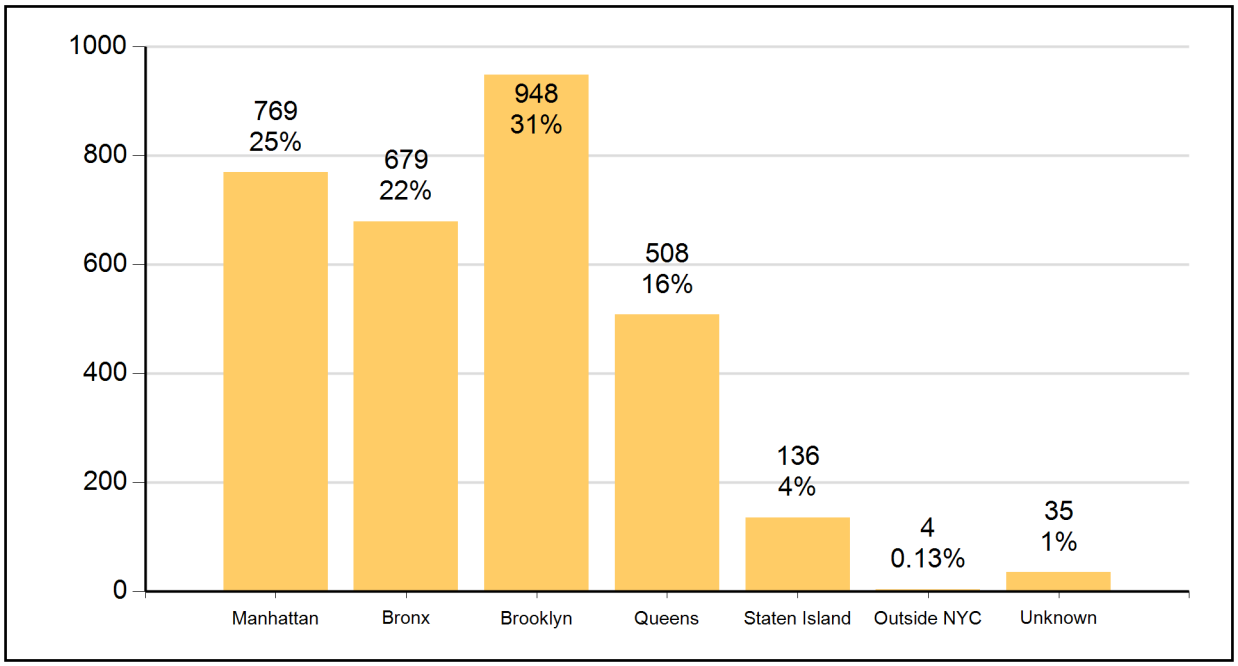


Figure 6: CCRB Complaints Received By Precinct of Occurrence (August 2016)

NYPD Precinct of Occurrence*	Number of Complaints
1	2
5	3
6	3
7	1
9	4
10	3
13	3
14	10
17	2
18	3
19	4
20	2
23	8
24	2
25	7
26	1
28	1
30	11
32	7
33	4
34	4
40	9
41	6
42	12
43	5
44	13
45	4
46	10
47	7
48	6
49	1
50	1
52	8
60	8
61	5
62	2
63	2
66	5

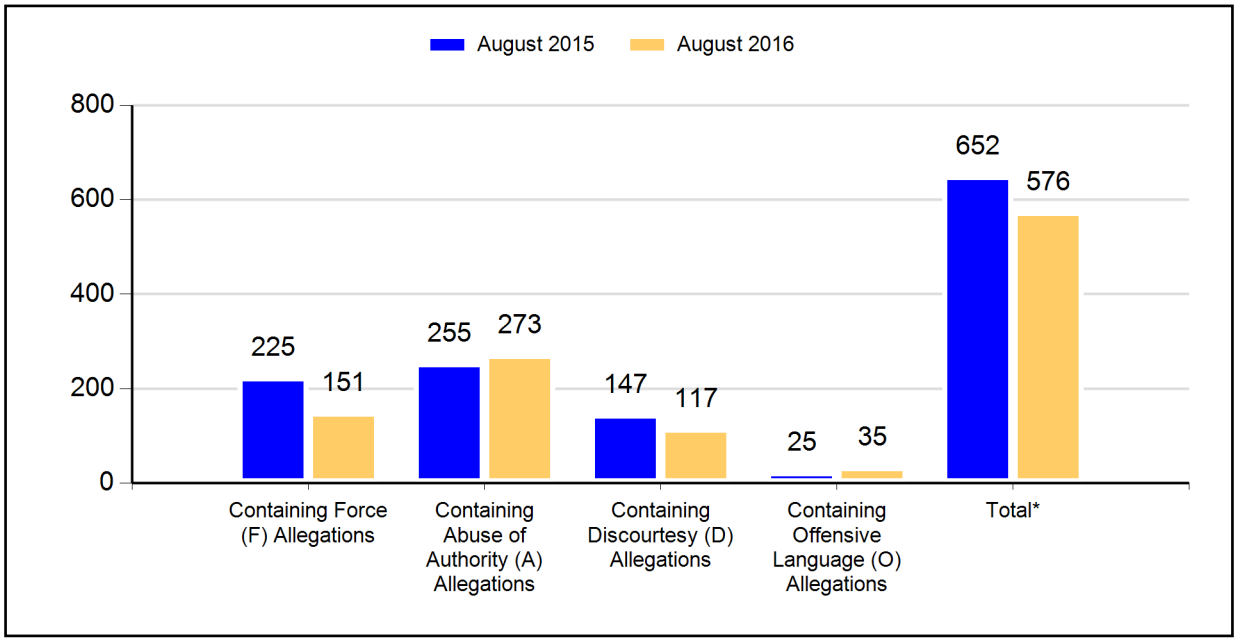
NYPD Precinct of Occurrence*	Number of Complaints
67	4
69	9
70	5
71	6
72	4
73	12
75	24
76	1
77	9
79	8
81	10
83	4
84	4
88	7
90	2
94	1
100	3
101	7
102	4
103	5
104	1
105	6
106	2
107	5
108	3
109	2
110	2
111	2
112	2
113	13
114	2
115	1
120	8
121	10
122	2
123	1
Unknown	13

*These figures track where an incident occurred, not necessarily the Command of the officer. For example, a complaint filed against officers assigned to a Narcotics unit working in East New York would be counted as occurring in the 75th Precinct.

Allegations Received

As described in the previous section, the CCRB has jurisdiction over four categories of NYPD misconduct. In comparing August 2015 to August 2016, the number of complaints containing an allegation of Force are down, Abuse of Authority are up, Discourtesy are down and Offensive Language are up. Figures for the year to date comparison show that in 2016 complaints containing an allegation of Force are down, Abuse of Authority are up, Discourtesy are down and Offensive Language are up.

Figure 7: CCRB Complaints Received By Type of Allegation (August 2015 vs. August 2016)



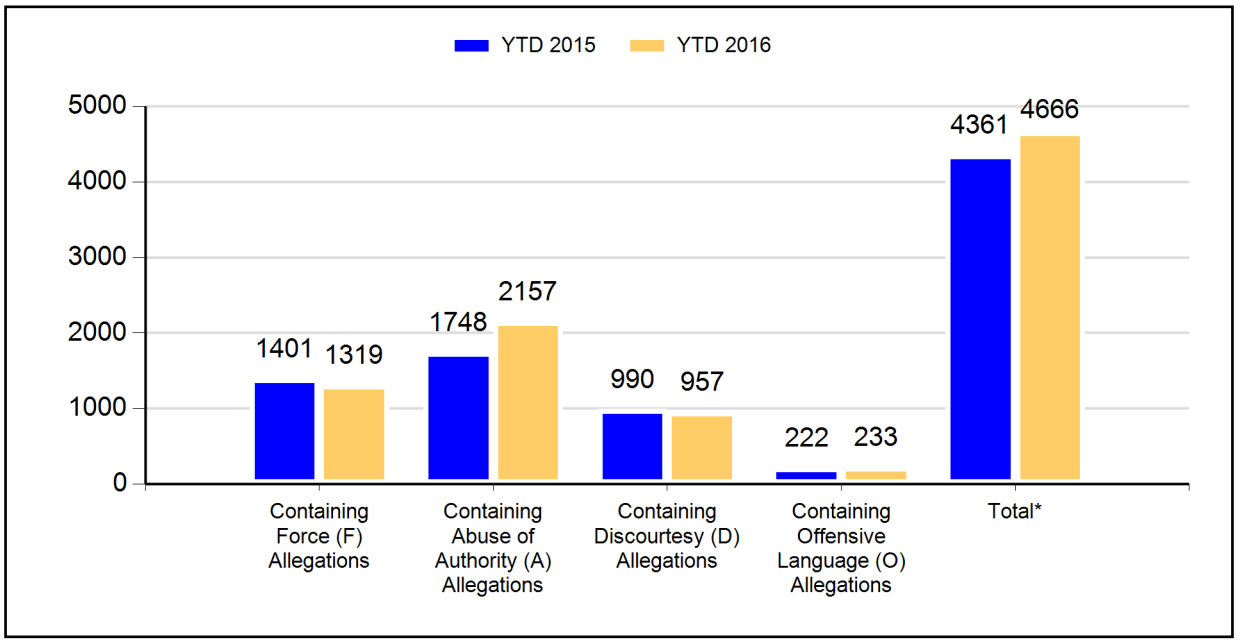
*This is the total of distinct FADO allegation types in complaints received.

