



ERIC L. ADAMS
MAYOR

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



ARVA RICE
INTERIM CHAIR

Executive Director's Monthly Report
July 2023
(Statistics for June 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 June 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 69% have been open for 7 months or fewer (page 10). In June, the CCRB opened 527 new cases (page 4), and currently has a total open docket of 3,641 cases (page 11).
- 2) The CCRB substantiated allegations in 20% of its fully investigated cases in June (page 17).
- 3) The CCRB fully investigated 55% of the cases it closed in June (page 14) and resolved (fully investigated, mediated or attempted mediation) 58% of the cases it closed (page 18). The Agency closed 31% of the cases as unable to investigate/withdrawn (page 14).
- 4) For June, investigations using video evidence resulted in substantiated allegations in 22% of cases - compared to 0% of cases in which video was not available (page 23).
- 5) The Monthly Report includes a breakdown of complaints and substantiations by NYPD precinct and borough of occurrence (pages 5-6, 25-30).
- 6) In June the Police Commissioner finalized 15 decision(s) against police officers in Administrative Prosecution Unit (APU) cases; 3 were guilty verdicts won by the APU (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; 3 trials were conducted against respondent officers in June.

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 June 2023, the CCRB initiated 527 new complaints.

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

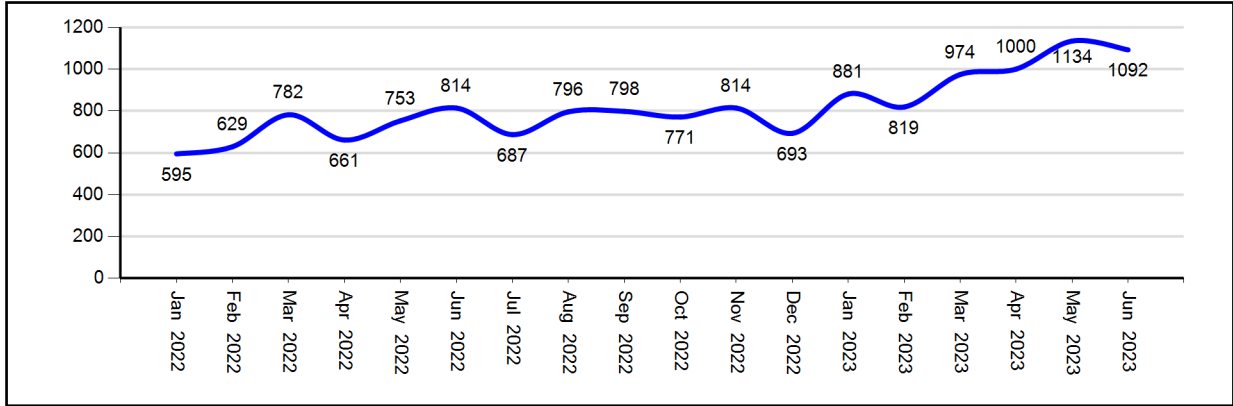


Figure 2: New CCRB Complaints by Month (January 2022 - June 2023)

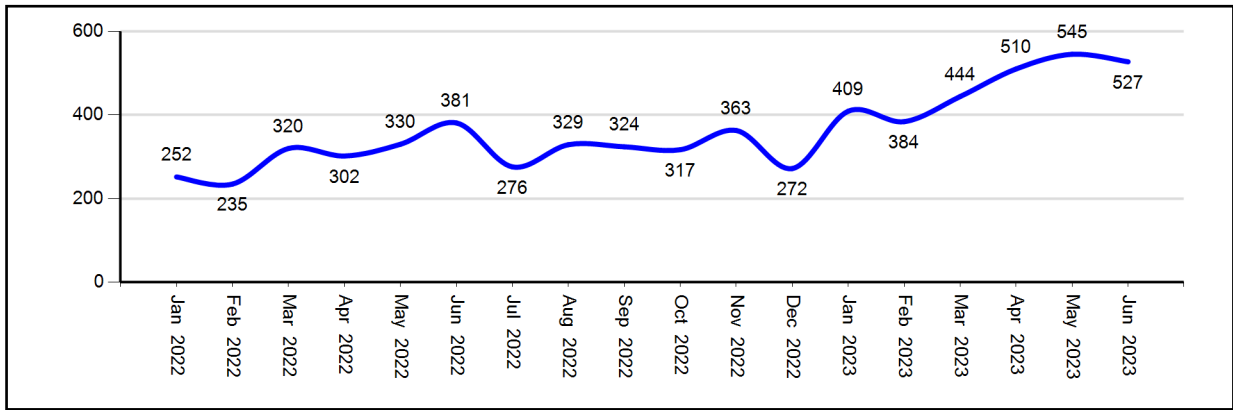
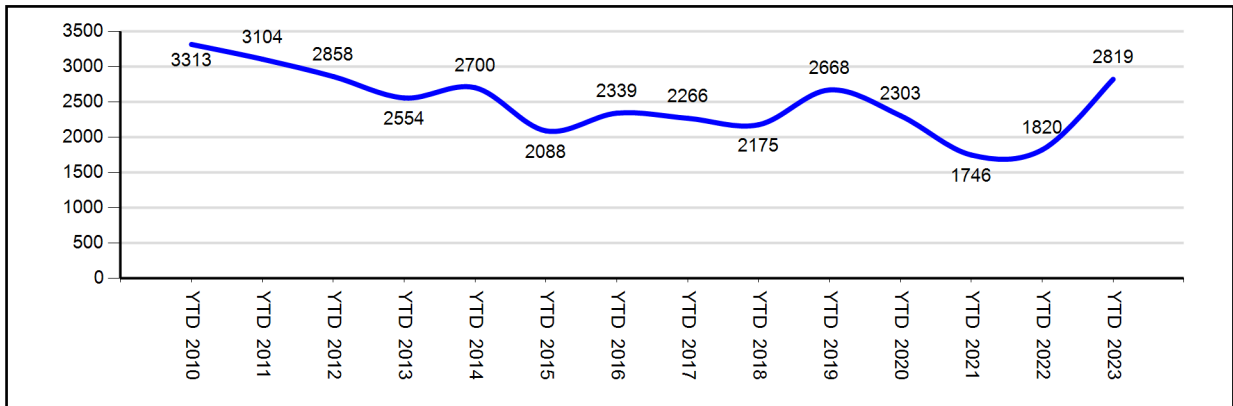


Figure 3: New CCRB Complaints by Year (YTD 2010 - YTD 2023)



