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ARVA RICE INTERIM CHAIR

# Executive Director's Monthly Report August 2023 (Statistics for July 2023)

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# **Executive Summary**

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

- 1) Of the cases in the CCRB active investigations docket, 54% have been open for 4 months or fewer, and 70% have been open for 7 months or fewer (page 10). In July, the CCRB opened 469 new cases (page 4), and currently has a total open docket of 3,638 cases (page 11).
- 2) The CCRB substantiated allegations in 27% of its fully investigated cases in July (page 17).
- 3) The CCRB fully investigated 50% of the cases it closed in July (page 14) and resolved (fully investigated, mediated or attempted mediation) 51% of the cases it closed (page 18). The Agency closed 39% of the cases as unable to investigate/withdrawn (page 14).
- 4) For July, investigations using video evidence resulted in substantiated allegations in 28% of cases compared to 9% of cases in which video was not available (page 23).
- 5) The Monthly Report includes a breakdown of complaints and substantiations by NYPD precinct and borough of occurrence (pages 5-6, 25-30).
- 6) In July the Police Commissioner finalized 16 decision(s) against police officers in Administrative Prosecution Unit (APU) cases (page 36). The CCRB's APU prosecutes the most serious allegations of misconduct. The APU conducted 18 trials against members of the NYPD year-to-date; no trials were conducted against respondent officers in July.

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

# Glossary

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

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

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

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

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

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

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

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

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

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

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

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

# **Complaints Received**

The CCRB's Intake team processes misconduct complaints from the public and referrals from the NYPD. Under the New York City Charter, the CCRB's jurisdiction is limited to allegations of misconduct related to Force, Abuse of Authority, Discourtesy and Offensive Language. All other complaints are referred to the appropriate agency. Figure 1 refers to all complaints that the CCRB receives and Figures 2 and 3 refer to new cases that remain with the Agency. In July 2023, the CCRB initiated 469 new complaints.







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





# **CCRB** Cases Received by Borough and Precinct



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

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



NYPD Precinct of Occurrence*	Number of Complaints	NYPD Precinct of Occurrence*	
0	3	67	13
1	3	68	1
5	2	69	6
6	5	70	7
7	3	71	4
9	1	72	3
10	6	73	19
13	5	75	18
14	16	76	1
17	5	77	5
18	2	79	9
19	5	81	5
20	2	83	9
23	3	84	2
24	6	88	1
25	9	90	5
26	5	94	1
28	11	100	2
30	3	101	2
32	4	102	2
33	5	103	16
34	10	104	3
40	17	105	8
41	8	106	4
42	7	107	3
43	7	108	4
44	14	109	6
45	3	110	2
46	9	111	1
47	8	112	1
48	7	113	5
49	9	114	6
50	3	115	2
52	9	120	9
60	11	121	3
61	6	122	3
62	2	123	2
63	7	Unknown	34
66	1		

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

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

# **Allegations Received**

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



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

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

	July 2022		July 2023			
	Count	% of Total Complaints	Count	% of Total Complaints	Change	% Change
Force (F)	108	39%	208	44%	100	93%
Abuse of Authority (A)	216	78%	342	73%	126	58%
Discourtesy (D)	92	33%	106	23%	14	15%
Offensive Language (O)	22	8%	23	5%	1	5%
Total FADO Allegations	438		679		241	55%
Total Complaints	276		469		193	70%

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



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

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

	YTD 2022		YTE	YTD 2023		
	Count	% of Total Complaints	Count	% of Total Complaints	Change	% Change
Force (F)	941	45%	1474	45%	533	57%
Abuse of Authority (A)	1604	77%	2537	78%	933	58%
Discourtesy (D)	576	27%	880	27%	304	53%
Offensive Language (O)	150	7%	213	7%	63	42%
Total FADO Allegations	3271		5104		1833	56%
Total Complaints	2095		3245		1150	55%

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

	July 2022		July	July 2023		
	Count	% of Total Allegations	Count	% of Total Allegations	Change	% Change
Force (F)	265	23%	472	31%	207	78%
Abuse of Authority (A)	692	61%	914	59%	222	32%
Discourtesy (D)	148	13%	135	9%	-13	-9%
Offensive Language (O)	30	3%	26	2%	-4	-13%
Total Allegations	1135		1547		412	36%
Total Complaints	276		469		193	70%

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

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

	YTD 2022		YTD	YTD 2023		
	Count	% of Total Allegations	Count	% of Total Allegations	Change	% Change
Force (F)	2253	27%	3569	26%	1316	58%
Abuse of Authority (A)	4978	60%	8711	63%	3733	75%
Discourtesy (D)	888	11%	1320	10%	432	49%
Offensive Language (O)	189	2%	289	2%	100	53%
Total Allegations	8308		13889		5581	67%
Total Complaints	2095		3245		1150	55%

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

# **CCRB** Docket

As of the end of July 2023, 54% of active CCRB cases are fewer than five months old, and 70% active cases have been open for fewer than eight months.

Figure 13: Age of Active	Cases Based on Received	Date (July 2023)
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Case Age Group	Count	% of Total
Cases 0-4 Months	1932	53.6%
Cases 5-7 Months	601	16.7%
Cases 8-11 Months	667	18.5%
Cases 12-18 Months*	384	10.7%
Cases Over 18 Months**	21	0.6%
Total	3605	100%

\*12-18 Months: 5 cases that were reopened; 2 cases that were on DA Hold.

\*\*Over18 Months: 3 cases that were reopened; 2 cases that were on DA Hold.

Figure 14: Age of Active Cases Based on Incident Date (July 2023)
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	Count	% of Total
Cases 0-4 Months	1735	48.1%
Cases 5-7 Months	639	17.7%
Cases 8-11 Months	689	19.1%
Cases 12-18 Months*	505	14.0%
Cases Over 18 Months**	37	1.0%
Total	3605	100%

\*12-18 Months: 5 cases that were reopened; 2 cases that were on DA Hold.

\*\*Over18 Months: 4 cases that were reopened; 2 cases that were on DA Hold.

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



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

#### Figure 16: Open Docket Analysis



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

	June 2023		July	2023		
	Count	% of Total	Count	% of Total	Change	% Change
Investigations	1865	52%	1892	52%	27	1%
Pending Board Review	1701	47%	1713	47%	12	1%
Mediation	18	1%	22	1%	4	22%
On DA Hold	12	0%	11	0%	-1	-8%
Total	3596		3638		42	1%

# **Body Worn Camera Footage Requests**

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

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



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

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

Days Pending	BWC Requests	% of Total
00 <= Days < 30	91	61.5%
30 <= Days < 60	7	4.7%
60 <= Days < 90	5	3.4%
90 >= Days	45	30.4%
Total	148	100%





#### Figure 21: Fulfilled BWC Requests (January 2022 - July 2023)



# **Closed Cases**

### **Resolving Cases**

In July 2023, the CCRB fully investigated 50% of the cases it closed, and resolved (fully investigated, mediated or mediation attempted) 51% of the cases it closed.



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

### **Dispositions**

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

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

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

# **Case Abstracts**

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

#### 1. Substantiated

An individual was in her bedroom when two officers entered her bedroom. They told her that they came to check on her because of reports of gas in the building, The individual refused to leave her bedroom. EMS was called and the individual was evaluated and was told she did not require removal from her home. The subject officer who arrived with EMS told EMS to take the individual to the hospital. The incident was captured on BWC. The subject officer showed the individual being evaluated by EMTs. It showed an EMT asking the subject officer why he referred to the individual as an "EDP" even though her behavior appeared to be normal and explicitly telling the subject officer not to label her as such. The subject officer responded that he was going to remove her. The investigation found that the individual did not display any signs of mental unwellness and that the subject officer overruled the EMT's assessment of the individual and improperly removed the individual to a hospital. The Board substantiated the Abuse of Authority allegation.