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

	August 2015		August 2016			
	Count	% of Total Complaints	Count	% of Total Complaints	Change	% Change
Force (F)	225	52%	151	38%	-74	-33%
Abuse of Authority (A)	255	59%	273	69%	18	7%
Discourtesy (D)	147	34%	117	30%	-30	-20%
Offensive Language (O)	25	6%	35	9%	10	40%
Total FADO Allegations	652		576		-76	-12%
Total Complaints	433		393		-40	-9%

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

Figure 9: CCRB Complaints Received By Type of Allegation (YTD 2015 vs. YTD 2016)



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

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

	YTD 2015		YTD 2016			
	Count	% of Total Complaints	Count	% of Total Complaints	Change	% Change
Force (F)	1401	49%	1319	43%	-82	-6%
Abuse of Authority (A)	1748	61%	2157	70%	409	23%
Discourtesy (D)	990	34%	957	31%	-33	-3%
Offensive Language (O)	222	8%	233	8%	11	5%
Total FADO Allegations	4361		4666		305	7%
Total Complaints	2888		3079		191	7%

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

Figure 11: Total Allegations (% of Total Allegations)

	August 2015		August 2016			
	Count	%of Total Allegations	Count	%of Total Allegations	Change	% Change
Force (F)	383	30%	266	22%	-117	-31%
Abuse of Authority (A)	686	53%	728	61%	42	6%
Discourtesy (D)	190	15%	155	13%	-35	-18%
Offensive Language (O)	29	2%	47	4%	18	62%
Total Allegations	1288		1196		-92	-7%
Total Complaints	433		393		-40	-9%

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

	YTD 2015		YTD 2016			
	Count	%of Total Allegations	Count	%of Total Allegations	Change	% Change
Force (F)	2444	30%	2628	27%	184	8%
Abuse of Authority (A)	4108	51%	5606	57%	1498	36%
Discourtesy (D)	1275	16%	1355	14%	80	6%
Offensive Language (O)	254	3%	293	3%	39	15%
Total Allegations	8081		9882		1801	22%
Total Complaints	2888		3079		191	7%

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

CCRB Docket

As of the end of August 2016, 94% of active CCRB cases are fewer than four months old, and 99% active cases have been open for fewer than eight months.

Figure 13: Age of Active Cases Based on Received Date (August 2016)

	Count	% of Total
Cases 0-4 Months	1010	94.3%
Cases 5-7 Months	53	4.9%
Cases 8-11 Months	4	0.4%
Cases 12-18 Months*	1	0.1%
Cases Over 18 Months**	3	0.3%
Total	**1071**	**100%**

* 12-18 Months: 1 case that was on DA Hold.
** Over 18 Months: 2 cases that were reopened; 1 case that was on DA Hold.

Figure 14: Age of Active Cases Based on Incident Date (August 2016)

	Count	% of Total
Cases 0-4 Months	951	88.8%
Cases 5-7 Months	84	7.8%
Cases 8-11 Months	21	2.0%
Cases 12-18 Months	11	1.0%
Cases Over 18 Months	4	0.4%
Total	**1071**	**100%**

An active case is specifically one in which the facts are still being investigated.

Figure 15: Number of Active Investigations (January 2015 - August 2016)

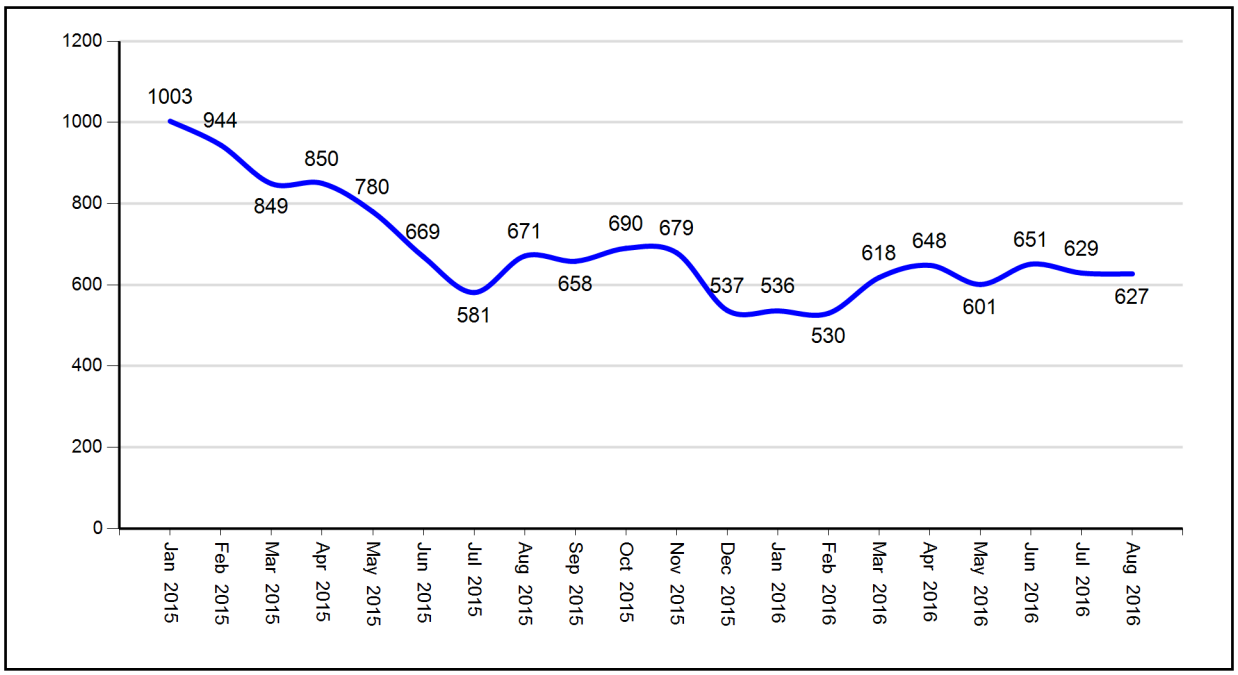


Figure 16: Open Docket Analysis

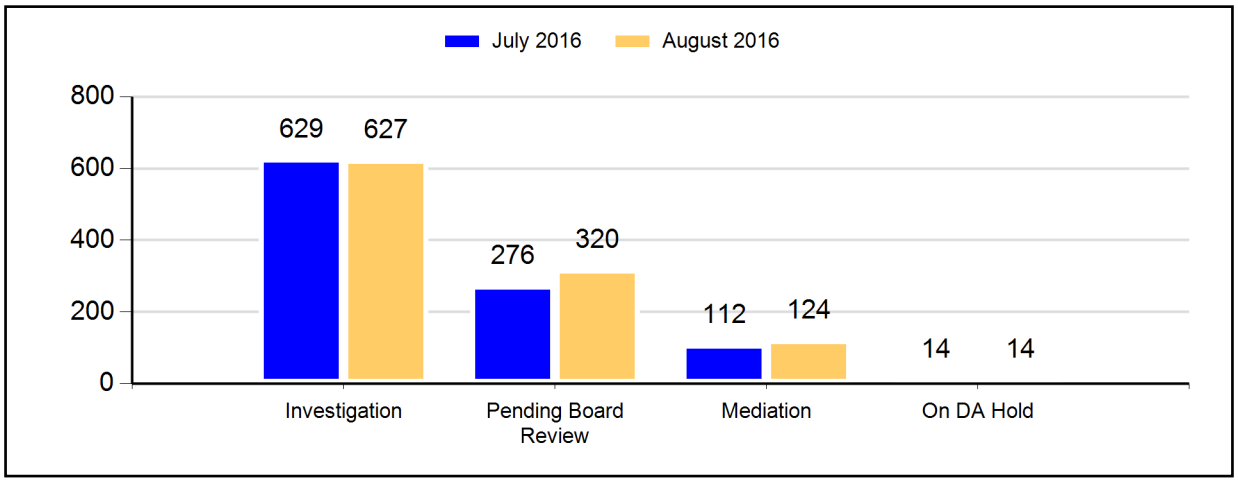


Figure 17: Open Docket Analysis with % Change

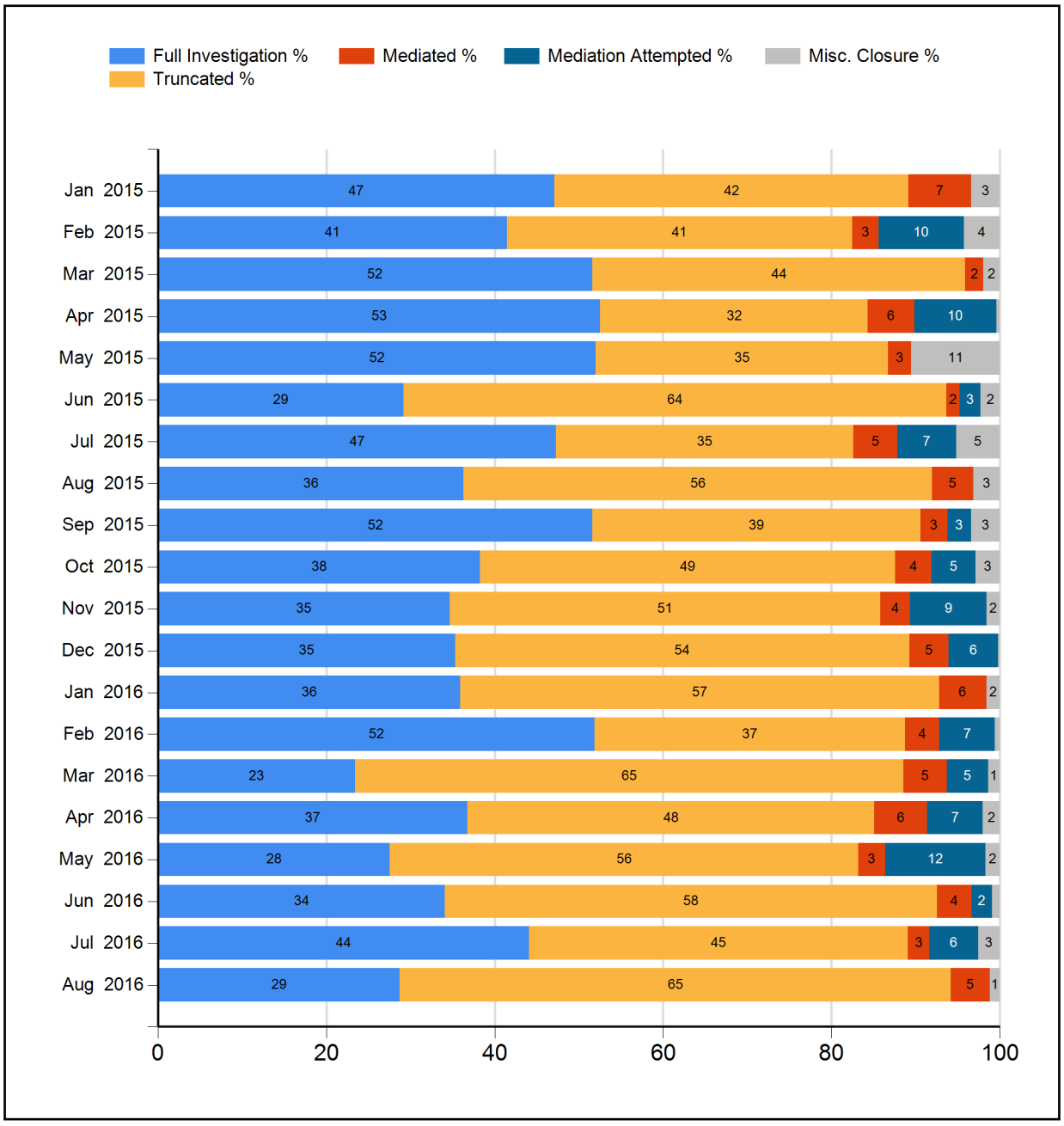
	July 2016		August 2016			
	Count	% of Total	Count	% of Total	Change	% Change
Investigations	629	61%	627	58%	-2	0%
Pending Board Review	276	27%	320	29%	44	16%
Mediation	112	11%	124	11%	12	11%
On DA Hold	14	1%	14	1%	0	0%
Total	1031		1085		54	5%

Closed Cases

Resolving Cases

In August 2016, the CCRB fully investigated 29% of the cases it closed, and resolved (fully investigated, mediated or mediation attempted) 33% of the cases it closed.