CCRB Cases Received by Borough and Precinct

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

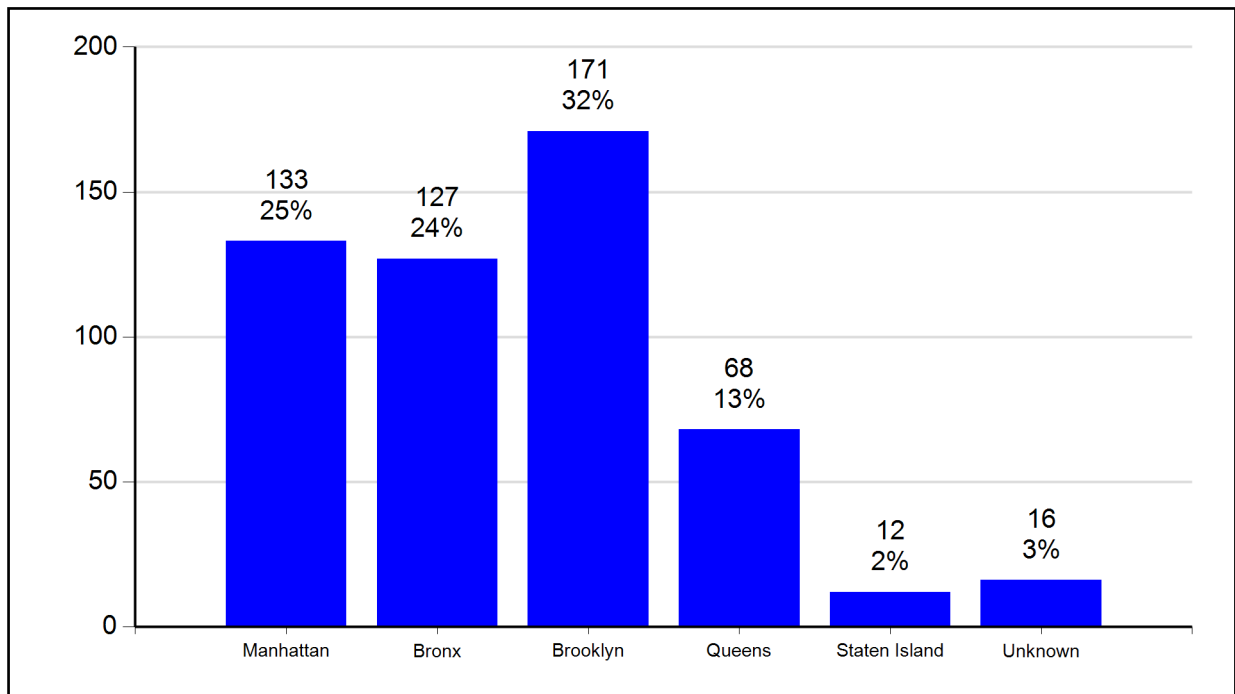


Figure 5: CCRB Complaints Received By Borough of Occurrence (YTD 2023)

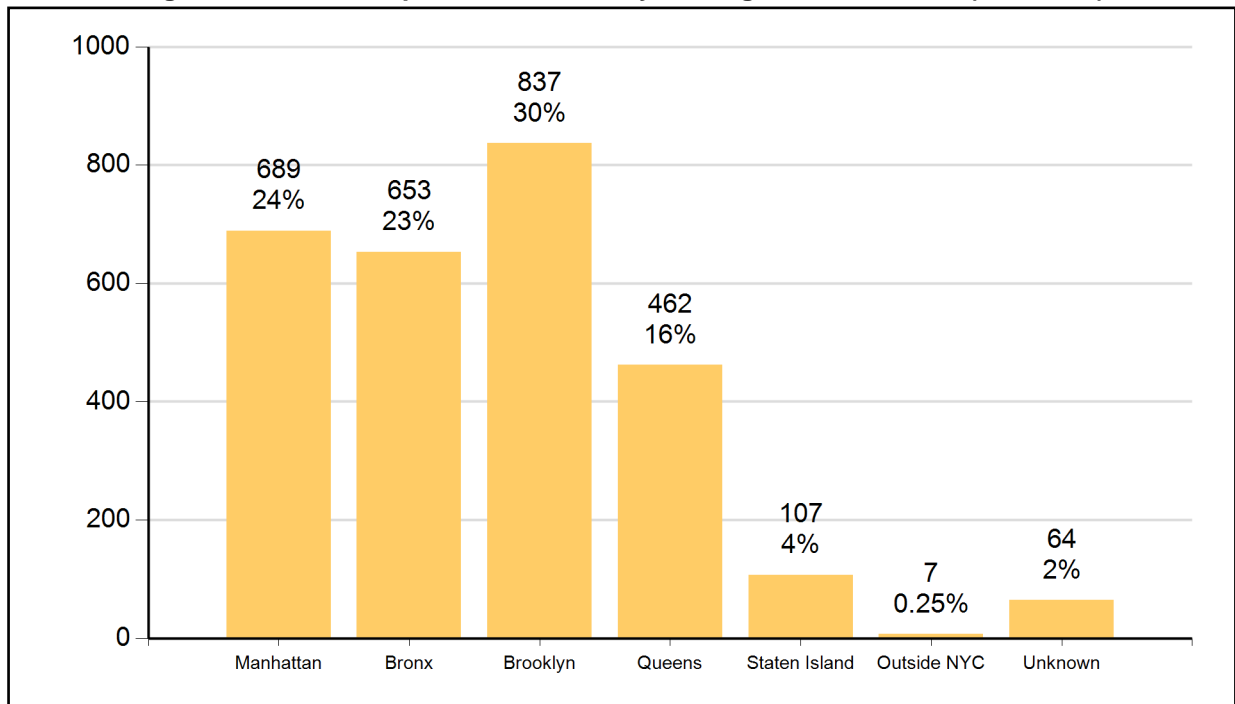


Figure 6: CCRB Complaints Received By Precinct of Occurrence (June 2023)