### 2. Unable to Determine

An individual called 911 to report that a tenant in her building was burning chemicals inside her home. Two subject officers responded to the call. The individual stated that the subject officers searched her home. The subject officers were interviewed and stated that when they arrived at the location, they could not smell burning chemicals. They spoke to the tenant whom the individual accused of burning chemicals and the officers found no burning chemicals coming from the tenant's home. They instead smelled something like incense coming from the individual's home, and the individual denied using any incense. The subject officers entered and searched the individual's home finding a big pot of ashes and incense sticks in her living room. The investigation was unable to determine if the subject officer's smell observations was sufficient grounds for entry into the individual's apartment. The Board closed the Abuse of Authority allegations as Unable to Determine.

#### 3. Unfounded

An individual was on her lunch break at her office when the subject officer and another officer approached

her, along with a resident of one of the building's that the individual's employer managed. The subject officer told the individual that she needed to give the resident keys to enter her apartment. The individual stated that the subject officer needed to speak to her employer's attorneys. The subject officer told the individual that she could be arrested for not turning over the keys and told her to "shut your mouth". The incident was captured on BWC. It showed the subject officer talking to the individual's attorneys on the phone, as well as NYPD legal trying to resolve the issue. It was stated to the individual's attorneys that it was illegal to try to evict someone by changing the locks on their apartment and stating that such action was an arrestable offense. The comments went not addressed to the individual. The subject officer also pointed his finger at the individual and asked her to "lower your voice" while he was on the phone. The investigation found that the subject officer did not threaten the individual with arrest nor act discourteously towards her. The Board closed the Abuse of Authority and Discourtesy allegations as Unfounded.

#### 4. Within NYPD Guidelines

An individual was entering his apartment building with his dog when the subject officer and his partner approached the individual. The individual was asked by the officers to hold the door. The individual stated that he wouldn't – that the officers should ring the doorbell for whoever it was they came to see. The subject officer swung the door open and pushed his way through the doorway, pushing the individual as he did so. The incident was captured on surveillance video and BWC. It showed the individual and his dog standing in the middle of the doorway as he talked with the subject officer's partner. The subject officer walked up behind the individual and said, "excuse me". The individual did not move and repeated that the officers should ring the doorbell for whoever they were looking for. The subject officer then said, "excuse me, man" and walked past the individual, placing his arm on his as he pushed the individual away from the doorway. The investigation found that the individual was standing directly in the subject officer's path and refused the order to move away from the doorway, and thus the subject officer was justified in using the small amount of force to move the individual away from the doorway. The Board closed the Use of Force allegation as being Within NYPD Guidelines.

#### 5. Officer Unidentified

An individual stated that she called her local precinct and a male officer hung up the phone on her after telling her it was a Domino's Pizza that she had called. The individual could not recall the exact date of the incident and was only able to narrow it down to a two-week window in the evening. She could not provide her phone call log to the investigation. The investigation found that only officer on phone duty around the approximate time of the incident was a female officer. The female officer could not recall anyone else answering the phone or answering a call saying "Domino's Pizza". Without additional pertinent information, the investigation could not identify a subject officer. The Board closed the Discourtesy allegation as Officer Unidentified.

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

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

# **Dispositions - Full Investigations**





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



# **Dispositions - All CCRB Cases**

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

	11.4	-	1		VTD	0000	VTD	0000
	Jul	2022	Jul	2023	YID	2022	YID	2023
Full Investigations	Count	% of Total						
Substantiated	51	38%	59	27%	645	40%	390	26%
Within NYPD Guidelines	11	8%	43	20%	207	13%	268	18%
Unfounded	10	7%	48	22%	166	10%	258	17%
Unable to Determine	54	40%	51	24%	463	29%	403	27%
MOS Unidentified	9	7%	15	7%	134	8%	176	12%
Total - Full Investigations	135		216		1615		1495	
Mediation Closures	Count	% of Total						
Mediated	6	100%	4	100%	48	52%	58	100%
Mediation Attempted	0	0%	0	0%	44	48%	0	0%
Total - ADR Closures	6		4		92		58	
Resolved Case Total	141	64%	220	51%	1707	71%	1553	52%
Unable to Investigate / Other Closures	Count	% of Total						
Complaint withdrawn	12	15%	32	15%	120	17%	210	15%
Unable to Investigate	53	65%	134	64%	441	62%	815	58%
Closed - Pending Litigation	15	19%	40	19%	125	18%	351	25%
Miscellaneous	1	1%	4	2%	25	4%	36	3%
Administrative closure*	0	0%	0	0%	1	0%	0	0%
Total - Other Case Dispositions	81		210		712		1412	
Total - Closed Cases	222		430		2419		2969	

Figure 25: Disposition of Cases (2022 vs 2023)

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

### **Dispositions - FADO Allegations**

"Allegations" are different than "cases." A case or complaint is based on an incident and may contain one or more allegations of police misconduct. The allegation substantiation rate is 15% for the month of July 2023, and the allegation substantiation rate is 15% year-to-date.

	Jul 2022		Jul	2023	YTD 2022		YTD 2023	
Fully Investigated Allegations	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Substantiated	149	19%	150	15%	2111	20%	1071	15%
Unable to Determine	231	29%	194	19%	2587	25%	1375	20%
Unfounded	109	14%	183	18%	1216	12%	1205	17%
Within NYPD Guidelines	221	28%	395	39%	3226	31%	2586	37%
MOS Unidentified	74	9%	80	8%	1203	12%	779	11%
Total - Full Investigations	784		1002		10343		7016	
Mediation Closures	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Mediated	13	100%	9	100%	138	47%	170	100%
Mediation Attempted	0	0%	0	0%	153	0%	0	0%
Total - ADR Closures	13		9		291		170	
Unable to Investigate / Other Closures	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Complaint withdrawn	16	7%	80	12%	256	11%	481	11%
Unable to Investigate	129	56%	402	59%	1103	50%	2367	53%
Closed - Pending Litigation	43	19%	156	23%	364	16%	1237	28%
Miscellaneous	42	18%	43	6%	503	23%	408	9%
Administrative closure	0	0%	0	0%	1	0%	0	0%
Total - Other Case Dispositions	230		681		2227		4493	
Total - Closed Allegations	1176		1734		14179		12148	

Figure 26: Disposition of Allegations (2022 vs 2023)

	Substantiated	Unable to Determine	Within NYPD Guidelines	Unfounded	Officers Unidentified	Total
Force	12	25	116	61	7	221
	5%	11%	52%	28%	3%	100%
Abuse of	106	132	266	99	56	659
Authority	16%	20%	40%	15%	8%	100%
Discourtesy	24	30	13	19	13	99
	24%	30%	13%	19%	13%	100%
Offensive	6	6	0	4	4	20
Language	30%	30%	0%	20%	20%	100%
	148	193	395	183	80	999
Total	15%	19%	40%	18%	8%	100%

Figure 27: Disposition of FADO Allegations by FADO Category (July 2023)

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

	Substantiated	Unable to Determine	Within NYPD Guidelines	Unfounded	Officers Unidentified	Total
Force	84	214	781	433	123	1635
	5%	13%	48%	26%	8%	100%
Abuse of	772	858	1677	584	453	4344
Authority	18%	20%	39%	13%	10%	100%
Discourtesy	168	242	127	151	156	844
	20%	29%	15%	18%	18%	100%
Offensive	26	58	1	37	47	169
Language	15%	34%	1%	22%	28%	100%
	1050	1372	2586	1205	779	6992
Total	15%	20%	37%	17%	11%	100%

### **Dispositions - Untruthful Statement Allegations**

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

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

Untruthful Statement Allegations	July 2022		J	uly 2023		
	Count	% of Total Allegations	Count	% of Total Allegations	Change	% Change
False official statement	0	NA	1	50%	1	NA
Impeding an investigation	0	NA	0	0%	0	NA
Inaccurate official statement	0	NA	0	0%	0	NA
Misleading official statement	0	NA	1	50%	1	NA
Total Allegations	0		2		2	ø

Figure 29: Substantiated Untruthful Statement Allegations with % Change

Untruthful Statement Allegations	Y	TD 2022	Y	TD 2023		
	Count	% of Total Allegations	Count	% of Total Allegations	Change	% Change
False official statement	34	51%	15	71%	-19	-56%
Impeding an investigation	0	0%	0	0%	0	NA
Inaccurate official statement	1	1%	3	14%	2	200%
Misleading official statement	32	48%	3	14%	-29	-91%
Total Allegations	67		21		-46	-69%

### **Substantiation Rates**

The July 2023 case substantiation rate was 27%.