Figure 18: Case Resolutions (January 2015 - August 2016) (%)



Dispositions

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

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

Additionally, a case might be **mediated**, with the subject officer and complainant discussing the incident in the presence of a neutral third-party moderator. Finally, a case that cannot be fully investigated due to victim/complainant unavailability or lack of cooperation is **truncated**.

Case Abstracts

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

1. Substantiated

Officers conducted a vehicle stop on a car that was double parked. During the traffic stop, the driver said the officer asked if there was anything in the vehicle such as knives, guns, or drugs. The driver reportedly said no, to which the officer replied if he had the driver's permission to search the vehicle. The officer stated that he was patrolling a drug-prone area and intended to issue the driver a summons for double parking. The officer stated he probably asked the driver if there were any knives, drugs, or guns in the vehicle, as he routinely asked this question during car stops for safety reasons, even if he has not established reasonable suspicion those items are present. The officer further stated that he may have asked the driver if he could search the vehicle. A preponderance of evidence suggests the officer questioned the driver without the requisite founded suspicion of criminality. Therefore, the Board "Substantiated" the questioning of the driver.

2. Unsubstantiated

Officers used force to arrest a man after a vehicle stop for reckless driving. The officer stated that during the traffic stop, the man exited the vehicle cursing until he was instructed to return to his car. When the vehicle stop was concluded, the officer reported the man again exited the vehicle while cursing and moved a duffel bag from the trunk to his back seat. The man then allegedly approached the officers' vehicle, where he was told that he was under arrest for behaving in an irate and fighting manner. The officer stated the man resisted arrest and an ensuing struggle resulted with the man on the ground handcuffed. The man testified that after he received the summons, he wanted to make certain he had packed all of his belongings from his return trip. Exiting his vehicle to check the trunk, the man stated that he did not touch any of the contents. The man said he had limited memory of the incident and did not remember if he cursed or if he touched the officer first – which he attributes to losing consciousness at the scene and subsequent medication at the hospital. However, he did remember the officer telling him to get back in his vehicle, the officer attempting to grab his wrist and lastly his face and nose hitting the cement.

Due to the gaps in the man's memory regarding the incident and the discrepancies between testimonies leading up to the force, the investigation could not definitively established what had occurred. Since it could not be determined if the force used was appropriate or excessive, the Board "Unsubstantiated" the force allegation.

3. Unfounded
A sergeant stopped a man at a motorcycle checkpoint and issued him a summons for operating a motorcycle without the proper equipment. The man stated he was going to leave the scene but the sergeant refused to let him go due to his helmet not meeting DOT standards. When the man refused to give the sergeant his keys, he alleged the sergeant pushed his left shoulder, twisted his left arm and then lifted him by his arm so his feet were off the ground for 4-5 minutes. The man said he did not resist arrest throughout the incident and was later transported to the hospital due to the pain he sustained to his shoulder from the encounter. The sergeant testified the man mounted his motorcycle and appeared ready to leave the checkpoint. After the man refused multiple commands to get off the motorcycle, the sergeant stated the man resisted when getting pulled off the motorcycle and up until being handcuffed. It is undisputed that the man was uncooperative at the scene of the incident, which suggests by a preponderance of evidence he also physically resisted arrest. Furthermore, numerous factors undermined the man's credibility, including: refusing to fully cooperate with the CCRB investigation and making statements he was only filing the complaint to bolster his lawsuit against the City of New York. Therefore, the Board decided to "Unfound" the force allegation.

4. Exonerated
A woman was part of 30 or more individuals attempting to film officers arrest a man. The

woman said she was only recording the incident, but she did acknowledge to ignoring officers' commands to back up. During her arrest, the woman stated an unknown officer pushed her, but she could not describe at what time during the incident the force occurred. The officer testified that multiple officers were attempting to conduct crowd control around the man being arrested, while other members of the crowd were recording the incident. In particular, the woman was the only one attempting to step between the man and the officers. The officer stated he asked the woman to step back at least three times, as did the supervisor on scene and another officer. The woman continued to be non-compliant and was placed in handcuffs by an unknown officer. The investigation credits that the force, if used, was minimal and in tandem with a legitimate law enforcement objective, and the Board determined to "Exonerate" the force allegation.

5. Officer Unidentified
An officer allegedly spoke discourteously to a woman and threatened to arrest her. The woman stated she is disabled and while attempting to enter a vehicle that was double parked, a plainclothes officer in an unmarked vehicle identified himself as a police officer and threatened to arrest her for stalling traffic. The officer did not have his shield display and his unmarked vehicle did not have any lights or sirens. Besides the officer speaking into a walkie-talkie and his claim he was an officer, the woman did not observe anything else that indicated the police officer was real. The license plate numbers the woman provided did not match any police department-issued vehicles. Since the investigation was unable to identify the subject officer the Board closed the case as "Officer Unidentified".

Dispositions - Full Investigations

Figure 19: Disposition Counts of Full Investigations (August 2016)

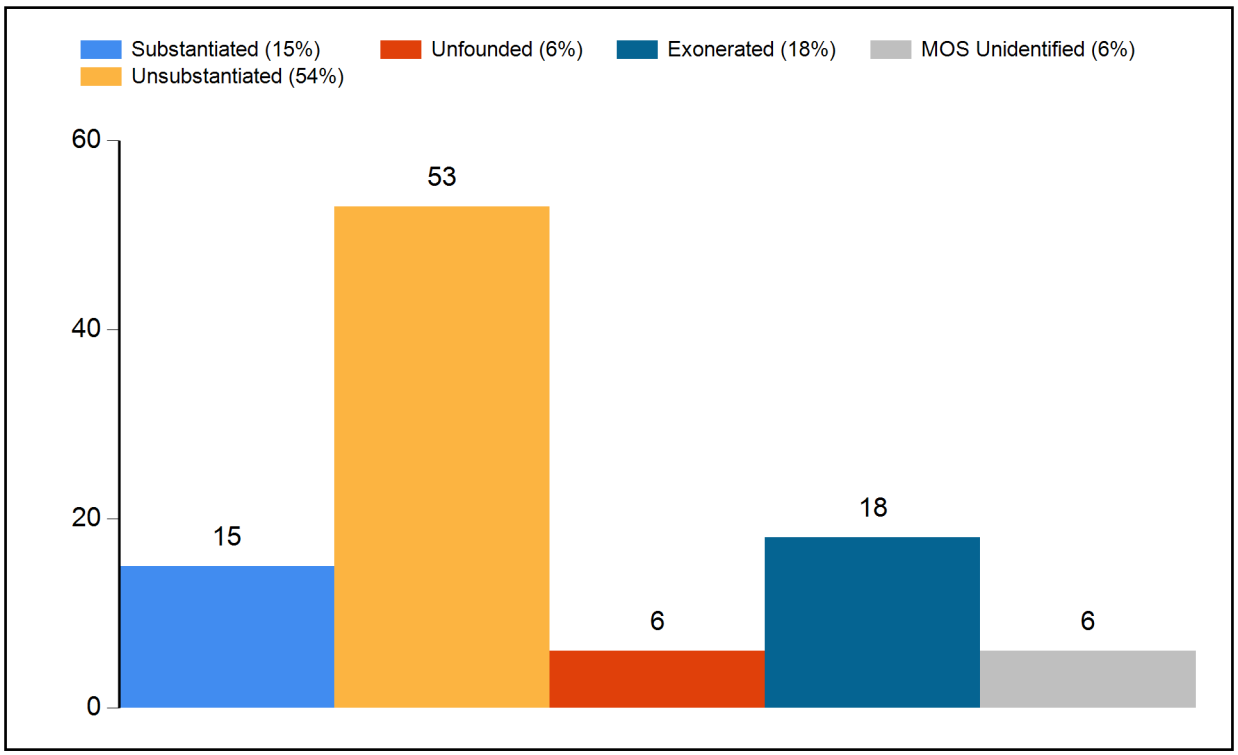
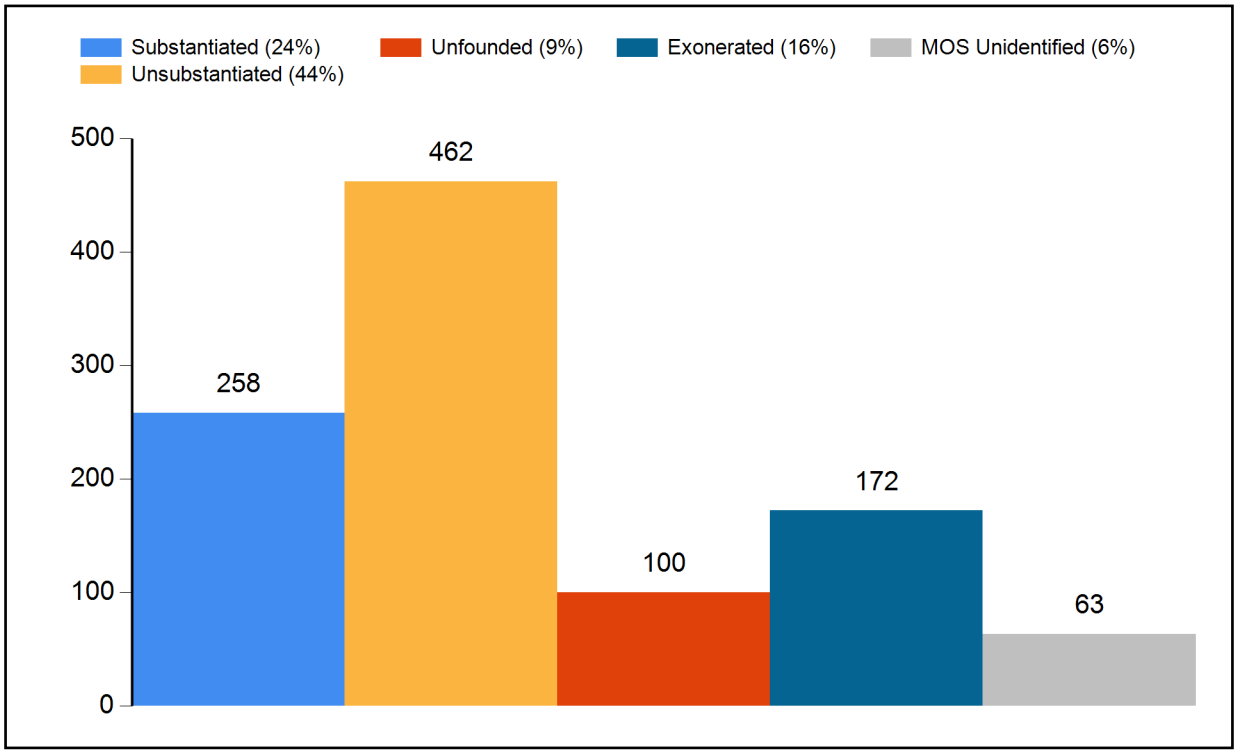