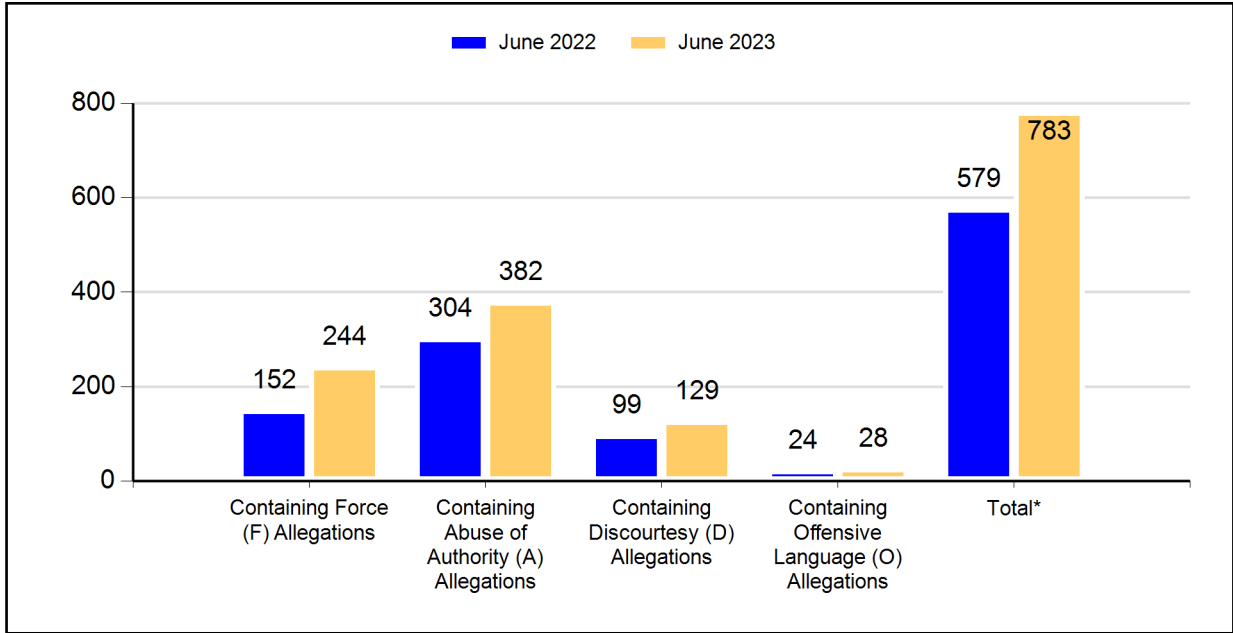
NYPD Precinct of Occurrence*	Number of Complaints	NYPD Precinct of Occurrence*	Number of Complaints
0	5	67	10
1	8	68	2
5	4	69	9
6	5	70	9
7	5	71	8
9	4	72	7
10	5	73	15
13	8	75	26
14	5	76	2
17	4	77	7
18	10	78	3
19	4	79	15
23	8	81	9
24	6	83	6
25	8	84	5
26	3	88	4
28	13	90	7
30	6	100	2
32	7	101	1
33	6	102	5
34	9	103	9
40	15	104	2
41	14	105	8
42	13	106	1
43	12	107	3
44	22	108	1
45	3	109	3
46	8	110	9
47	12	111	1
48	7	112	3
49	6	113	10
50	3	114	7
52	12	115	2
60	8	120	6
61	4	121	2
62	3	122	4
63	4	1000	1
66	2	Unknown	22

*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 (June 2022 vs. June 2023)



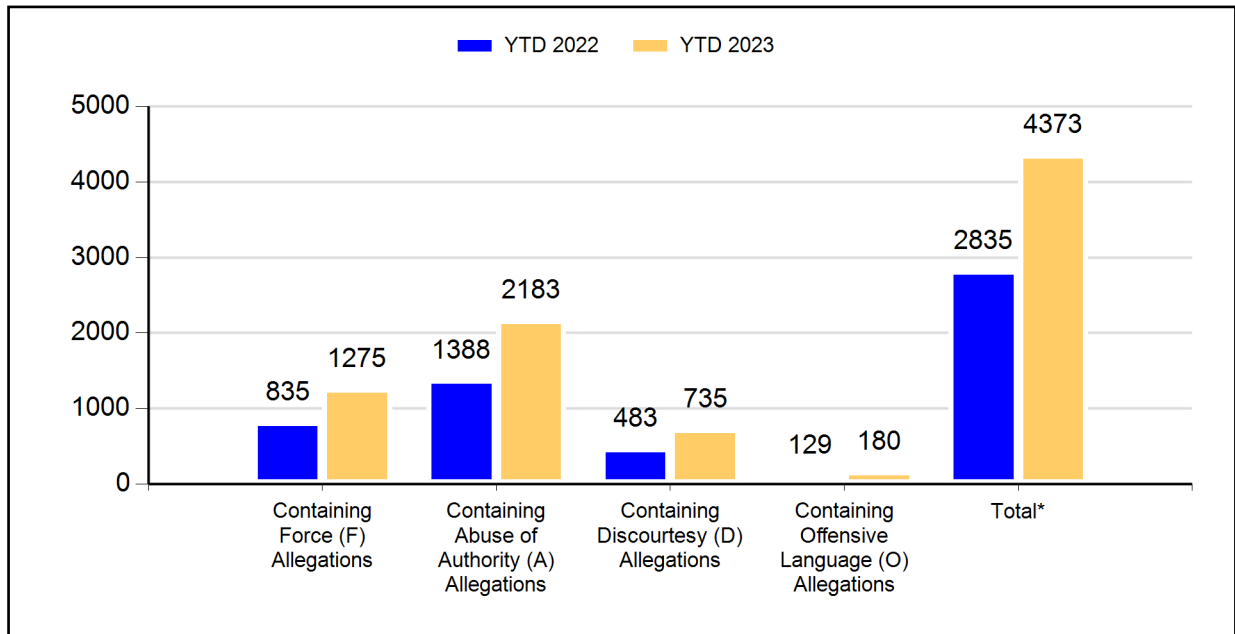
*This is the total of distinct FADO allegation types in complaints received.

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

	June 2022		June 2023		Change	% Change
	Count	% of Total Complaints	Count	% of Total Complaints		
Force (F)	152	40%	244	46%	92	61%
Abuse of Authority (A)	304	80%	382	72%	78	26%
Discourtesy (D)	99	26%	129	24%	30	30%
Offensive Language (O)	24	6%	28	5%	4	17%
Total FADO Allegations	579		783		204	35%
Total Complaints	381		527		146	38%

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

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



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

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

	YTD 2022		YTD 2023		Change	% Change
	Count	% of Total Complaints	Count	% of Total Complaints		
Force (F)	835	46%	1275	45%	440	53%
Abuse of Authority (A)	1388	76%	2183	77%	795	57%
Discourtesy (D)	483	27%	735	26%	252	52%
Offensive Language (O)	129	7%	180	6%	51	40%
Total FADO Allegations	2835		4373		1538	54%
Total Complaints	1820		2819		999	55%

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

Figure 11: Total Allegations (% of Total Allegations)