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



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

# Substantiation Rates and Video

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





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



### **Board Discipline Recommendations for Substantiated Officers**

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

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

	July 2022		July 2023		YTD 2022		YTD 2023	
Disposition	Count	%	Count	%	Count	%	Count	%
Charges	18	22%	22	23%	365	33%	166	27%
Command Discipline B	19	23%	24	25%	259	23%	140	23%
Command Discipline A	34	41%	30	32%	418	38%	233	38%
Formalized Training	11	13%	19	20%	67	6%	81	13%
Total	82		95		1109		620	

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

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

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

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

### Figure 36: Substantiated Allegations By Borough and NYPD Precinct (July 2023)

Board Disposition	Officer	FADO&U Category	Allegation	Precinct of Occurrence	Borough of Occurrence
Substantiated (Charges)	PO Jonathan Trossi	Abuse of Authority	Threat of arrest	1	Manhattan
Substantiated (Charges)	PO Jonathan Trossi	Abuse of Authority	Threat of force (verbal or physical)	1	Manhattan
Substantiated (Charges)	PO Jonathan Trossi	Abuse of Authority	Interference with recording	1	Manhattan
Substantiated (Charges)	PO Jonathan Trossi	Discourtesy	Word	1	Manhattan
Substantiated (Charges)	PO Jonathan Trossi	Untruthful Statement	False official statement	1	Manhattan
Substantiated (Command Discipline B)	DT3 Sean Ahearn	Abuse of Authority	Threat re: removal to hospital	10	Manhattan
Substantiated (Command Discipline B)	PO Carmelo Colon	Abuse of Authority	Stop	13	Manhattan
Substantiated (Command Discipline B)	PO Carmelo Colon	Abuse of Authority	Question	13	Manhattan
Substantiated (Command Discipline B)	SGT Edmund Staines	Abuse of Authority	Refusal to obtain medical treatment	14	Manhattan
Substantiated (Command Discipline B)	SGT Brendan Coughlin	Abuse of Authority	Refusal to obtain medical treatment	14	Manhattan
Substantiated (Command Discipline B)	SGT Danny Bermeo	Abuse of Authority	Search of Premises	14	Manhattan
Substantiated (Charges)	PO William Bilbao	Abuse of Authority	Sex Miscon (Sexual Harassment, Gesture)	14	Manhattan
Substantiated (Charges)	PO William Bilbao	Abuse of Authority	Sex Miscon (Sexual/Romantic Proposition)	14	Manhattan
Substantiated (Charges)	PO William Bilbao	Abuse of Authority	Sex Miscon (Sexual/Romantic Proposition)	14	Manhattan
Substantiated (Charges)	PO Max Cheung	Force	Hit against inanimate object	14	Manhattan
Substantiated (Charges)	PO Max Cheung	Force	Physical force	14	Manhattan
Substantiated (Charges)	PO Jose Quimizchavez	Abuse of Authority	Refusal to process civilian complaint	18	Manhattan
Substantiated (Charges)	LT SA Ryan Murphy	Abuse of Authority	Unlawful Summons	18	Manhattan
Substantiated (Charges)	PO Randy Vasquez	Discourtesy	Word	18	Manhattan
Substantiated (Command Discipline B)	PO Daniel Boylan	Force	Physical force	25	Manhattan
Substantiated (Command Discipline A)	SGT Oscar Wdowiak	Abuse of Authority	Entry of Premises	28	Manhattan
Substantiated (Command Discipline A)	PO Jhan Taveras	Abuse of Authority	Entry of Premises	28	Manhattan
Substantiated (Command Discipline A)	PO Nicholas Billotto	Abuse of Authority	Search (of person)	28	Manhattan
Substantiated (Command Discipline A)	PO Nicholas Billotto	Abuse of Authority	Failure to provide RTKA card	28	Manhattan
Substantiated (Command Discipline B)	PO Sheng Sun	Abuse of Authority	Vehicle search	33	Manhattan
Substantiated (Command Discipline B)	PO Sheng Sun	Abuse of Authority	Failure to provide RTKA card	33	Manhattan

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

Board Disposition	Officer	FADO&U Category	Allegation	Precinct of Occurrence	Borough of Occurrence
Substantiated (Charges)	PO Ismael Perezortiz	Abuse of Authority	Threat of force (verbal or physical)	34	Manhattan
Substantiated (Command Discipline B)	PO Derek Rivera	Abuse of Authority	Frisk	34	Manhattan
Substantiated (Command Discipline B)	PO Derek Rivera	Abuse of Authority	Search (of person)	34	Manhattan
Substantiated (Command Discipline B)	PO Robert Velsor	Abuse of Authority	Search (of person)	34	Manhattan
Substantiated (Command Discipline B)	PO Robert Velsor	Abuse of Authority	Failure to provide RTKA card	34	Manhattan
Substantiated (Charges)	PO Ismael Perezortiz	Discourtesy	Word	34	Manhattan
Substantiated (Charges)	PO Ismael Perezortiz	Offensive Language	Gender	34	Manhattan
Substantiated (Formalized Training)	PO Giovanis Tovarminaya	Abuse of Authority	Search (of person)	41	Bronx
Substantiated (Charges)	SGT Ariel Cruz	Abuse of Authority	Frisk	42	Bronx
Substantiated (Charges)	SGT Ariel Cruz	Abuse of Authority	Stop	42	Bronx
Substantiated (Charges)	PO Carolyn Daley	Abuse of Authority	Stop	42	Bronx
Substantiated (Charges)	PO Benito Cruz	Abuse of Authority	Vehicle search	44	Bronx
Substantiated (Charges)	PO Benito Cruz	Abuse of Authority	Frisk	44	Bronx
Substantiated (Charges)	PO Benito Cruz	Abuse of Authority	Refusal to provide name	44	Bronx
Substantiated (Charges)	PO Paul Kelly	Abuse of Authority	Refusal to provide name	44	Bronx
Substantiated (Charges)	PO George Layng	Abuse of Authority	Refusal to provide name	44	Bronx
Substantiated (Charges)	PO George Layng	Abuse of Authority	Refusal to provide shield number	44	Bronx
Substantiated (Charges)	PO Paul Kelly	Abuse of Authority	Refusal to provide shield number	44	Bronx
Substantiated (Charges)	PO Benito Cruz	Abuse of Authority	Refusal to provide shield number	44	Bronx
Substantiated (Charges)	PO Benito Cruz	Untruthful Statement	Misleading official statement	44	Bronx
Substantiated (Command Discipline A)	PO Michael Morillo	Abuse of Authority	Failure to provide RTKA card	45	Bronx
Substantiated (Command Discipline B)	PO Daniel Demarco	Abuse of Authority	Threat of summons	46	Bronx
Substantiated (Charges)	PO Yesmelin Reyes	Abuse of Authority	Threat of force (verbal or physical)	46	Bronx
Substantiated (Command Discipline B)	PO Daniel Demarco	Abuse of Authority	Frisk	46	Bronx
Substantiated (Command Discipline B)	PO Sammy Figueroa	Abuse of Authority	Frisk	46	Bronx
Substantiated (Command Discipline B)	SGT Ariel Cruz	Abuse of Authority	Frisk	46	Bronx
Substantiated (Command Discipline A)	PO Carolyn Daley	Abuse of Authority	Search (of person)	46	Bronx
Substantiated (Command Discipline B)	PO Daniel Demarco	Abuse of Authority	Stop	46	Bronx
Substantiated (Command Discipline B)	SGT Ariel Cruz	Abuse of Authority	Stop	46	Bronx