Figure 20: Disposition Counts of Full Investigations (YTD 2016)



Dispositions - All CCRB Cases

In addition to full investigations, CCRB cases can also be closed through mediation and truncation. The following table lists all the CCRB case closures for the current month and year-to-date.

Figure 21: Disposition of Cases (2015 vs 2016)

	Aug 2015		Aug 2016		YTD 2015		YTD 2016	
Full Investigations	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Substantiated	29	23%	15	15%	314	22%	258	24%
Exonerated	23	18%	18	18%	176	12%	172	16%
Unfounded	8	6%	6	6%	90	6%	100	9%
Unsubstantiated	58	46%	53	54%	749	52%	462	44%
MOS Unidentified	8	6%	6	6%	101	7%	63	6%
Total - Full Investigations	126		98		1430		1055	
Mediation Closures	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Mediated	17	100%	16	100%	119	51%	136	49%
Mediation Attempted	0	0%	0	0%	116	49%	139	51%
Total - ADR Closures	17		16		235		275	
Resolved Case Total	143	41%	114	33%	1665	49%	1330	44%
Truncations / Other Closures	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Complaint withdrawn	24	12%	37	16%	216	13%	314	18%
Complainant/Victim/Witness uncooperative	130	64%	133	59%	1068	62%	1029	61%
Complainant/Victim/Witness unavailable	37	18%	50	22%	288	17%	283	17%
Victim unidentified	2	1%	3	1%	15	1%	29	2%
Miscellaneous	1	0%	0	0%	11	1%	3	0%
Administrative closure*	10	5%	4	2%	113	7%	41	2%
Total - Other Case Dispositions	204		227		1711		1699	
Total - Closed Cases	347		341		3376		3029	

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

Dispositions - Allegations

"Allegations" are different than "cases." A case or complaint is based on an incident and may contain one or more allegations of police misconduct. The allegation substantiation rate is 7% for the month of August 2016, and the allegation substantiation rate is 14% year-to-date. The type of allegation the CCRB is most likely to substantiate is Abuse of Authority – substantiating 10% of such allegations during August 2016, and 20% for the year.

Figure 22: Disposition of Allegations (2015 vs 2016)

	Aug 2015		Aug 2016		YTD 2015		YTD 2016	
Fully Investigated Allegations	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Substantiated	65	12%	31	7%	762	13%	655	14%
Unsubstantiated	212	38%	180	42%	2716	45%	1800	39%
Unfounded	44	8%	32	7%	487	8%	457	10%
Exonerated	161	29%	141	33%	1265	21%	1294	28%
MOS Unidentified	74	13%	46	11%	826	14%	450	10%
Total - Full Investigations	556		430		6056		4656	
Mediation Closures	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Mediated	27	100%	26	100%	224	50%	316	49%
MediationAttempted	0	0%	0	0%	227	50%	325	51%
Total - ADR Closures	27		26		451		641	
Truncations / Other Closures	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Complaint withdrawn	51	11%	56	10%	488	13%	600	15%
Complainant/Victim/Witness uncooperative	299	65%	392	71%	2556	67%	2693	67%
Complainant/Victim/Witness unavailable	83	18%	89	16%	500	13%	603	15%
Victim unidentified	6	1%	5	1%	41	1%	58	1%
Miscellaneous	8	2%	0	0%	53	1%	20	0%
Administrative closure	14	3%	8	1%	165	4%	63	2%
Total - Other Case Dispositions	461		550		3803		4037	
Total - Closed Allegations	1099		1033		10933		9713	

Figure 23: Disposition of Allegations By FADO Category (August 2016)

	Substantiated	Unsubstantiated	Exonerated	Unfounded	Officers Unidentified	Total
Force	6	42	50	20	11	129
	5%	33%	39%	16%	9%	100%
Abuse of Authority	22	83	87	8	26	226
	10%	37%	38%	4%	12%	100%
Discourtesy	3	50	4	4	8	69
	4%	72%	6%	6%	12%	100%
Offensive Language	0	5	0	0	1	6
	0%	83%	0%	0%	17%	100%
	31	180	141	32	46	430
Total	7%	42%	33%	7%	11%	100%

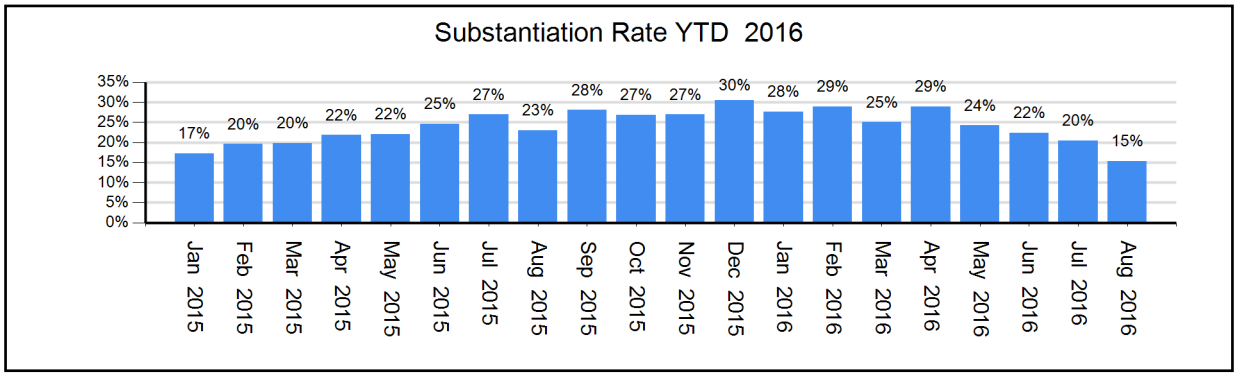
Figure 24: Disposition of Allegations By FADO Category (YTD 2016)

	Substantiated	Unsubstantiated	Exonerated	Unfounded	Officers Unidentified	Total
Force	60	380	415	204	119	1178
	5%	32%	35%	17%	10%	100%
Abuse of Authority	528	922	859	133	227	2669
	20%	35%	32%	5%	9%	100%
Discourtesy	62	421	20	94	92	689
	9%	61%	3%	14%	13%	100%
Offensive Language	5	76	0	26	12	119
	4%	64%	0%	22%	10%	100%
	655	1799	1294	457	450	4655
Total	14%	39%	28%	10%	10%	100%

Substantiation Rates

The August 2016 case substantiation rate was 15%.

Figure 25: Percentage of Cases Substantiated (January 2015 - August 2016)



Substantiation Rates and Video

In general, investigations relying on video evidence from security cameras or personal devices result in much higher substantiation rates.

Figure 26: Substantiation Rates for Full Investigations without Video (Jan 2016 - Aug 2016) (% substantiated shown)

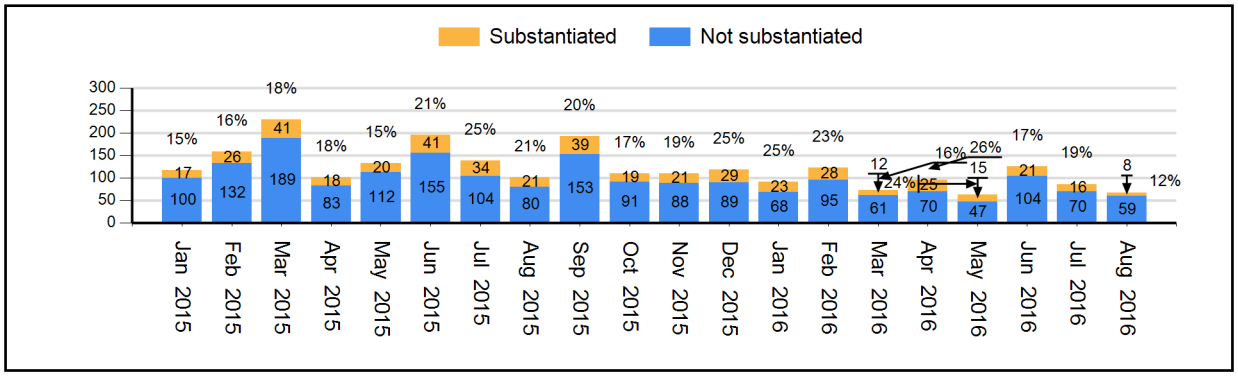
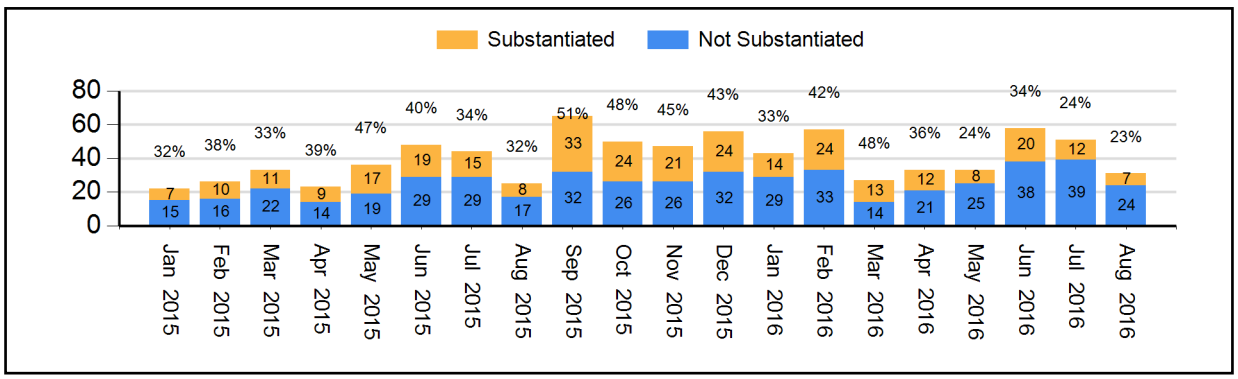


Figure 27: Substantiation Rates for Full Investigations with Video (Jan 2016 - Aug 2016) (% substantiated shown)



Board Discipline Recommendations for Substantiated Complaints

After a CCRB investigative team has completed its investigation and recommended the substantiation of a complaint against an officer, a panel of three Board members determines whether or not to substantiate the allegation and make a disciplinary recommendation.