	June 2022		June 2023		Change	% Change
	Count	% of Total Allegations	Count	% of Total Allegations		
Force (F)	333	22%	527	29%	194	58%
Abuse of Authority (A)	1023	67%	1075	59%	52	5%
Discourtesy (D)	139	9%	169	9%	30	22%
Offensive Language (O)	27	2%	37	2%	10	37%
Total Allegations	1522		1808		286	19%
Total Complaints	381		527		146	38%

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

	YTD 2022		YTD 2023		Change	% Change
	Count	% of Total Allegations	Count	% of Total Allegations		
Force (F)	2012	28%	3000	25%	988	49%
Abuse of Authority (A)	4303	60%	7469	63%	3166	74%
Discourtesy (D)	748	10%	1093	9%	345	46%
Offensive Language (O)	164	2%	253	2%	89	54%
Total Allegations	7227		11815		4588	63%
Total Complaints	1820		2819		999	55%

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

CCRB Docket

As of the end of June 2023, 54% of active CCRB cases are fewer than five months old, and 69% active cases have been open for fewer than eight months.

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

Case Age Group	Count	% of Total
Cases 0-4 Months	1938	53.7%
Cases 5-7 Months	565	15.6%
Cases 8-11 Months	647	17.9%
Cases 12-18 Months*	445	12.3%
Cases Over 18 Months**	16	0.4%
Total	3611	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 (June 2023)

	Count	% of Total
Cases 0-4 Months	1697	47.0%
Cases 5-7 Months	615	17.0%
Cases 8-11 Months	684	18.9%
Cases 12-18 Months*	557	15.4%
Cases Over 18 Months**	58	1.6%
Total	3611	100%

*12-18 Months: 7 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 - June 2023)

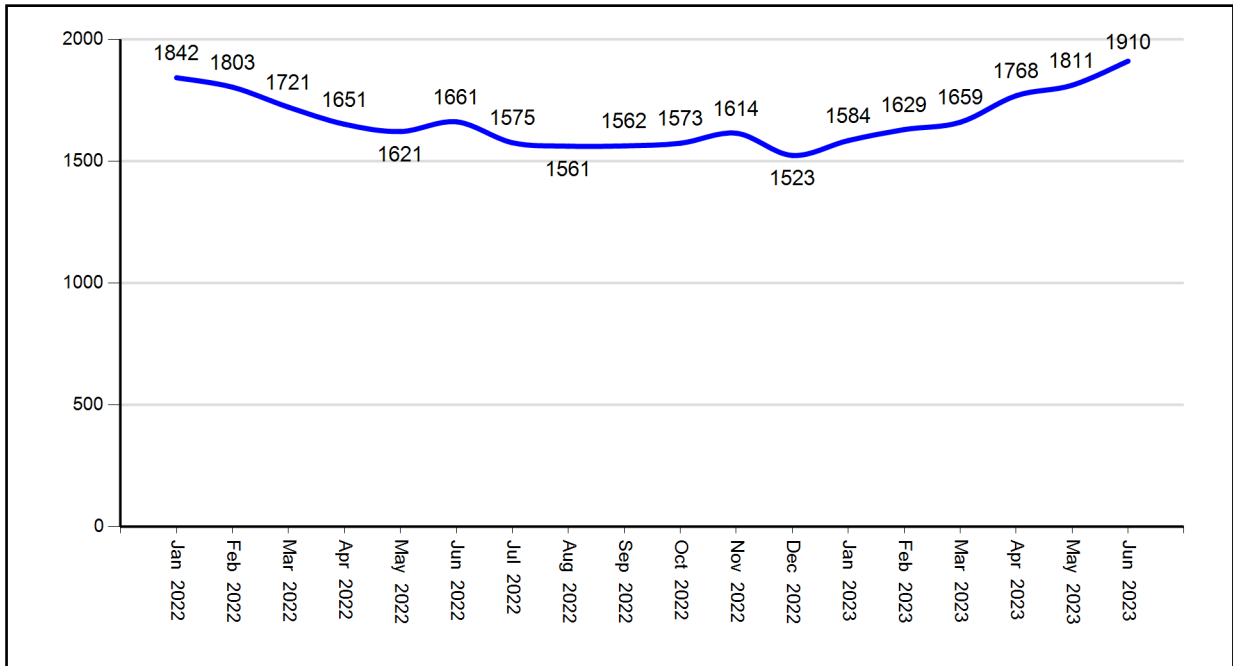


Figure 16: Open Docket Analysis

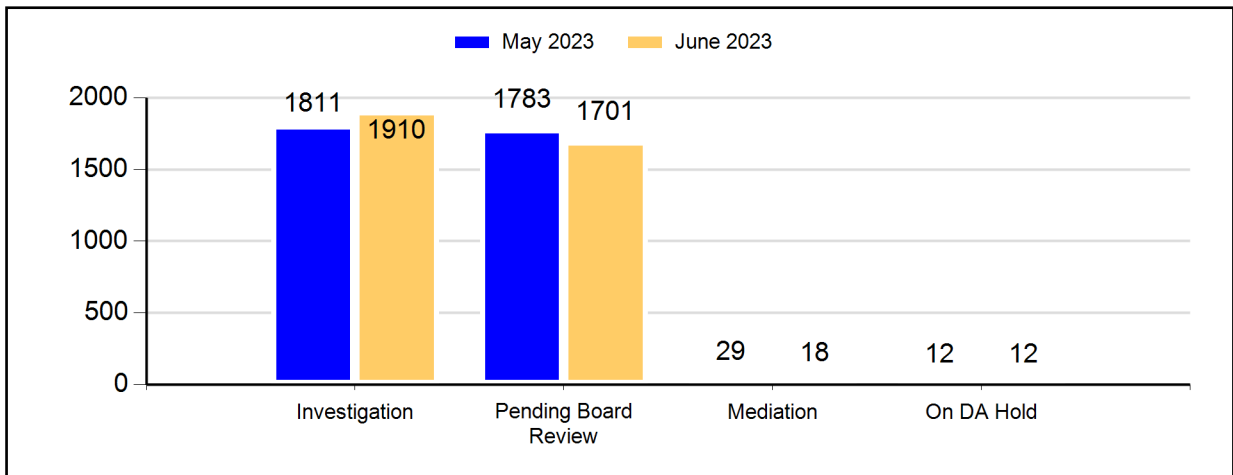


Figure 17: Open Docket Analysis with % Change

	May 2023		June 2023		Change	% Change
	Count	% of Total	Count	% of Total		
Investigations	1811	50%	1910	52%	99	5%
Pending Board Review	1783	49%	1701	47%	-82	-5%
Mediation	29	1%	18	0%	-11	-38%
On DA Hold	12	0%	12	0%	0	0%
Total	3635		3641		6	0%