Board Disposition	Officer	FADO&U Category	Allegation	Precinct of Occurrence	Borough of Occurrence
Substantiated (Command Discipline B)	PO Sammy Figueroa	Abuse of Authority	Stop	46	Bronx
Substantiated (Command Discipline B)	PO Carolyn Daley	Abuse of Authority	Stop	46	Bronx
Substantiated (Command Discipline B)	PO Carolyn Daley	Abuse of Authority	Stop	46	Bronx
Substantiated (Charges)	LT Jonathan Cedeno	Abuse of Authority	Forcible Removal to Hospital	46	Bronx
Substantiated (Command Discipline A)	PO Katherine Capote	Abuse of Authority	Failure to provide RTKA card	46	Bronx
Substantiated (Command Discipline A)	LT Rafael Tosado	Abuse of Authority	Failure to provide RTKA card	46	Bronx
Substantiated (Command Discipline B)	PO Sammy Figueroa	Abuse of Authority	Failure to provide RTKA card	46	Bronx
Substantiated (Charges)	PO Michael Phipps	Discourtesy	Word	46	Bronx
Substantiated (Charges)	PO Michael Phipps	Discourtesy	Word	46	Bronx
Substantiated (Charges)	PO Michael Phipps	Discourtesy	Word	46	Bronx
Substantiated (Charges)	PO Railyng Frias	Discourtesy	Word	46	Bronx
Substantiated (Charges)	LT Jonathan Cedeno	Discourtesy	Word	46	Bronx
Substantiated (Command Discipline B)	PO Clarence Brown	Discourtesy	Word	46	Bronx
Substantiated (Command Discipline B)	PO Clarence Brown	Discourtesy	Word	46	Bronx
Substantiated (Charges)	LT Jonathan Cedeno	Offensive Language	Disability	46	Bronx
Substantiated (Charges)	PO Railyng Frias	Offensive Language	Disability	46	Bronx
Substantiated (Charges)	PO Michael Phipps	Offensive Language	Other	46	Bronx
Substantiated (Command Discipline B)	PO Manolis Kambouris	Offensive Language	Gender	46	Bronx
Substantiated (Command Discipline B)	DT3 Brendan Bradley	Abuse of Authority	Frisk	47	Bronx
Substantiated (Command Discipline B)	DT3 Michael Tansey	Abuse of Authority	Frisk	47	Bronx
Substantiated (Command Discipline B)	DT3 Michael Tansey	Abuse of Authority	Search (of person)	47	Bronx
Substantiated (Command Discipline B)	DT3 Brendan Bradley	Abuse of Authority	Search (of person)	47	Bronx
Substantiated (Command Discipline B)	DT3 Brendan Bradley	Abuse of Authority	Stop	47	Bronx
Substantiated (Command Discipline B)	DT3 Michael Tansey	Abuse of Authority	Failure to provide RTKA card	47	Bronx
Substantiated (Formalized Training)	PO Angel Lopez	Abuse of Authority			Bronx
Substantiated (Command Discipline A)	PO Nicholas Santomero	Abuse of Authority			Bronx
Substantiated (Command Discipline A)	PO Hala Salem	Discourtesy	Word 48		Bronx
Substantiated (Charges)	PO Alfredo Alba	Abuse of Authority	Stop	52	Bronx
Substantiated (Charges)	PO Alfredo Alba	Abuse of Authority	Failure to provide RTKA card	52	Bronx

Board Disposition	Officer	FADO&U Category	Allegation	Precinct of Occurrence	Borough of Occurrence
Substantiated (Charges)	PO Alfredo Alba	Discourtesy	Word	52	Bronx
Substantiated (Charges)	PO Alfredo Alba	Force	Physical force	52	Bronx
Substantiated (Charges)	SGT Seungwoo Seo	Abuse of Authority	Interference with recording	63	Brooklyn
Substantiated (Charges)	PO Melissa Pascual	Abuse of Authority	Refusal to provide name	63	Brooklyn
Substantiated (Charges)	PO Melissa Pascual	Abuse of Authority	Failure to provide RTKA card	63	Brooklyn
Substantiated (Formalized Training)	PO Olga Bentin	Abuse of Authority	Search (of person)	68	Brooklyn
Substantiated (Command Discipline A)	PO Nicole Rostant	Abuse of Authority	Refusal to process civilian complaint	69	Brooklyn
Substantiated (Charges)	PO Rupak Dey	Force	Gun Pointed	69	Brooklyn
Substantiated (Charges)	PO Jasmin Nikocevic	Abuse of Authority	Retaliatory summons	70	Brooklyn
Substantiated (Command Discipline B)	CPT Maggie Clamp	Abuse of Authority	Entry of Premises	71	Brooklyn
Substantiated (Command Discipline B)	DI Norman Grandstaff	Abuse of Authority	Other	71	Brooklyn
Substantiated (Command Discipline B)	SGT Patrick Cain	Abuse of Authority	Search of Premises	71	Brooklyn
Substantiated (Command Discipline B)	PO Khaleef Allicott	Discourtesy	Word	71	Brooklyn
Substantiated (Formalized Training)	PO Antonio Meyers	Abuse of Authority	Refusal to provide name	72	Brooklyn
Substantiated (Formalized Training)	PO Alfonso Keitt	Abuse of Authority	Failure to provide RTKA card	72	Brooklyn
Substantiated (Formalized Training)	PO Alfonso Keitt	Abuse of Authority	Failure to provide RTKA card	72	Brooklyn
Substantiated (Formalized Training)	CPT Hariton Marachilian	Abuse of Authority	Search of Premises	75	Brooklyn
Substantiated (Formalized Training)	PO Virgilio Munoz	Abuse of Authority	Failure to provide RTKA card	75	Brooklyn
Substantiated (Command Discipline B)	PO Shaquille Stvalle	Abuse of Authority	Threat of arrest	79	Brooklyn
Substantiated (Command Discipline B)	PO Ashley Roseman	Abuse of Authority	Frisk	79	Brooklyn
Substantiated (Command Discipline B)	DT3 Alan Herndonsoto	Abuse of Authority	Forcible Removal to Hospital	79	Brooklyn
Substantiated (Command Discipline B)	PO Ashley Roseman	Abuse of Authority	Failure to provide RTKA 79 card		Brooklyn
Substantiated (Command Discipline A)	PO Maxim Paul	Discourtesy	Word	84	Brooklyn
Substantiated (Command Discipline A)	PO Edward Rodriguez	Discourtesy	Word	94	Brooklyn
Substantiated (Charges)	PO Joseph Arbia	Force	Vehicle 10 <sup>2</sup>		Queens
Substantiated (Charges)	SGT Patrick Chilton	Abuse of Authority	y Threat of force (verbal or 102 physical)		Queens
Substantiated (Charges)	SGT Patrick Chilton	Abuse of Authority			Queens
Substantiated (Formalized Training)	PO Nathaniel Marcellus	Abuse of Authority	Search (of person)	102	Queens
Substantiated (Charges)	PO Michael Porcelli	Abuse of Authority	Frisk	103	Queens