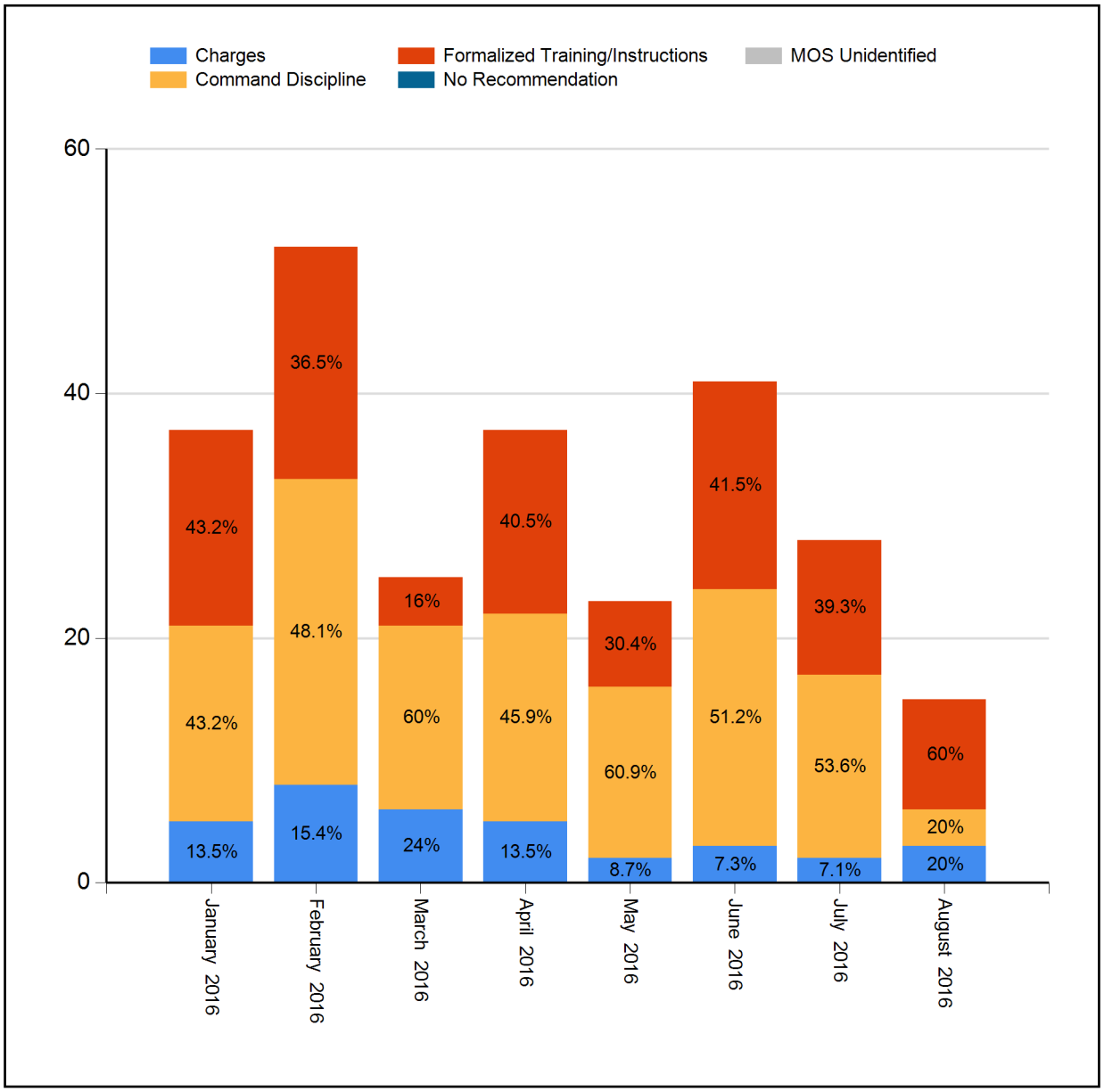
- "Charges and Specifications" are recommended for the most serious allegations of misconduct. Charges launch an administrative trial in the NYPD Trial Room. An officer may lose vacation days, be suspended, or terminated if he is found guilty.
- "Instructions" or "Formalized Training" are the least severe discipline, often recommended for officers who misunderstand a policy. This determination results in training at the command level (Instructions) or training at the Police Academy or NYPD Legal Bureau (Formalized Training).
- "Command Discipline" is recommended for misconduct that is more problematic than poor training, but does not rise to the level of Charges. An officer can lose up to ten vacation days as a result of a Command Discipline.
- When the Board has recommended Instructions, Formalized Training or Command Discipline, the case is sent to the NYPD Commissioner to impose training and/or other penalties, while cases where the Board recommends charges are prosecuted by the CCRB's Administrative Prosecution Unit.

Figure 28: Board Discipline Recommendations For Substantiated Complaints* (Aug 2015, Aug 2016, YTD 2015, YTD 2016)

	August 2015		August 2016		YTD 2015		YTD 2016	
Disposition	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Charges	2	7%	3	20%	78	25%	34	13%
Command Discipline	15	52%	3	20%	132	42%	126	49%
Formalized Training	12	41%	5	33%	91	29%	90	35%
Instructions	0	0%	4	27%	11	4%	8	3%
MOS Unidentified	0	0%	0	0%	0	0%	0	0%
Total	29		15		312		258	

* A complaint containing a number of substantiated allegations against a number of different officers will typically generate a variety of different disciplinary recommendations. To determine the disciplinary recommendation associated with the complaint as a whole, the CCRB uses the most severe disciplinary recommendation made. The order of severity is: 1) Charges 2) Command Discipline 3) Formalized Training 4) Instructions.

Figure 29: Board Discipline Recommendations For Substantiated Complaints* (2016)



* A complaint containing a number of substantiated allegations against a number of different officers will typically generate a variety of different disciplinary recommendations. To determine the disciplinary recommendation associated with the complaint as a whole, the CCRB uses the most severe disciplinary recommendation made. The order of severity is: 1) Charges 2) Command Discipline 3) Formalized Training 4) Instructions.

Board Discipline Recommendations for Substantiated Allegations

A substantiated CCRB complaint may generate multiple substantiated allegations against multiple officers. Each substantiated allegation will carry its own discipline recommendation from the CCRB Board.

The following table presents the number of officers against whom discipline recommendations have been made as a result of a substantiated CCRB complaint. Where there are multiple substsantiated allegations with multiple disciplinary recommendations for an officer in a complaint, the most severe disciplinary recommendation is used to determine the overall recommendation for that officer.

**Figure 30: Board Discipline Recommendations For Substantiated Allegations*
(Aug 2015, Aug 2016, YTD 2015, YTD 2016)**

	August 2015		August 2016		YTD 2015		YTD 2016	
Disposition	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Charges	6	14%	4	22.2%	147	30.9%	63	16.4%
Command Discipline	23	53.5%	4	22.2%	209	44%	192	49.9%
Formalized Training	14	32.6%	6	33.3%	107	22.5%	122	31.7%
Instructions	0	0%	4	22.2%	12	2.5%	8	2.1%
MOS Unidentified	0	0%	0	0%	0	0%	0	0%
Total	43		18		475		385	

* The counts in this table reflect the number of distinct MOS.

Figure 31: Substantiated Allegations By Borough and NYPD Precinct (August2016)

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

Board Disposition	FADO Category	Allegation	Precinct of Occurence	Borough of Occurence
Substantiated (Command Discipline A)	Abuse of Authority	Stop	5	Manhattan
Substantiated (Command Discipline A)	Abuse of Authority	Stop	5	Manhattan
Substantiated (Command Discipline A)	Force	Physical force	5	Manhattan
Substantiated (Command Discipline A)	Force	Physical force	5	Manhattan
Substantiated (Charges)	Abuse of Authority	Vehicle stop	17	Manhattan
Substantiated (Command Lvl Instructions)	Discourtesy	Word	22	Manhattan
Substantiated (Charges)	Force	Nightstick as club (incl asp & baton)	46	Bronx
Substantiated (Formalized Training)	Abuse of Authority	Question	49	Bronx
Substantiated (Formalized Training)	Abuse of Authority	Refusal to provide name/shield number	67	Brooklyn
Substantiated (Formalized Training)	Abuse of Authority	Refusal to provide name/shield number	67	Brooklyn
Substantiated (Command Lvl Instructions)	Abuse of Authority	Refusal to provide name/shield number	70	Brooklyn
Substantiated (Command Discipline A)	Abuse of Authority	Refusal to provide name/shield number	73	Brooklyn
Substantiated (Command Lvl Instructions)	Abuse of Authority	Other	73	Brooklyn
Substantiated (Formalized Training)	Abuse of Authority	Frisk	75	Brooklyn
Substantiated (Command Lvl Instructions)	Abuse of Authority	Question	75	Brooklyn
Substantiated (Formalized Training)	Force	Gun Pointed	88	Brooklyn
Substantiated (Formalized Training)	Abuse of Authority	Threat of arrest	109	Queens
Substantiated (Formalized Training)	Abuse of Authority	Other	109	Queens
Substantiated (Formalized Training)	Abuse of Authority	Stop	109	Queens
Substantiated (Formalized Training)	Abuse of Authority	Electronic device information deletion	109	Queens
Substantiated (Charges)	Force	Physical force	120	Staten Island
Substantiated (Charges)	Force	Physical force	120	Staten Island
Substantiated (Command Discipline B)	Abuse of Authority	Frisk	121	Staten Island
Substantiated (Command Discipline B)	Abuse of Authority	Stop	121	Staten Island
Substantiated (Command Discipline B)	Abuse of Authority	Stop	121	Staten Island
Substantiated (Command Discipline B)	Abuse of Authority	Stop	121	Staten Island
Substantiated (Command Discipline B)	Abuse of Authority	Stop	121	Staten Island
Substantiated (Command Discipline B)	Abuse of Authority	Interference with recording	121	Staten Island
Substantiated (Command Discipline B)	Abuse of Authority	Interference with recording	121	Staten Island
Substantiated (Command Discipline B)	Discourtesy	Word	121	Staten Island
Substantiated (Command Discipline B)	Discourtesy	Word	121	Staten Island

Truncations

A “truncation” is a case that is not fully investigated, either because the complainant/victim withdraws the complaint; is uncooperative with the investigation; is not available for the investigative team to interview; or is never identified. The CCRB constantly seeks to lower the number of truncations.