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 - June 2023)

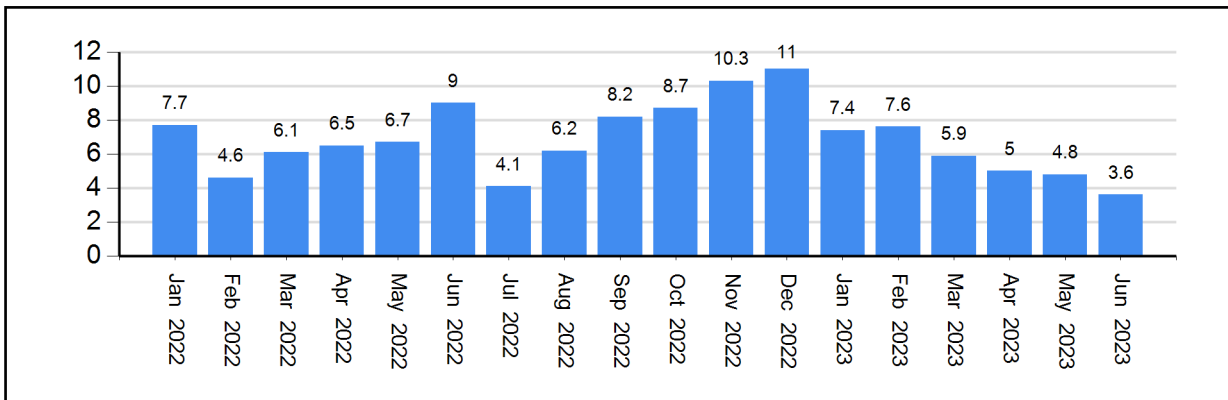
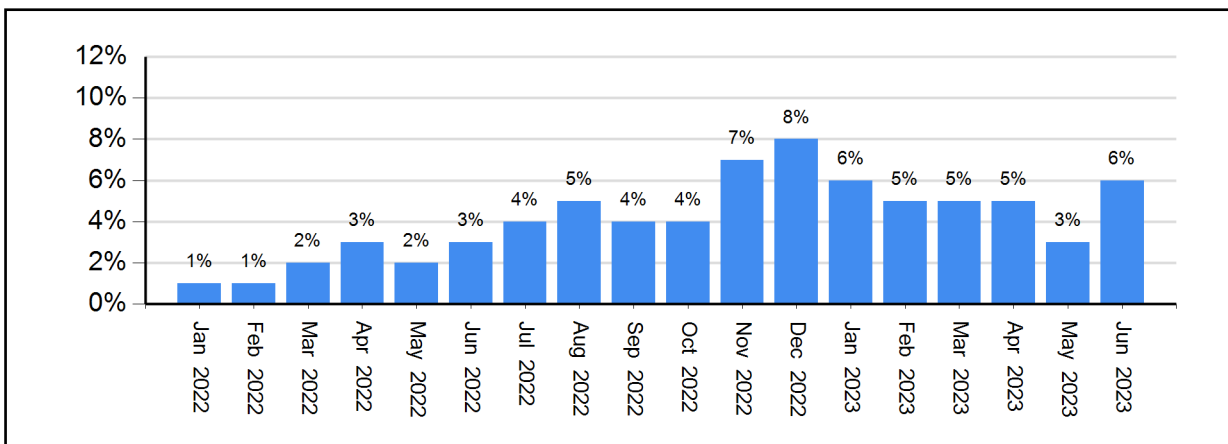


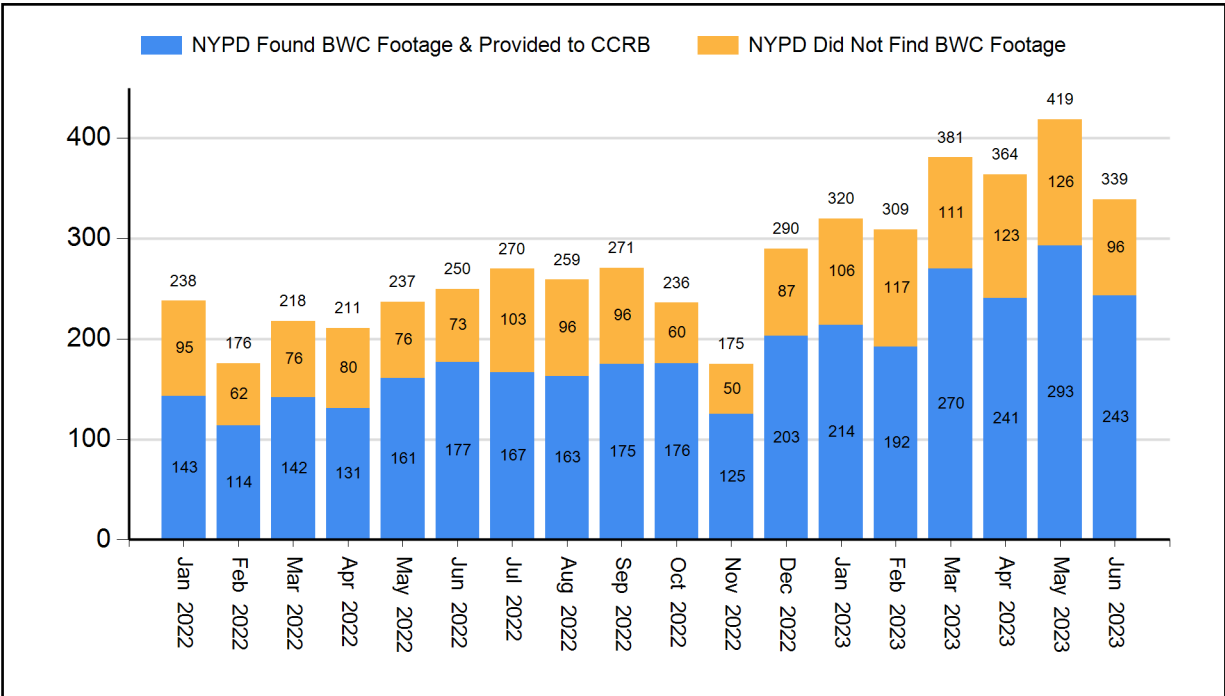
Figure 19: Pending Requests for BWC Footage

Days Pending	BWC Requests	% of Total
00 <= Days < 30	114	65.1%
30 <= Days < 60	10	5.7%
60 <= Days < 90	10	5.7%
90 >= Days	41	23.4%
Total	175	100%