Board Disposition	Officer	FADO&U Category	Allegation	Precinct of Occurrence	Borough of Occurrence
Substantiated (Charges)	PO Kevin Greaney	Abuse of Authority	Stop	103	Queens
Substantiated (Charges)	PO Michael Sciotto	Discourtesy	Word	103	Queens
Substantiated (Command Discipline B)	PO Paul Kregler	Discourtesy	Word	103	Queens
Substantiated (Charges)	PO Cody Duffy	Discourtesy	Other	103	Queens
Substantiated (Charges)	PO Michael Sciotto	Force	Physical force	103	Queens
Substantiated (Charges)	PO Michael Sciotto	Force	Physical force	103	Queens
Substantiated (Charges)	PO Christopher Neun	Force	Physical force	103	Queens
Substantiated (Command Discipline B)	PO Paul Kregler	Force	Physical force	103	Queens
Substantiated (Charges)	PO Michael Porcelli	Force	Physical force	103	Queens
Substantiated (Charges)	PO Michael Sciotto	Force	Restricted Breathing	103	Queens
Substantiated (Formalized Training)	SGT Yorlly Cyriaque	Abuse of Authority	Failure to provide RTKA card	106	Queens
Substantiated (Formalized Training)	SGT Yorlly Cyriaque	Abuse of Authority	Failure to provide RTKA card	106	Queens
Substantiated (Command Discipline A)	PO Brandon Andre	Abuse of Authority	Failed to Obtain Language Interpretation	107	Queens
Substantiated (Charges)	PO Paramveer Singh	Discourtesy	Word	107	Queens
Substantiated (Charges)	PO Paramveer Singh	Discourtesy	Word	107	Queens
Substantiated (Charges)	PO Paramveer Singh	Discourtesy	Word	107	Queens
Substantiated (Formalized Training)	SGT Kevin Gallagher	Abuse of Authority	Forcible Removal to Hospital	108	Queens
Substantiated (Formalized Training)	PO Terence Faber	Abuse of Authority	Search of recording device	109	Queens
Substantiated (Command Discipline A)	PO Siegfriedowen Fetiza	Abuse of Authority	Threat of arrest	110	Queens
Substantiated (Command Discipline A)	PO Siegfriedowen Fetiza	Abuse of Authority	Threat of arrest	110	Queens
Substantiated (Command Discipline A)	PO Siegfriedowen Fetiza	Abuse of Authority	Failed to Obtain Language Interpretation	110	Queens
Substantiated (Command Discipline A)	PO Raul Sariol	Abuse of Authority	Forcible Removal to Hospital	112	Queens
Substantiated (Command Discipline A)	PO Nicholas Dicandia	Abuse of Authority	Forcible Removal to Hospital	112	Queens
Substantiated (Command Discipline A)	DI Joseph Cappelmann	Discourtesy	Word	112	Queens
Substantiated (Command Discipline A)	PO Jonathan Combs	Discourtesy	Word	112	Queens
Substantiated (Command Discipline B)	SGT Sean Dawson	Abuse of Authority	Search (of person)	120	Staten Island
Substantiated (Command Discipline B)	DT3 Brad Parascandolo	Abuse of Authority	Search (of person)	120	Staten Island
Substantiated (Command Discipline B)	DT3 Brad Parascandolo	Abuse of Authority	Stop	120	Staten Island
Substantiated (Command Discipline B)	DT3 Brad Parascandolo	Abuse of Authority	Failure to provide RTKA card	120	Staten Island

Board Disposition	Officer	FADO&U Category	Allegation	Precinct of Occurrence	Borough of Occurrence
Substantiated (Command Discipline B)	DT3 Steven Lopez	Abuse of Authority	Failure to provide RTKA card	120	Staten Island
Substantiated (Command Discipline B)	SGT Sean Dawson	Abuse of Authority	Failure to provide RTKA card	120	Staten Island
Substantiated (Command Discipline B)	DT3 Rudy Anzalone	Abuse of Authority	Failure to provide RTKA card	120	Staten Island
Substantiated (Command Discipline B)	PO Matthew Giacalone	Abuse of Authority	Failure to provide RTKA card	120	Staten Island
Substantiated (Charges)	DTS Terry Avent	Offensive Language	Other	120	Staten Island
Substantiated (Command Discipline A)	PO Christina Basile	Abuse of Authority	Threat re: removal to hospital	122	Staten Island
Substantiated (Formalized Training)	SGT Archie Depietro	Abuse of Authority	Failure to provide RTKA card	122	Staten Island
Substantiated (Command Discipline A)	SGT Paul Mercuri	Discourtesy	Other	122	Staten Island

### **Unable to Investigate and Withdrawn Complaints**

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

	Withdrawn	Unable to Investigate	Total
Force	19	124	143
Abuse of Authority	49	234	283
Discourtesy	10	40	50
Offensive Language	2	4	6
Total	80	402	482

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

Figure 38: Unable to Investigate and Withdrawn CCRB Cor	nplaints (July 2023)

	Withdrawn	Unable to Investigate	Total
Total	32	134	166

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

	Withdrawn	Unable to Investigate	Total
Force	110	912	1022
Abuse of Authority	313	1245	1558
Discourtesy	49	158	207
Offensive Language	9	52	61
Total	481	2367	2848

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

	Withdrawn	Unable to Investigate	Total
Total	210	815	1025

### **Complaints Against Officers Assigned to Police Service Areas**

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

	Jul 2022	Jul 2023	YTD 2022	YTD 2023
PSA Complaints	13	17	146	134
Total Complaints	222	430	2419	2969
PSA Complaints as % of Total	5.9%	4.0%	6.0%	4.5%

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

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

	Jul 2022	Jul 2023	YTD 2022	YTD 2023
PSA 1	3	2	15	11
PSA 2	0	0	56	34
PSA 3	5	7	38	55
PSA 4	1	1	13	16
PSA 5	3	9	22	49
PSA 6	4	5	11	18
PSA 7	22	2	137	32
PSA 8	0	0	32	23
PSA 9	0	4	23	16
Total	38	30	347	254

Figure 42: Closed Complaints Against Officers Assigned to a PSA

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

Figure 43: Closed Allegations	Against Officers	Assigned to a PSA I	by FADOU Type
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	Jul 2	Jul 2022		Jul 2023		YTD 2022		YTD 2023	
	Count	% of Total							
Force (F)	17	38%	18	50%	143	31%	142	42%	
Abuse of Authority (A)	20	44%	14	39%	224	48%	141	41%	
Discourtesy (D)	7	16%	3	8%	76	16%	45	13%	
Offensive Language (O)	1	2%	1	3%	15	3%	13	4%	
Untruthful Statement (U)	0	0%	0	0%	8	2%	0	0%	
Total	45	100%	36	100%	466	100%	341	100%	

# **Dispositions of Officers Assigned to PSAs**

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

	Jul 2	2022	Jul	2023	YTD	2022	YTD	2023
Full Investigations	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Substantiated	5	17%	3	25%	105	42%	41	30%
Within NYPD Guidelines	7	23%	3	25%	51	20%	48	35%
Unfounded	3	10%	0	0%	24	10%	18	13%
Unable to Determine	14	47%	6	50%	66	26%	30	22%
MOS Unidentified	1	3%	0	0%	5	2%	1	1%
Total - Full Investigations	30		12		251		138	
Mediation Closures	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Mediated	1	100%	0	0%	3	21%	3	100%
Mediation Attempted	0	0%	0	0%	11	79%	0	0%
Total - ADR Closures	1		0		14		3	
Resolved Case Total	31	82%	12	40%	265	76%	141	56%
Unable to Investigate / Other Closures	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Complaint withdrawn	0	0%	1	6%	9	14%	5	5%
Unable to Investigate	1	50%	12	67%	33	51%	60	54%
Closed - Pending Litigation	0	0%	5	28%	4	6%	41	37%
Miscellaneous	1	50%	0	0%	19	29%	5	5%
Administrative closure*	0	0%	0	0%	0	0%	0	0%
Total - Other Case Dispositions	2		18		65		111	
Total - Closed Cases	38		30		347		254	