Figure 32: Truncated Allegations (August 2016)

	Withdrawn	Uncooperative	Unavailable	Civilian Unidentified	Total
Force	10	106	30	3	149
Abuse of Authority	35	217	39	0	291
Discourtesy	10	55	11	1	77
Offensive Language	1	14	9	1	25
Total	56	392	89	5	542

Figure 33: Truncated CCRB Complaints (August 2016)

	Withdrawn	Uncooperative	Unavailable	Civilian Unidentified	Total
Total	37	133	50	3	223

Figure 34: Truncated Allegations (YTD 2016)

	Withdrawn	Uncooperative	Unavailable	Civilian Unidentified	Total
Force	152	804	247	15	1218
Abuse of Authority	331	1441	262	36	2070
Discourtesy	94	373	66	5	538
Offensive Language	23	75	28	2	128
Total	600	2693	603	58	3954

Figure 35: Truncated CCRB Complaints (YTD 2016)

	Withdrawn	Uncooperative	Unavailable	Civilian Unidentified	Total
Total	314	1029	283	29	1655

Mediation Unit

Whenever mediation between a complainant/victim and subject officer is suitable, it is offered by CCRB investigators. If the complainant/victim and subject officer both agree to participate, a neutral, third-party mediator facilitates a conversation between the parties. “Mediation Attempted” refers to a situation in which an officer agrees to mediate and the complainant becomes unavailable (after the complainant initially agreed to mediation). The chart below indicates the number of mediations and attempted mediations in August and this year.

Figure 36: Mediated Complaints Closed

	August 2016			YTD 2016		
	Mediated	Mediation Attempted	Total	Mediated	Mediation Attempted	Total
Mediated Complaints	16	0	16	136	139	275

Figure 37: Mediated FADO Allegations Closed

	August 2016			YTD 2016		
	Mediated	Mediation Attempted	Total	Mediated	Mediation Attempted	Total
Force	1	0	1	23	21	44
Abuse of Authority	14	0	14	215	226	441
Discourtesy	9	0	9	66	63	129
Offensive Language	2	0	2	12	15	27
Total	26	0	26	316	325	641

Figure 38: Mediated Complaints By Borough (August 2016)

	Mediations
Bronx	0
Brooklyn	11
Manhattan	4
Queens	0
Staten Island	1

Figure 39: Mediated Allegations By Borough (August 2016)

	Mediations
Bronx	0
Brooklyn	19
Manhattan	5
Queens	0
Staten Island	2

Figure 40: Mediated Complaints By Precinct (Aug 2016 - YTD 2016)

Precinct	Aug 2016	YTD 2016	Precinct	Aug 2016	YTD 2016
1	0	3	61	2	3
5	0	3	62	1	2
6	2	4	67	1	6
7	0	1	68	0	2
9	1	3	69	1	2
10	0	4	70	0	4
13	0	2	71	1	4
14	0	4	73	1	4
17	0	3	75	1	4
18	0	1	78	1	3
19	0	2	79	0	1
23	0	3	81	0	1
25	0	2	83	1	2
26	0	2	88	0	2
28	0	3	90	0	1
30	0	2	100	0	1
32	0	2	101	0	1
33	0	2	102	0	2
34	1	3	103	0	1
40	0	4	105	0	3
41	0	1	106	0	1
42	0	1	107	0	1
43	0	1	108	0	2
45	0	1	109	0	1
46	0	4	110	0	1
47	0	2	111	0	1
48	0	1	112	0	1
49	0	1	113	0	2
50	0	1	115	0	1
52	0	3	120	1	1
60	1	3	122	0	3

Figure 41: Mediated Allegations By Precinct (Aug 2016 - YTD 2016)

Precinct	Aug 2016	YTD 2016	Precinct	Aug 2016	YTD 2016
1	0	4	61	2	3
5	0	4	62	2	4
6	2	6	67	2	11
7	0	1	68	0	3
9	1	3	69	1	2
10	0	22	70	0	8
13	0	6	71	1	6
14	0	7	73	1	12
17	0	3	75	2	11
18	0	8	78	3	10
19	0	2	79	0	1
23	0	4	81	0	2
25	0	12	83	3	5
26	0	9	88	0	3
28	0	17	90	0	3
30	0	3	100	0	1
32	0	3	101	0	8
33	0	4	102	0	5
34	2	6	103	0	1
40	0	7	105	0	6
41	0	13	106	0	2
42	0	1	107	0	2
43	0	1	108	0	5
45	0	1	109	0	3
46	0	13	110	0	2
47	0	4	111	0	4
48	0	1	112	0	1
49	0	2	113	0	3
50	0	1	115	0	2
52	0	7	120	2	2
60	2	6	122	0	4

Administrative Prosecution Unit

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

Figure 42: Administrative Prosecution Unit Case Closures

Disposition Category	Prosecution Disposition	Aug 2016	YTD 2016
Disciplinary Action	Not guilty after trial but Discipline Imposed	0	0
	Guilty after trial	1	55
	Trial verdict dismissed by PC, Comm. Disc. A imposed	0	0
	Trial verdict dismissed by PC, Comm. Disc. B imposed	0	0
	Trial verdict dismissed by PC, Formalized Training imposed	0	0
	Trial verdict dismissed by PC, Instructions imposed	0	0
	Trial verdict reversed by PC, Final verdict Guilty	0	1
	Resolved by plea	4	39
	Plea set aside, Comm. Disc. B	0	0
	Plea set aside, Comm. Disc. A	1	3
	Plea set aside, Formalized Training	0	13
	Plea set aside, Instructions	0	0
	*Retained, with discipline	0	1
	Disciplinary Action Total	**6**	**112**
No Disciplinary Action	Not guilty after trial	4	48
	Trial verdict reversed by PC, Final verdict Not Guilty	0	3
	Plea set aside, Without discipline	0	1
	**Retained, without discipline	1	2
	Dismissed by APU	0	0
	SOL Expired in APU	0	0
	No Disciplinary Action Total	**5**	**54**
Not Adjudicated	Charges not filed	0	0
	Deceased	0	0
	Other	0	0
	***Previously adjudicated, with discipline	0	1
	***Previously adjudicated, without discipline	0	0
	†Reconsidered by CCRB Board	2	10
	Retired	0	0
	SOL Expired prior to APU	0	0
	Not Adjudicated Total	**2**	**11**
	Total Closures	**13**	**177**

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

NYPD Discipline

Under the New York City Charter, the Police Commissioner makes the final decision regarding discipline and the outcome of disciplinary trials.

The first chart reflects NYPD-imposed discipline for cases brought by the APU (Charges).

The chart on the following page reflects cases referred to the Police Commissioner where the Board recommended Command Discipline, Formalized Training or Instructions.

Figure 43: NYPD Discipline Imposed for Adjudicated APU Cases

Discipline*	August 2016	YTD 2016
Terminated	0	0
Suspension for or loss of vacation time of 31 or more days and/or Dismissal Probation	0	1
Suspension for or loss of vacation time of 21 to 30 days	0	4
Suspension for or loss of vacation time of 11 to 20 days	0	8
Suspension for or loss of vacation time of 1 to 10 days	5	68
Command Discipline B	0	0
Command Discipline A	1	3
Formalized Training**	0	14
Instructions***	0	6
Warned & admonished/Reprimanded	0	8
Disciplinary Action† Total	**6**	**112**
No Disciplinary Action†	5	54
Adjudicated Total	**11**	**166**
Discipline Rate	**55%**	**67%**
Not Adjudicated† Total	2	2
Total Closures	**13**	**168**

*Where more than one penalty is imposed on a respondent, it is reported under the more severe penalty.
** Formalized training is conducted by the Police Academy, the NYPD Legal Bureau, or other NYPD Unit.
*** Instructions are conducted at the command level.
† The case closure types that define the "Disciplinary Action", "No Disciplinary Action" and "Not Adjudicated" categories are listed in Figure 42 on the previous page.

Figure 44: NYPD Discipline Imposed for Non-APU Cases

Disposition	**Disposition Type***	August 2016	YTD 2016
Disciplinary Action	Terminated	0	0
	Suspension for or loss of vacation time of 31 or more days and/or Dismissal Probation	0	0
	Suspension for or loss of vacation time of 21 to 30 days	0	0
	Suspension for or loss of vacation time of 11 to 20 days	0	0
	Suspension for or loss of vacation time of 1 to 10 days	0	0
	Command Discipline B	2	7
	Command Discipline A	8	80
	Formalized Training**	14	126
	Instructions***	12	54
	Warned & admonished/Reprimanded	0	0
	Total	**36**	**267**
No Disciplinary Action	Not Guilty	0	2
	Filed ††	0	3
	SOL Expired	1	5
	Department Unable to Prosecute†††	3	17
	Total	**4**	**27**
	Discipline Rate	**90%**	**91%**
	DUP Rate	**8%**	**6%**

*****Where the respondent is found guilty of charges, and the penalty imposed would fall into more than one of the above liste categories, it is reported under the more severe penalty.
** Formalized training is conducted by the Police Academy, the NYPD Legal Bureau, or other NYPD Unit.
*** Instructions are conducted at the command level.
† This verdict relates to a trial conducted by DAO on a case decided by the Board prior to the activation of the APU.
†† "Filed" is a term used when the police department is not required to take action against the subject officer because the officer has resigned or retired from the department, or has been terminated.
††† When the department decides that it will not discipline an officer against whom the Board recommended discipline other than charges, those cases are referred to as "Department Unable to Prosecute," or DUP.