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



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

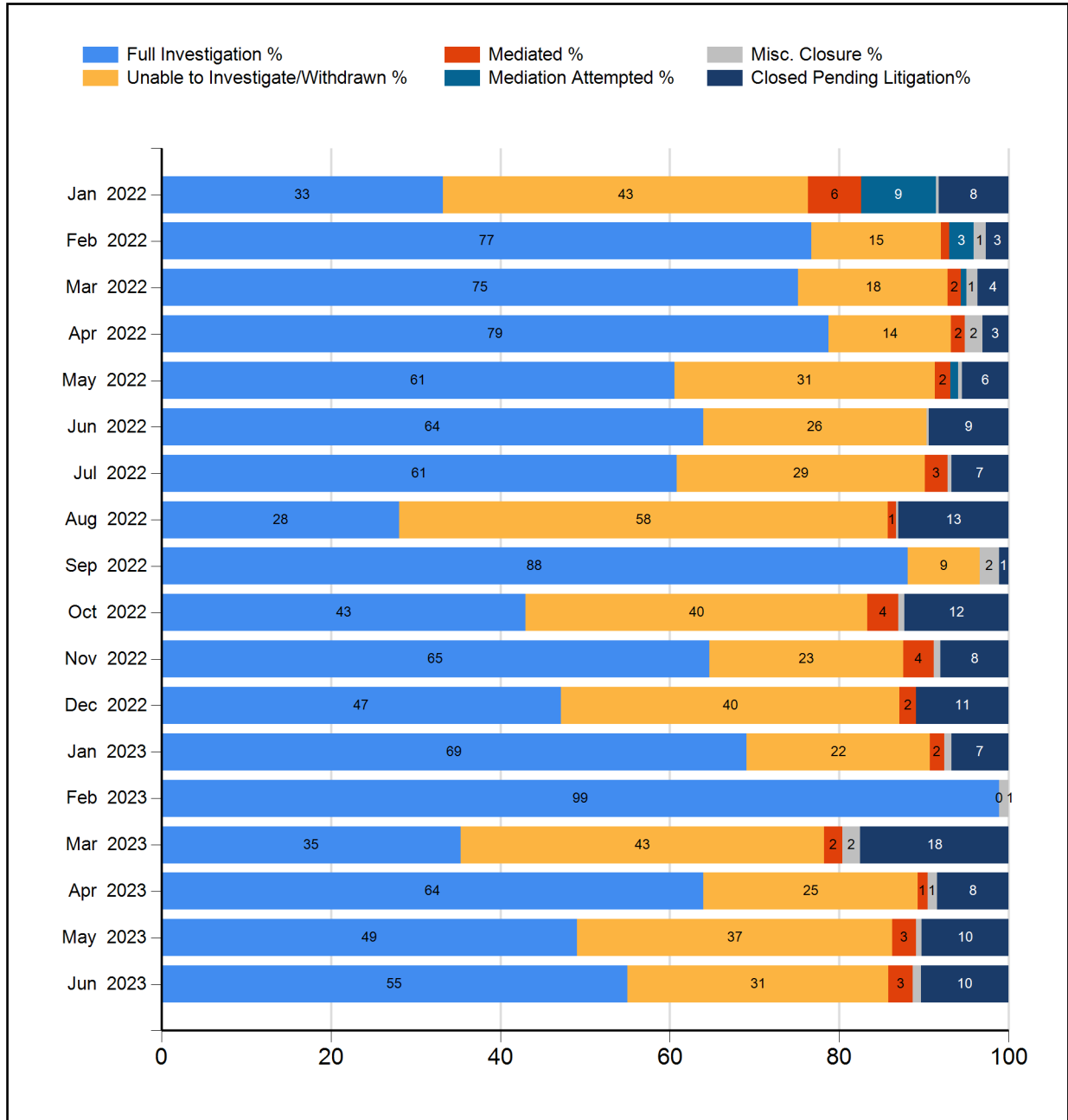


Closed Cases

Resolving Cases

In June 2023, the CCRB fully investigated 55% of the cases it closed, and resolved (fully investigated, mediated or mediation attempted) 58% of the cases it closed.

Figure 22: Case Resolutions (January 2022 - June 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 walking down a street when he saw an unmarked vehicle attempt to park on the sidewalk. The individual stood on the sidewalk to prevent the vehicle from parking. The driver of the vehicle was a non-NYPD law enforcement officer. An NYPD officer exited the nearby precinct and told the individual to leave, and he refused to do so. The subject officer then approached the individual and directed an officer to arrest him. The investigation found that New York City rules stated the form of parking employed by the non-NYPD officer (known as “combat parking”) is illegal. The area where the vehicle was trying to park was marked with signs that read “authorized police vehicles only.” The subject officer and the other NYPD officer who interacted with the individual stated that he was arrested for obstructing a governmental function by causing a hazardous condition. The subject officer admitted that the individual was not obstructing any vehicular traffic. The investigation found that the individual was simply standing still on the sidewalk and was thus not the cause of a nonexistent hazardous condition which did not give the subject officer reasonable cause to arrest the individual. The Board substantiated the Abuse of Authority allegation.

2. Unable to Determine

An individual called 911 to report a break-in at her apartment and the subject officer and his partner responded. They looked around her apartment while she stayed outside. The subject officer told the individual that she was “making it all up”. The individual asked for the subject officer’s shield number, and he turned away from her so that she could not see his badge. The subject officer’s partner wrote up the complaint report and the officers left. At his interview the subject officer did not recall if the individual asked him for his shield number and denied turning his body away from the individual. The subject officer’s partner recalled that the individual asked for their shield numbers. He stated that the subject officer had been on the phone when he did this and believed that the subject officer had not heard the individual’s request for their shield numbers. Without additional witness testimony, the investigation was unable to determine if the subject officer refused to provide his shield number to the individual. The Board closed the Abuse of Authority allegation as Unable to Determine.

3. Unfounded

An individual and her sister called 911 to report a case of elder abuse. The subject officer and his partner responded to the location. The individual showed the subject officer documents related to the custody of her child. The individual alleged that the subject officer crumpled up her documents and tossed them at her. The subject officer stated that the individual gave him paperwork about the elder abuse – he reviewed it and handed it back to the individual. The incident was captured on BWC. The subject officer asked to see the documents that the individual had in her hand. The individual handed the documents over. The subject officer looked through them and handed them back. The subject officer is never captured crumpling documents or tossing them at the individual. The investigation determined that the subject officer did not crumple or toss the individual's documents. The Board closed the Discourtesy allegation as Unfounded.