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

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

# **Mediation Unit**

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

Figure 45: Mediated	<b>Complaints Closed</b>
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	July 2023	YTD 2023
Mediated Complaints	4	58

#### Figure 46: Mediated FADO Allegations Closed

	July 2023	YTD 2023
Force	0	15
Abuse of Authority	9	132
Discourtesy	0	21
Offensive Language	0	2
Total	9	170

#### Figure 47: Mediated Complaints By Borough (July 2023)

	Mediations
Bronx	2
Brooklyn	1
Manhattan	0
Queens	1
Staten Island	0

#### Figure 48: Mediated Allegations By Borough (July 2023)

	Mediations
Bronx	4
Brooklyn	2
Manhattan	0
Queens	3
Staten Island	0

Precinct	Jul 2023	YTD 2023	Precinct	Jul 2023	YTD 2023	Precinct	Jul 2023	YTD 2023
5	0	1	63	0	2	5	0	2
6	0	2	67	0	1	6	0	2
7	0	1	68	0	2	7	0	1
9	0	1	69	0	2	9	0	1
13	0	1	75	0	1	13	0	1
14	0	4	77	0	1	14	0	8
23	0	1	78	0	1	23	0	2
24	0	1	79	0	1	24	0	7
26	0	1	90	0	1	26	0	4
40	0	1	101	0	1	40	0	4
42	0	2	103	1	1	42	0	4
43	0	1	105	0	4	43	0	2
44	1	3	106	0	1	44	2	8
46	0	3	108	0	1	46	0	15
48	0	1	113	0	1	48	0	10
49	0	1	114	0	1	49	0	1
50	0	1	115	0	2	50	0	2
52	1	1	120	0	2	52	2	2
62	1	1	122	0	1	62	2	2
			NA	0	3			

# Figure 49: Mediated Complaints By Precinct (Jul 2023 - YTD 2023)

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

Precinct	Jul 2023	YTD 2023	Precinct	Jul 2023	YTD 2023
5	0	2	63	0	3
5	0	2	67	0	2
,	0	1	68	0	14
)	0	1	69	0	7
3	0	1	75	0	9
4	0	8	77	0	1
23	0	2	78	0	6
24	0	7	79	0	2
26	0	4	90	0	7
10	0	4	101	0	4
2	0	4	103	3	3
3	0	2	105	0	12
4	2	8	106	0	1
ŀ6	0	15	108	0	2
8	0	10	113	0	1
19	0	1	114	0	4
50	0	2	115	0	5
52	2	2	120	0	3
62	2	2	122	0	2
			NA	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.

Disposition Category	Prosecution Disposition	Jul 2023	YTD 2023
Disciplinary Action	Not guilty after trial but Discipline Imposed	0	0
	Guilty after trial	0	4
	Trial verdict dismissed by PC, Comm. Disc. A imposed	0	0
	Trial verdict dismissed by PC, Comm. Disc. B imposed	0	0
	Trial verdict dismissed by PC, Formalized Training imposed	0	0
	Trial verdict dismissed by PC, Instructions imposed	0	0
	Trial verdict reversed by PC, Final verdict Guilty	0	0
	Resolved by plea	10	22
	Plea Renegotiated by PC	2	3
	Plea set aside, Comm. Disc. B	0	0
	Plea set aside, Comm. Disc. A	0	0
	Plea set aside, Formalized Training	0	9
	Plea set aside, Instructions	0	0
	*Retained, with discipline	1	3
	Disciplinary Action Total	13	41
No Disciplinary Action	Not guilty after trial	2	12
	Trial verdict reversed by PC, Final verdict Not Guilty	0	0
	Plea set aside, Without discipline	0	4
	**Retained, without discipline	1	5
	Dismissed by Police Commissioner	0	0
	Dismissed by APU	0	0
	No Disciplinary Action Total	3	21
Not Adjudicated	Charges not served	48	101
	Deceased	0	0
	Other	0	0
	***Previously adjudicated, with discipline	0	1
	***Previously adjudicated, without discipline	0	0
	†Reconsidered by CCRB Board	0	0
	Retired	3	13
	Resigned	2	6
	Terminated	0	0
	Terminal leave	0	0
	SOL Expired prior to APU	3	25
	SOL Expired in APU	2	2
	Not Adjudicated Total	58	148
	Total Closures	74	210

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

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

# **NYPD Discipline**

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

Discipline Report Year	Non APU %	APU %	Total %
2021	77.21	25.00	70.96
2022	41.50	35.42	41.11
2023 YTD	51.08	57.35	51.96

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

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

Discipline*	July 2023	YTD 2023
Terminated	0	0
Suspension for or loss of vacation time of 31 or more days and/or Dismissal Probation	0	1
Suspension for or loss of vacation time of 21 to 30 days	0	0
Suspension for or loss of vacation time of 11 to 20 days	1	4
Suspension for or loss of vacation time of 1 to 10 days	2	9
Command Discipline B	4	9
Command Discipline A	3	6
Formalized Training**	3	12
Warned & Admonished/Reprimanded	0	0
Disciplinary Action† Total	13	41
No Disciplinary Action†	3	21
Adjudicated Total	16	62
Discipline Rate	81%	66%
Not Adjudicated Total	58	148
Total Closures	74	210

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

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

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

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

Disposition	Disposition Type*	June 2023	YTD 2023
Disciplinary	Terminated	0	0
Action	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	5	51
	Command Discipline A	14	103
	Formalized Training**	27	64
	Closed Administratively (With Discipline) ††	0	5
	Total	46	223
No Disciplinary	Retired	1	8
Action	Resigned	1	9
	SOL Expired	1	18
	Department Unable to Prosecute <sup>†††</sup>	23	198
	Closed Administratively (No penalty reported) ++	0	2
	Total	26	235
	Discipline Rate	64%	49%
	DUP Rate	32%	43%

Figure 54: NYPD Discipline Imposed for Non-APU Cases

\*Where the respondent is found guilty of charges, and the penalty imposed would fall into more than one of the above listed categories, it is reported under the more severe penalty. \*\* Formalized training is conducted by the Police Academy, the NYPD Legal Bureau, or other NYPD Unit. † Trial outcomes in non-APU cases typically involve MOS who turned down command discipline, prompting the police department to proceed

with charges.