Figure 45: NYPD Discipline Imposed for Allegations - Non-APU Cases (August 2016)

Board Disposition	FADO Type	Allegation	Precinct	Borough	NYPD Discipline
Substantiated (Formalized Training)	A	Refusal to provide name/shield number	5	Manhattan	Formalized Training
Substantiated (Command Discipline A)	A	Failure to show search warrant	7	Manhattan	Formalized Training
Substantiated (Command Discipline A)	A	Failure to show search warrant	7	Manhattan	Formalized Training
Substantiated (Formalized Training)	D	Word	14	Manhattan	Instructions
Substantiated (Formalized Training)	E	Physical disability	17	Manhattan	Instructions
Substantiated (Command Lvl Instructions)	D	Word	24	Manhattan	Instructions
Substantiated (Formalized Training)	D	Word	30	Manhattan	Instructions
Substantiated (Formalized Training)	A	Refusal to provide name/shield number	32	Manhattan	Instructions
Substantiated (Formalized Training)	A	Other	32	Manhattan	Formalized Training
Substantiated (Formalized Training)	A	Failure to show search warrant	40	Bronx	Formalized Training
Substantiated (Formalized Training)	F	Physical force	44	Bronx	Formalized Training
Substantiated (Formalized Training)	A	Threat of force (verbal or physical)	44	Bronx	Formalized Training
Substantiated (Formalized Training)	D	Word	44	Bronx	Formalized Training
Substantiated (Command Discipline A)	F	Physical force	46	Bronx	Command Discipline A
Substantiated (Command Discipline A)	A	Property damaged	46	Bronx	Command Discipline A
Substantiated (Formalized Training)	A	Threat of force (verbal or physical)	47	Bronx	Instructions
Substantiated (Command Discipline A)	A	Stop	60	Brooklyn	Command Discipline A
Substantiated (Command Discipline A)	A	Stop	60	Brooklyn	Command Discipline A
Substantiated (Command Discipline B)	A	Retaliatory summons	63	Brooklyn	Instructions
Substantiated (Command Lvl Instructions)	A	Premises entered and/or searched	66	Brooklyn	No Penalty
Substantiated (Command Lvl Instructions)	A	Premises entered and/or searched	66	Brooklyn	No Penalty
Substantiated (Formalized Training)	A	Threat of force (verbal or physical)	66	Brooklyn	No Penalty
Substantiated (Command Lvl Instructions)	D	Word	68	Brooklyn	Instructions
Substantiated (Formalized Training)	A	Failure to show search warrant	69	Brooklyn	Formalized Training
Substantiated (Formalized Training)	A	Failure to show search warrant	69	Brooklyn	Formalized Training
Substantiated (Formalized Training)	A	Failure to show search warrant	69	Brooklyn	Formalized Training
Substantiated (Formalized Training)	A	Failure to show search warrant	69	Brooklyn	Formalized Training
Substantiated (Command Discipline B)	A	Refusal to provide name/shield number	71	Brooklyn	Command Discipline B
Substantiated (Command Discipline B)	D	Word	71	Brooklyn	Command Discipline B

Board Disposition	FADO Type	Allegation	Precinct	Borough	NYPD Discipline
Substantiated (Command Discipline A)	A	Frisk	73	Brooklyn	Formalized Training
Substantiated (Formalized Training)	A	Premises entered and/or searched	76	Brooklyn	Formalized Training
Substantiated (Formalized Training)	A	Vehicle search	81	Brooklyn	Formalized Training
Substantiated (Command Discipline A)	A	Threat of arrest	84	Brooklyn	No Penalty
Substantiated (Formalized Training)	D	Word	84	Brooklyn	Instructions
Substantiated (Command Discipline A)	A	Stop	84	Brooklyn	No Penalty
Substantiated (Command Discipline A)	A	Premises entered and/or searched	90	Brooklyn	Command Discipline A
Substantiated (Command Discipline A)	D	Action	90	Brooklyn	Command Discipline A
Substantiated (Formalized Training)	A	Vehicle search	100	Queens	Formalized Training
Substantiated (Formalized Training)	F	Pepper spray	101	Queens	Formalized Training
Substantiated (Formalized Training)	A	Retaliatory summons	101	Queens	Formalized Training
Substantiated (Formalized Training)	D	Word	101	Queens	Instructions
Substantiated (Formalized Training)	D	Word	101	Queens	Instructions
Substantiated (Formalized Training)	D	Word	103	Queens	Instructions
Substantiated (Formalized Training)	D	Word	103	Queens	Instructions
Substantiated (Command Discipline B)	F	Physical force	105	Queens	Command Discipline B
Substantiated (Command Discipline B)	A	Other	105	Queens	Command Discipline B
Substantiated (Command Discipline B)	A	Stop	105	Queens	Command Discipline B
Substantiated (Command Discipline B)	A	Stop	105	Queens	Command Discipline B
Substantiated (Command Discipline B)	A	Stop	105	Queens	Command Discipline B
Substantiated (Command Discipline A)	A	Stop	105	Queens	Command Discipline A
Substantiated (Command Discipline A)	A	Stop	105	Queens	Command Discipline A
Substantiated (Command Discipline A)	A	Stop	105	Queens	Command Discipline A
Substantiated (Command Discipline A)	D	Word	107	Queens	Command Discipline A
Substantiated (Command Discipline A)	A	Vehicle search	110	Queens	Command Discipline A

Figure 46: NYPD Discipline Imposed for Allegations - APU Adjudicated Cases (August 2016)

Board Disposition	FADO Type	Allegation	Precinct	Borough	NYPD Discipline
Substantiated (Charges)	F	Hit against inanimate object	17	Manhattan	No Penalty
Substantiated (Charges)	F	Physical force	17	Manhattan	Forfeit vacation 5 day(s)
Substantiated (Charges)	D	Word	17	Manhattan	Forfeit vacation 5 day(s)
Substantiated (Charges)	F	Chokehold	44	Bronx	No Penalty
Substantiated (Charges)	A	Vehicle search	75	Brooklyn	Forfeit vacation 4 day(s)
Substantiated (Charges)	A	Frisk	75	Brooklyn	Forfeit vacation 4 day(s)
Substantiated (Charges)	A	Vehicle search	78	Brooklyn	Forfeit vacation 2 day(s)
Substantiated (Charges)	A	Other	78	Brooklyn	Forfeit vacation 2 day(s)
Substantiated (Charges)	A	Frisk	78	Brooklyn	Forfeit vacation 2 day(s)
Substantiated (Charges)	A	Refusal to process civilian complaint	109	Queens	Command Discipline A
Substantiated (Charges)	A	Vehicle stop	121	Staten Island	No Penalty
Substantiated (Charges)	A	Vehicle stop	121	Staten Island	No Penalty
Substantiated (Charges)	A	Vehicle stop	121	Staten Island	No Penalty
Substantiated (Charges)	A	Vehicle stop	121	Staten Island	No Penalty
Substantiated (Charges)	A	Retaliatory summons	121	Staten Island	Forfeit vacation 7 day(s)
Substantiated (Charges)	A	Other	121	Staten Island	No Penalty
Substantiated (Charges)	D	Word	121	Staten Island	Forfeit vacation 7 day(s)
Substantiated (Charges)	D	Action	121	Staten Island	No Penalty

Appendix

Over the years, the CCRB has made many types of data publicly available. In reorganizing the Monthly Report, we do not intend to remove any valuable information from the public domain. However, the Agency believes that some information is essential to place in the main body of the Monthly Report, while more granular charts and figures are better suited to the Appendix. We welcome you to contact the CCRB at www.nyc.gov or 212-912-7235 if you are having difficulty finding information on CCRB data that was formerly available.

Figure 47: CCRB Open Docket - Age of CCRB Cases Based On Incident Date

	August 2016		July 2016			
	Count	% of Total	Count	% of Total	Change	% Change
Cases 0-4 Months	951	88.8%	919	90.4%	32	3.5%
Cases 5-7 Months	84	7.8%	61	6.0%	23	37.7%
Cases 8 Months	8	0.7%	5	0.5%	3	60.0%
Cases 9 Months	5	0.5%	2	0.2%	3	150.0%
Cases 10 Months	2	0.2%	7	0.7%	-5	-71.4%
Cases 11 Months	6	0.6%	3	0.3%	3	100.0%
Cases 12 Months	1	0.1%	3	0.3%	-2	-66.7%
Cases 13 Months	1	0.1%	4	0.4%	-3	-75.0%
Cases 14 Months	4	0.4%	2	0.2%	2	100.0%
Cases 15 Months	2	0.2%	1	0.1%	1	100.0%
Cases 16 Months	1	0.1%	4	0.4%	-3	-75.0%
Cases 17 Months	1	0.1%	1	0.1%	0	0.0%
Cases 18 Months	1	0.1%	1	0.1%	0	0.0%
Cases Over 18 Months	4	0.4%	4	0.4%	0	0.0%
NA	0	0.0%	0	0.0%	0	NA
Total	**1071**	**100.0%**	**1017**	**100.0%**	**54**	**5.3%**

Figure 48: CCRB Open Docket - Age of CCRB Cases Based On CCRB Received Date

	August 2016		July 2016			
	Count	% of Total	Count	% of Total	Change	% Change
Cases 0-4 Months	1010	94.3%	979	96.3%	31	3.2%
Cases 5-7 Months	53	4.9%	27	2.7%	26	96.3%
Cases 8 Months	1	0.1%	2	0.2%	-1	-50.0%
Cases 9 Months	2	0.2%	2	0.2%	0	0.0%
Cases 10 Months	0	0.0%	1	0.1%	-1	NA
Cases 11 Months	1	0.1%	0	0.0%	1	NA
Cases 12 Months	0	0.0%	0	0.0%	0	NA
Cases 13 Months	0	0.0%	2	0.2%	-2	NA
Cases 14 Months	1	0.1%	0	0.0%	1	NA
Cases 15 Months	0	0.0%	0	0.0%	0	NA
Cases 16 Months	0	0.0%	1	0.1%	-1	NA
Cases 17 Months	0	0.0%	0	0.0%	0	NA
Cases 18 Months	0	0.0%	0	0.0%	0	NA
Cases Over 18 Months	3	0.3%	3	0.3%	0	0.0%
NA	0	0.0%	0	0.0%	0	NA
Total	**1071**	**100.0%**	**1017**	**100.0%**	**54**	**5.3%**