4. Within NYPD Guidelines

An individual stated that he had been gifted with an “e-bike” and kept it covered and chained up to a fence post outside his home. The individual was preparing to leave his home when an alarm on the bike went off. He saw the subject officer and multiple officers with NYPD vehicles by his bike. The individual exited his home and asked the subject officer what the officers were doing. The subject officer told the individual that the bike was being seized for lack of a license plate which meant it was not registered and for being illegally parked on the sidewalk. The subject officer told the individual that he could be issued a citation for the bike being parked on the sidewalk and that they were taking it. The subject officer called the bike a “moped” which is a different classification of vehicle than an “e-bike.” The investigation found that the subject officer's description of the bike was in line with the legal description of the individual's bike – specifically it lacked pedals; thus, the individual's belief that the bike was an “e-bike” was incorrect. As the vehicle was legally classified as a moped, it was illegally parked on the sidewalk and needed to be registered. Covering of mopeds is also illegal. The investigation found that the subject officer was correct in telling the individual that he could be issued a summons for not having the moped registered and for being illegally parked. The Board found the subject officer's conduct to be within the Department's guidelines and closed the Abuse of Authority allegations as being Within NYPD Guidelines.

5. Officer Unidentified

An individual stated that officers responded to her home regarding noise complaints on several occasions. On the incident day, officers came to her home told the individual to close her door to reduce the noise and she told them to leave her property. The subject officer responded, “the next time we come, we're going to have to arrest you.” The individual could only give a general description of the officer – a white male dressed in uniform. The investigation found a noise complaint incident that two officers responded to at the approximate date of the incident. The officers stated that they had not spoken to the individual and that they had not heard noise coming from the location. Neither officer matched the physical description given by the individual. Without additional pertinent information, the investigation could not identify a subject officer. The Board closed the Abuse of Authority allegation as Officer Unidentified.

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

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

Dispositions - Full Investigations

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

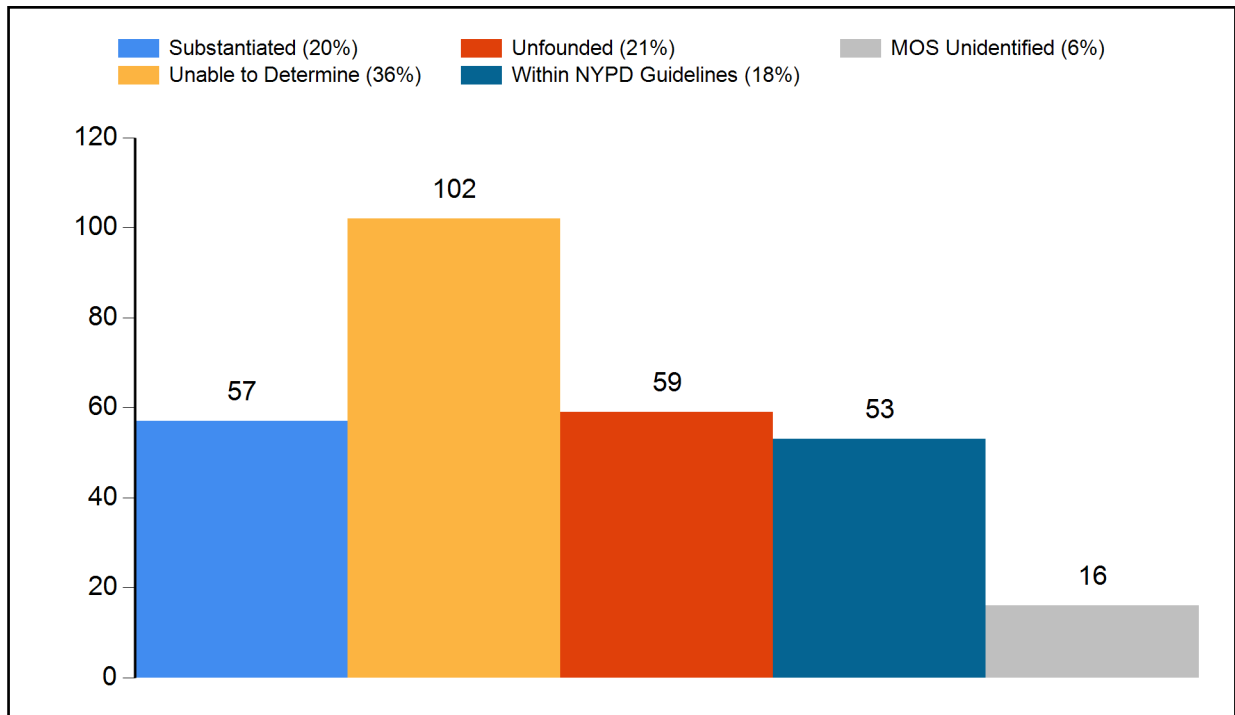
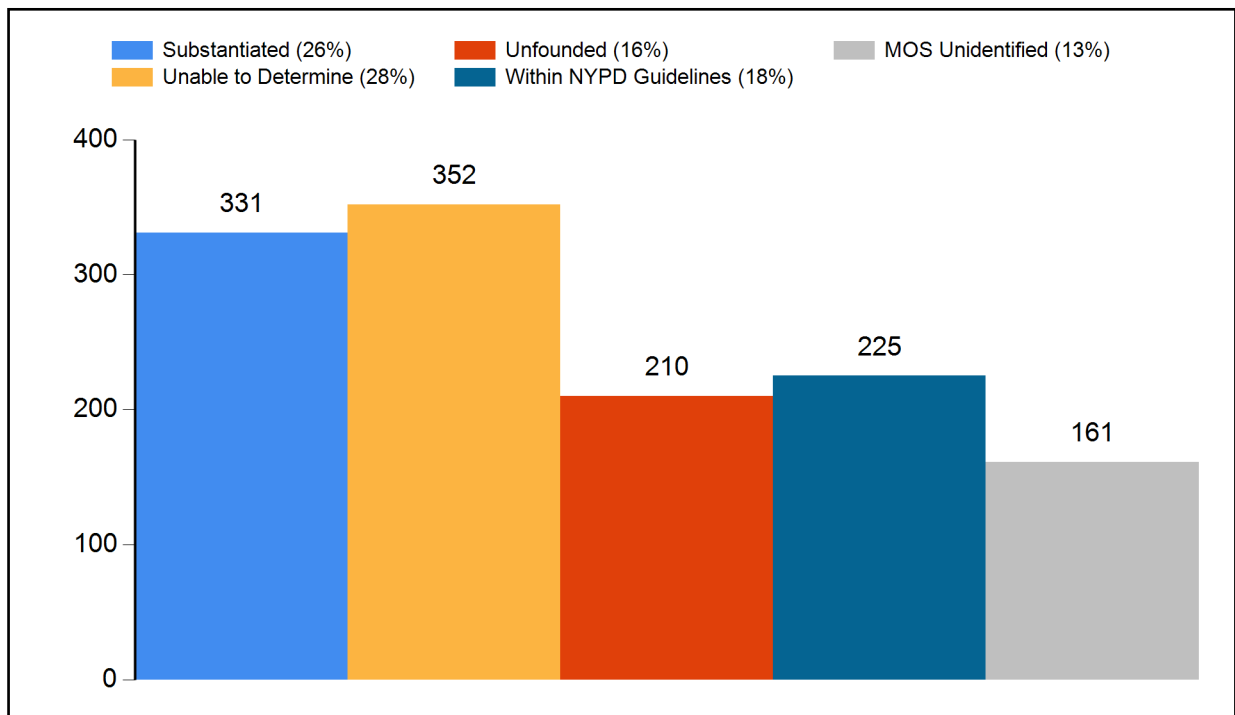