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

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

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

Board Disposition	Officer	FADO &U	Allegation	Precinct	Borough	NYPD Discipline
Substantiated (Formalized Training)	PO Patrick Stroh	A	Frisk	14	Manhattan	Formalized Training
Substantiated (Command Discipline A)	DTS Walter Columna	А	Search (of person)	17	Manhattan	Retired
Substantiated (Command Discipline A)	DTS Walter Columna	А	Stop	17	Manhattan	Retired
Substantiated (Command Discipline A)	DTS Walter Columna	А	Failure to provide RTKA card	17	Manhattan	Retired
Substantiated (Command Discipline B)	PO Vito Andreani	А	Search of Premises	18	Manhattan	No penalty
Substantiated (Command Discipline B)	PO Sean Costigan	А	Search of Premises	18	Manhattan	No penalty
Substantiated (Command Discipline A)	PO Elise Rivera	А	Refusal to provide shield number	20	Manhattan	No penalty
Substantiated (Command Discipline A)	PO Griselly Rosario	А	Refusal to process civilian complaint	25	Manhattan	Command Discipline - A
Substantiated (Formalized Training)	DT3 Christopher Pino	А	Failure to provide RTKA card	28	Manhattan	Formalized Training
Substantiated (Command Discipline A)	PO Luigi Campoli	D	Word	30	Manhattan	No penalty
Substantiated (Command Discipline A)	PO Rufian Arshad	D	Word	30	Manhattan	No penalty
Substantiated (Command Discipline A)	PO Donald Champagne	А	Threat of summons	33	Manhattan	No penalty
Substantiated (Command Discipline B)	PO Paris Giddins	А	Entry of Premises	34	Manhattan	Command Discipline - B (Vacation: 1 day)
Substantiated (Command Discipline B)	PO Aaronjames Vinculado	А	Entry of Premises	34	Manhattan	Resigned
Substantiated (Command Discipline A)	PO Bismal Tineo	A	Vehicle search	40	Bronx	Command Discipline - A (Vacation: 1 day)
Substantiated (Command Discipline A)	PO Felix Pichardo	А	Frisk	40	Bronx	Command Discipline - A (Vacation: 1 day)
Substantiated (Command Discipline A)	PO Eduard Lucero	A	Frisk	40	Bronx	Command Discipline - B (Vacation: 2 days)
Substantiated (Command Discipline A)	PO Eduard Lucero	A	Failure to provide RTKA card	40	Bronx	Command Discipline - B (Vacation: 2 days)
Substantiated (Command Discipline A)	PO Stephen Oswald	А	Failure to provide RTKA card	40	Bronx	Command Discipline - A (Vacation: 1 day)
Substantiated (Command Discipline A)	PO Sergey Pogosyan	A	Frisk	41	Bronx	Command Discipline - A
Substantiated (Formalized Training)	LT Brian Query	A	Failure to provide RTKA card	42	Bronx	Formalized Training
Substantiated (Formalized Training)	SGT Venus Marrero	А	Entry of Premises	43	Bronx	No penalty
Substantiated (Command Discipline A)	SGT Venus Marrero	А	Search of Premises	43	Bronx	No penalty
Substantiated (Command Discipline A)	SGT Venus Marrero	А	Failure to provide RTKA card	43	Bronx	No penalty
Substantiated (Formalized Training)	PO Diona Velez	A	Failure to provide RTKA card	43	Bronx	Formalized Training
Substantiated (Command Discipline B)	PO Adam Rossi	A	Property damaged	45	Bronx	No penalty
Substantiated (Command Discipline A)	SGT Victor Dejesus	A	Refusal to process civilian complaint	46	Bronx	No penalty

### Figure 55: NYPD Discipline Imposed for Allegations - Non-APU Cases (June 2023)

Board Disposition	Officer	FADO &U	Allegation	Precinct	Borough	NYPD Discipline
Substantiated (Command Discipline A)	PO Manolis Kambouris	D	Action	46	Bronx	No penalty
Substantiated (Command Discipline B)	PO Felix Torres	А	Interference with recording	46	Bronx	No penalty
Substantiated (Command Discipline B)	PO Shanel Grullon	А	Interference with recording	46	Bronx	No penalty
Substantiated (Command Discipline A)	PO Manolis Kambouris	A	Refusal to provide name	46	Bronx	No penalty
Substantiated (Formalized Training)	PO Jimmy Samuel	A	Refusal to provide name	46	Bronx	No penalty
Substantiated (Formalized Training)	PO Jimmy Samuel	A	Refusal to provide shield number	46	Bronx	No penalty
Substantiated (Command Discipline A)	PO Manolis Kambouris	A	Refusal to provide shield number	46	Bronx	No penalty
Substantiated (Command Discipline B)	SGT Roger Rachelski	A	Refusal to process civilian complaint	48	Bronx	No penalty
Substantiated (Command Discipline B)	SGT Roger Rachelski	A	Refusal to process civilian complaint	48	Bronx	No penalty
Substantiated (Command Discipline A)	SGT Christopher Neil	A	Entry of Premises	50	Bronx	No penalty
Substantiated (Command Discipline A)	CPT Michael Piper	А	Entry of Premises	50	Bronx	No penalty
Substantiated (Command Discipline A)	SGT Joseph Carolan	A	Entry of Premises	50	Bronx	No penalty
Substantiated (Command Discipline A)	SGT Joseph Carolan	A	Search of Premises	50	Bronx	No penalty
Substantiated (Command Discipline A)	CPT Michael Piper	А	Search of Premises	50	Bronx	No penalty
Substantiated (Command Discipline A)	SGT Christopher Neil	А	Search of Premises	50	Bronx	No penalty
Substantiated (Command Discipline A)	LT William Huang	А	Failure to provide RTKA card	60	Brooklyn	Command Discipline - A
Substantiated (Formalized Training)	PO Sean Mahoney	А	Failure to provide RTKA card	61	Brooklyn	Formalized Training
Substantiated (Command Discipline A)	PO Justina Gorglione	A	Threat to damage/seize property	62	Brooklyn	Command Discipline - A (Vacation: 1 day)
Substantiated (Command Discipline A)	PO Charles Montalbano	А	Search of Premises	62	Brooklyn	No penalty
Substantiated (Command Discipline A)	PO Zurab Bromberg	А	Search of Premises	62	Brooklyn	No penalty
Substantiated (Command Discipline A)	SGT Matthew Gilson	А	Failure to provide RTKA card	63	Brooklyn	No penalty
Substantiated (Formalized Training)	PO Enoch Choi	А	Entry of Premises	67	Brooklyn	Command Discipline - A (Vacation: 1 day)
Substantiated (Formalized Training)	PO Sean Barry	А	Frisk	67	Brooklyn	Formalized Training
Substantiated (Command Discipline A)	PO Enoch Choi	А	Threat re: removal to hospital	67	Brooklyn	Command Discipline - A (Vacation: 1 day)
Substantiated (Formalized Training)	PO Nicholas Harripersad	A	Failed to Obtain Language Interpretation	67	Brooklyn	Formalized Training
Substantiated (Formalized Training)	PO Nathaniel Ullman	A	Failure to provide RTKA card	72	Brooklyn	Formalized Training
Substantiated (Formalized Training)	PO Jesse Wellsscott	А	Failure to provide RTKA card	72	Brooklyn	Formalized Training