Figure 49: CCRB Investigations Docket - Age of CCRB Cases Based On Incident Date

	August 2016		July 2016			
	Count	% of Total	Count	% of Total	Change	% Change
Cases 0-4 Months	580	92.5%	582	92.5%	-2	-0.3%
Cases 5-7 Months	30	4.8%	25	4.0%	5	20.0%
Cases 8 Months	3	0.5%	5	0.8%	-2	-40.0%
Cases 9 Months	2	0.3%	0	0.0%	2	NA
Cases 10 Months	1	0.2%	4	0.6%	-3	-75.0%
Cases 11 Months	3	0.5%	1	0.2%	2	200.0%
Cases 12 Months	1	0.2%	1	0.2%	0	0.0%
Cases 13 Months	1	0.2%	2	0.3%	-1	-50.0%
Cases 14 Months	3	0.5%	1	0.2%	2	200.0%
Cases 15 Months	1	0.2%	1	0.2%	0	0.0%
Cases 16 Months	0	0.0%	3	0.5%	-3	NA
Cases 17 Months	0	0.0%	1	0.2%	-1	NA
Cases 18 Months	0	0.0%	0	0.0%	0	NA
Cases Over 18 Months	2	0.3%	3	0.5%	-1	-33.3%
NA	0	0.0%	0	0.0%	0	NA
Total	**627**	**100.0%**	**629**	**100.0%**	**-2**	**-0.3%**

Figure 50: CCRB DA Hold Docket - Age of CCRB Cases Based On Incident Date

	August 2016	
	Count	% of Total
Cases 0-4 Months	1	7.1%
Cases 5-7 Months	2	14.3%
Cases 8 Months	1	7.1%
Cases 9 Months	1	7.1%
Cases 10 Months	1	7.1%
Cases 11 Months	1	7.1%
Cases 12 Months	1	7.1%
Cases 13 Months	2	14.3%
Cases 14 Months	1	7.1%
Cases 15 Months	0	0.0%
Cases 16 Months	0	0.0%
Cases 17 Months	0	0.0%
Cases 18 Months	1	7.1%
Cases Over 18 Months	2	14.3%
NA	0	0.0%
Total	**14**	**100.0%**

Figure 51: Disposition of Force Allegations (YTD 2016)

Force Allegation	Substantiated		Exonerated		Unsubstantiated		Unfounded		Officer Unidentified		Miscellaneous	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
Gun Pointed	6	8.5%	35	49.3%	18	25.4%	4	5.6%	8	11.3%	0	0%
Gun fired	0	0%	1	100%	0	0%	0	0%	0	0%	0	0%
Nightstick as club (incl asp & baton)	4	13.3%	12	40%	3	10%	10	33.3%	1	3.3%	0	0%
Gun as club	2	50%	0	0%	1	25%	1	25%	0	0%	0	0%
Radio as club	1	50%	0	0%	0	0%	0	0%	1	50%	0	0%
Flashlight as club	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Police shield	0	0%	0	0%	3	100%	0	0%	0	0%	0	0%
Vehicle	0	0%	1	14.3%	3	42.9%	3	42.9%	0	0%	0	0%
Other blunt instrument as a club	0	0%	0	0%	3	50%	3	50%	0	0%	0	0%
Hit against inanimate object	3	10.7%	3	10.7%	11	39.3%	9	32.1%	2	7.1%	0	0%
Chokehold	2	3.6%	0	0%	29	52.7%	15	27.3%	9	16.4%	0	0%
Pepper spray	3	10%	16	53.3%	4	13.3%	4	13.3%	3	10%	0	0%
Physical force	34	4.2%	324	40%	252	31.1%	125	15.4%	73	9%	3	0.4%
Handcuffs too tight	1	5.3%	0	0%	11	57.9%	6	31.6%	1	5.3%	0	0%
Nonlethal restraining device	2	7.1%	21	75%	2	7.1%	3	10.7%	0	0%	0	0%
Animal	0	0%	1	100%	0	0%	0	0%	0	0%	0	0%
Other	2	2.4%	1	1.2%	40	47.1%	21	24.7%	21	24.7%	0	0%
Total	60	5.1%	415	35.1%	380	32.2%	204	17.3%	119	10.1%	3	0.3%

Figure 52: Disposition of Abuse of Authority Allegations (YTD 2016)

Abuse of Authority Allegation	Substantiated		Exonerated		Unsubstantiated		Unfounded		Officer Unidentified		Miscellaneous	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
Gun Drawn	0	0%	16	53.3%	11	36.7%	0	0%	3	10%	0	0%
Strip-searched	14	29.2%	7	14.6%	19	39.6%	3	6.2%	5	10.4%	0	0%
Vehicle stop	13	7.7%	99	58.6%	48	28.4%	1	0.6%	8	4.7%	0	0%
Vehicle search	27	18.5%	44	30.1%	62	42.5%	3	2.1%	10	6.8%	0	0%
Premises entered and/or searched	49	13.5%	231	63.5%	69	19%	5	1.4%	10	2.7%	0	0%
Threat of summons	1	4.5%	8	36.4%	9	40.9%	2	9.1%	2	9.1%	0	0%
Threat of arrest	14	5.7%	110	45.1%	86	35.2%	8	3.3%	26	10.7%	0	0%
Threat to notify ACS	1	6.7%	5	33.3%	6	40%	1	6.7%	2	13.3%	0	0%
Threat of force (verbal or physical)	12	8.5%	16	11.3%	81	57.4%	16	11.3%	16	11.3%	0	0%
Threat to damage/seize property	2	5.9%	9	26.5%	18	52.9%	2	5.9%	3	8.8%	0	0%
Property damaged	8	11.9%	16	23.9%	25	37.3%	5	7.5%	13	19.4%	0	0%
Refusal to process civilian complaint	6	17.6%	0	0%	25	73.5%	0	0%	3	8.8%	0	0%
Refusal to provide name/shield number	36	12.4%	1	0.3%	176	60.7%	53	18.3%	24	8.3%	0	0%
Retaliatory arrest	3	60%	1	20%	1	20%	0	0%	0	0%	0	0%
Retaliatory summons	15	88.2%	1	5.9%	1	5.9%	0	0%	0	0%	0	0%
Refusal to obtain medical treatment	16	23.2%	0	0%	36	52.2%	13	18.8%	4	5.8%	0	0%
Improper dissemination of medical info	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Other	46	39.3%	28	23.9%	33	28.2%	7	6%	3	2.6%	0	0%
Seizure of property	2	11.8%	8	47.1%	4	23.5%	2	11.8%	1	5.9%	0	0%
Failure to show search warrant	6	23.1%	0	0%	18	69.2%	2	7.7%	0	0%	0	0%
Frisk	83	42.6%	37	19%	45	23.1%	1	0.5%	28	14.4%	1	0.5%
Search (of person)	54	25.2%	42	19.6%	84	39.3%	5	2.3%	29	13.6%	0	0%
Stop	101	30%	157	46.6%	44	13.1%	2	0.6%	33	9.8%	0	0%
Question	13	24.5%	22	41.5%	14	26.4%	1	1.9%	3	5.7%	0	0%
Refusal to show arrest warrant	0	0%	0	0%	2	50%	1	25%	1	25%	0	0%
Interference with recording	4	66.7%	1	16.7%	1	16.7%	0	0%	0	0%	0	0%
Search of recording device	1	33.3%	0	0%	2	66.7%	0	0%	0	0%	0	0%
Electronic device information deletion	1	33.3%	0	0%	2	66.7%	0	0%	0	0%	0	0%

Total	528	19.8%	859	32.2%	922	34.5%	133	5%	227	8.5%	1	0%

Figure 53: Disposition of Discourtesy Allegations (YTD 2016)

Discourtesy Allegation	Substantiated		Exonerated		Unsubstantiated		Unfounded		Officer Unidentified		Miscellaneous	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
Word	50	8.3%	18	3%	366	60.9%	77	12.8%	87	14.5%	3	0.5%
Gesture	0	0%	0	0%	2	50%	1	25%	1	25%	0	0%
Demeanor/tone	1	50%	0	0%	1	50%	0	0%	0	0%	0	0%
Action	11	13.1%	2	2.4%	51	60.7%	16	19%	4	4.8%	0	0%
Other	0	0%	0	0%	1	100%	0	0%	0	0%	0	0%
Total	62	9%	20	2.9%	421	60.8%	94	13.6%	92	13.3%	3	0.4%

Figure 54: Disposition of Offensive Language Allegations (YTD 2016)

Offensive Language Allegation	Substantiated		Exonerated		Unsubstantiated		Unfounded		Officer Unidentified		Miscellaneous	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
Race	0	0%	0	0%	30	69.8%	8	18.6%	5	11.6%	0	0%
Ethnicity	0	0%	0	0%	8	53.3%	6	40%	1	6.7%	0	0%
Religion	0	0%	0	0%	2	100%	0	0%	0	0%	0	0%
Gender	2	6.9%	0	0%	18	62.1%	6	20.7%	3	10.3%	0	0%
Sexual orientation	1	5.6%	0	0%	12	66.7%	5	27.8%	0	0%	0	0%
Physical disability	1	33.3%	0	0%	2	66.7%	0	0%	0	0%	0	0%
Other	1	11.1%	0	0%	4	44.4%	1	11.1%	3	33.3%	0	0%
Total	5	4.2%	0	0%	76	63.9%	26	21.8%	12	10.1%	0	0%

Figure 55: Administrative Prosecutions Unit Open Docket (August 2016)

Case Stage	Cases	Percent
Awaiting filing of charges	2	2%
Charges filed, awaiting service	35	28%
Charges served, CORD/SoEH/DCS pending	30	24%
Charges served, Conference Date Requested	2	2%
Calendered for court appearance	17	13%
Case Off Calendar - Subsequent Appearance Pending	5	4%
Trial scheduled	25	20%
Trial commenced	4	3%
Plea agreed - paperwork pending	6	5%
Total	**126**	**100%**

CORD is the CO's Report on MOS facing discipline.
SoEH is the Summary of Employment History.
DCS is the Disciplinary Cover Sheet.

Figure 56: Administrative Prosecutions Unit Cases Awaiting Final Disposition (August 2016)

Case Stage	Cases	Percent
Dispisition modified, awaiting final disp.	6	5%
Plea filed - awaiting approval by PC	58	52%
Verdict rendered - awaiting approval by PC	20	18%
Verdict rendered - Fogel response due	11	10%
Trial completed, awaiting verdict	17	15%
Total	**112**	**100%**

A Fogel response is a letter to the Trial Commissioner with comments from the CCRB on the Trial Commissioner's report and recommendation.