Board Disposition	Officer	FADO &U	Allegation	Precinct	Borough	NYPD Discipline
Substantiated (Formalized Training)	PO Taha Jahmi	A	Frisk	73	Brooklyn	Formalized Training
Substantiated (Formalized Training)	PO Taha Jahmi	A	Question	73	Brooklyn	Formalized Training
Substantiated (Formalized Training)	PO John Veloz	A	Failure to provide RTKA card	73	Brooklyn	Formalized Training
Substantiated (Command Discipline A)	POM Roodly Demorcy	A	Frisk	75	Brooklyn	Formalized Training
Substantiated (Command Discipline A)	POF Kristina Lopez	A	Frisk	75	Brooklyn	Formalized Training
Substantiated (Command Discipline A)	POM Andrew Belcher	A	Frisk	75	Brooklyn	Formalized Training
Substantiated (Formalized Training)	PO Marcus James	A	Refusal to provide shield number	76	Brooklyn	Formalized Training
Substantiated (Formalized Training)	PO Vegnel Jovin	A	Refusal to provide shield number	76	Brooklyn	Formalized Training
Substantiated (Command Discipline A)	LT Brian Alexander	A	Failure to provide RTKA card	81	Brooklyn	Command Discipline - A
Substantiated (Command Discipline A)	PO Sean Dickenson	A	Failed to Obtain Language Interpretation	88	Brooklyn	Command Discipline - A
Substantiated (Command Discipline B)	PO Nathaniel Marcellus	A	Search of Premises	102	Queens	No penalty
Substantiated (Command Discipline B)	PO Khrishan Jainaraine	F	Physical force	103	Queens	No penalty
Substantiated (Command Discipline A)	PO Andonios Constantatos	D	Word	103	Queens	Command Discipline - A (Vacation: 0.25 days)
Substantiated (Command Discipline B)	PO William Mei	A	Property damaged	104	Queens	No penalty
Substantiated (Formalized Training)	PO Jason Quintanilla	A	Entry of Premises	105	Queens	Command Discipline - A
Substantiated (Formalized Training)	PO Daniel Carro	A	Entry of Premises	105	Queens	Formalized Training
Substantiated (Formalized Training)	PO Cristian Yepesalzate	A	Entry of Premises	105	Queens	Formalized Training
Substantiated (Formalized Training)	PO Kyle Lesser	A	Entry of Premises	105	Queens	Formalized Training
Substantiated (Formalized Training)	PO Michael Zerbo	A	Entry of Premises	105	Queens	Formalized Training
Substantiated (Formalized Training)	PO John Groves	А	Entry of Premises	105	Queens	Formalized Training
Substantiated (Command Discipline A)	PO Jason Quintanilla	A	Property damaged	105	Queens	Command Discipline - A
Substantiated (Command Discipline A)	SGT Michael Goggins	D	Word	106	Queens	Command Discipline - B (Vacation: 1 day)
Substantiated (Command Discipline A)	SGT Michael Goggins	D	Action	106	Queens	Command Discipline - B (Vacation: 1 day)
Substantiated (Formalized Training)	PO Timothy Bivona	A	Failure to provide RTKA card	106	Queens	Formalized Training
Substantiated (Formalized Training)	PO Timothy Bivona	A	Failure to provide RTKA card	106	Queens	Formalized Training
Substantiated (Formalized Training)	DTS Sean Gillespie	A	Failure to provide RTKA card	106	Queens	Formalized Training
Substantiated (Formalized Training)	DTS Sean Gillespie	A	Failure to provide RTKA card	106	Queens	Formalized Training
Substantiated (Command Discipline A)	PO Cristian Almeida	D	Word	109	Queens	No penalty

Board Disposition	Officer	FADO &U	Allegation	Precinct	Borough	NYPD Discipline
Substantiated (Formalized Training)	DT3 Daniel Tooma	А	Failure to provide RTKA card	113	Queens	Formalized Training
Substantiated (Formalized Training)	DT3 Scott Fisher	А	Failure to provide RTKA card	113	Queens	Formalized Training
Substantiated (Formalized Training)	PO Paul Bartelotti	А	Failure to provide RTKA card	120	Staten Island	Formalized Training
Substantiated (Command Discipline A)	DT3 Thomas Delacy	А	Failure to provide RTKA card	120	Staten Island	Command Discipline - A
Substantiated (Formalized Training)	SGT DS Angel Melendez	А	Failure to provide RTKA card	120	Staten Island	Formalized Training

# Figure 56: NYPD Discipline Imposed for Allegations - APU Adjudicated Cases (July 2023)

Board Disposition	Officer	FADO& U	Allegation	Precinct	Borough	NYPD Discipline
Substantiated (Command Discipline A)	POM Rahul Dass	D	Word	7	Manhattan	Forfeit vacation 1 days
Substantiated (Command Discipline B)	POM Rahul Dass	0	Gender	7	Manhattan	Forfeit vacation 1 days
Substantiated (Charges)	DTS Sean Donohue	F	Vehicle	9	Manhattan	Dismissed
Substantiated (Command Discipline B)	DTS Sean Donohue	A	Property damaged	9	Manhattan	Dismissed
Substantiated (Command Discipline A)	SGT Ramon Reyes	A	Vehicle search	25	Manhattan	Command Discipline A 3 days
Substantiated (Command Discipline A)	SGT Ramon Reyes	D	Word	25	Manhattan	Command Discipline A 3 days
Substantiated (Command Discipline A)	SGT Ramon Reyes	A	Frisk	25	Manhattan	Command Discipline A 3 days
Substantiated (Command Discipline A)	SGT Ramon Reyes	A	Search (of person)	25	Manhattan	Command Discipline A 3 days
Substantiated (Command Discipline A)	PO Farry Medinaramos	A	Search (of person)	25	Manhattan	Command Discipline A 3 days
Substantiated (Command Discipline A)	PO Farry Medinaramos	A	Question	25	Manhattan	Command Discipline A 3 days
Substantiated (Command Discipline A)	PO Farry Medinaramos	A	Question	25	Manhattan	Command Discipline A 3 days
Substantiated (Command Discipline A)	PO Farry Medinaramos	A	Question	25	Manhattan	Command Discipline A 3 days
Substantiated (Charges)	POM Christopher Cianicullo	F	Physical force	33	Manhattan	Forfeit vacation 16 days
Substantiated (Charges)	POM Christopher Cianicullo	D	Word	33	Manhattan	Forfeit vacation 16 days
Substantiated (Charges)	POM Christopher Cianicullo	A	Threat re: immigration status	33	Manhattan	Forfeit vacation 16 days
Substantiated (Charges)	POM Brian Eshak	A	Seizure of property	34	Manhattan	Formalized Training
Substantiated (Charges)	POM Brian Eshak	A	Search (of person)	34	Manhattan	Formalized Training
Substantiated (Charges)	LT Cesar Imbert	A	Strip-searched	43	Bronx	Forfeit vacation 10 days
Substantiated (Command Discipline B)	DTS Fabian Modesto	A	Threat of force (verbal or physical)	67	Brooklyn	Command Discipline B
Substantiated (Command Discipline A)	DTS Fabian Modesto	D	Word	67	Brooklyn	Command Discipline B
Substantiated (Charges)	DTS Fabian Modesto	0	Race	67	Brooklyn	Command Discipline B

Board Disposition	Officer	FADO& U	Allegation	Precinct	Borough	NYPD Discipline
Substantiated (Charges)	DT3 David Hudgens	A	Entry of Premises	70	Brooklyn	Command Discipline B 6 days
Substantiated (Command Discipline B)	DT3 Piero Lasaponara	A	Entry of Premises	70	Brooklyn	Command Discipline A 5 days
Substantiated (Command Discipline B)	CPT Vitaliy Zelikov	F	Pepper spray	70	Brooklyn	Command Discipline B 10 days
Substantiated (Command Discipline B)	CPT Vitaliy Zelikov	F	Pepper spray	70	Brooklyn	Command Discipline B 10 days
Substantiated (Charges)	DT3 David Hudgens	A	Property damaged	70	Brooklyn	Command Discipline B 6 days
Substantiated (Charges)	DT3 David Hudgens	D	Word	70	Brooklyn	Command Discipline B 6 days
Substantiated (Charges)	DT3 David Hudgens	A	Search of Premises	70	Brooklyn	Command Discipline B 6 days
Substantiated (Command Discipline A)	POM Rodney Greenidge	A	Search (of person)	75	Brooklyn	Formalized Training
Substantiated (Command Discipline A)	POM Joshua Ganshaw	A	Search (of person)	75	Brooklyn	Formalized Training
Substantiated (Command Discipline A)	POM Adib Algahiti	D	Word	78	Brooklyn	Command Discipline B 10 days
Substantiated (Charges)	POM Adib Algahiti	0	Gender	78	Brooklyn	Command Discipline B 10 days