Figure 24: Disposition Counts of Full Investigations (YTD 2023)



Dispositions - All CCRB Cases

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

Figure 25: Disposition of Cases (2022 vs 2023)

	Jun 2022		Jun 2023		YTD 2022		YTD 2023	
	Count	% of Total	Count	% of Total	Count	% of Total	Count	% of Total
Full Investigations								
Substantiated	47	23%	57	20%	594	40%	331	26%
Within NYPD Guidelines	37	18%	53	18%	196	13%	225	18%
Unfounded	27	13%	59	21%	156	11%	210	16%
Unable to Determine	69	34%	102	36%	409	28%	352	28%
MOS Unidentified	24	12%	16	6%	125	8%	161	13%
Total - Full Investigations	204		287		1480		1279	
Mediation Closures	Count	% of Total	Count	% of Total	Count	% of Total	Count	% of Total
Mediated	0	0%	15	100%	42	49%	54	100%
Mediation Attempted	0	0%	0	0%	44	51%	0	0%
Total - ADR Closures	0		15		86		54	
Resolved Case Total	204	64%	302	58%	1566	71%	1333	52%
Unable to Investigate / Other Closures	Count	% of Total	Count	% of Total	Count	% of Total	Count	% of Total
Complaint withdrawn	18	16%	34	15%	108	17%	178	15%
Unable to Investigate	66	57%	127	58%	388	61%	681	57%
Closed - Pending Litigation	30	26%	54	25%	110	17%	312	26%
Miscellaneous	1	1%	5	2%	24	4%	32	3%
Administrative closure*	0	0%	0	0%	1	0%	0	0%
Total - Other Case Dispositions	115		220		631		1203	
Total - Closed Cases	319		522		2197		2540	

*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 12% for the month of June 2023, and the allegation substantiation rate is 15% year-to-date.

Figure 26: Disposition of Allegations (2022 vs 2023)

	Jun 2022		Jun 2023		YTD 2022		YTD 2023	
	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Fully Investigated Allegations								
Substantiated	142	13%	156	12%	1962	21%	921	15%
Unable to Determine	263	25%	280	22%	2356	25%	1181	20%
Unfounded	136	13%	280	22%	1107	12%	1022	17%
Within NYPD Guidelines	379	36%	481	37%	3005	31%	2191	36%
MOS Unidentified	137	13%	97	7%	1129	12%	699	12%
Total - Full Investigations	1057		1294		9559		6014	
Mediation Closures	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Mediated	0	0%	53	100%	125	45%	161	100%
Mediation Attempted	0	0%	0	0%	153	0%	0	0%
Total - ADR Closures	0		53		278		161	
Unable to Investigate / Other Closures	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Complaint withdrawn	58	19%	81	11%	240	12%	401	11%
Unable to Investigate	148	47%	375	51%	974	49%	1965	51%
Closed - Pending Litigation	87	28%	221	30%	321	16%	1088	28%
Miscellaneous	20	6%	61	8%	461	23%	365	10%
Administrative closure	0	0%	0	0%	1	0%	0	0%
Total - Other Case Dispositions	313		738		1997		3819	
Total - Closed Allegations	1455		2150		13003		10421	

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

	Substantiated	Unable to Determine	Within NYPD Guidelines	Unfounded	Officers Unidentified	Total
Force	7 2%	50 16%	125 40%	105 34%	26 8%	313 100%
Abuse of Authority	127 16%	167 21%	330 41%	138 17%	48 6%	810 100%
Discourtesy	20 13%	56 36%	26 17%	32 21%	21 14%	155 100%
Offensive Language	2 13%	7 44%	0 0%	5 31%	2 13%	16 100%
Total	156 12%	280 22%	481 37%	280 22%	97 7%	1294 100%

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

	Substantiated	Unable to Determine	Within NYPD Guidelines	Unfounded	Officers Unidentified	Total
Force	72 5%	189 13%	665 47%	372 26%	116 8%	1414 100%
Abuse of Authority	666 18%	726 20%	1411 38%	485 13%	397 11%	3685 100%
Discourtesy	144 19%	212 28%	114 15%	132 18%	143 19%	745 100%
Offensive Language	20 13%	52 35%	1 1%	33 22%	43 29%	149 100%
Total	902 15%	1179 20%	2191 37%	1022 17%	699 12%	5993 100%

Dispositions - Untruthful Statement Allegations

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

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

Figure 29: Substantiated Untruthful Statement Allegations with % Change

Untruthful Statement Allegations	June 2022		June 2023			
	Count	% of Total Allegations	Count	% of Total Allegations	Change	% Change
False official statement	1	50%	0	NA	-1	-100%
Impeding an investigation	0	0%	0	NA	0	NA
Inaccurate official statement	0	0%	0	NA	0	NA
Misleading official statement	1	50%	0	NA	-1	-100%
Total Allegations	2		0		-2	-100%

Figure 30: Substantiated Untruthful Statement Allegations YTD with % Change

Untruthful Statement Allegations	YTD 2022		YTD 2023			
	Count	% of Total Allegations	Count	% of Total Allegations	Change	% Change
False official statement	34	51%	14	74%	-20	-59%
Impeding an investigation	0	0%	0	0%	0	NA
Inaccurate official statement	1	1%	3	16%	2	200%
Misleading official statement	32	48%	2	11%	-30	-94%
Total Allegations	67		19		-48	-72%

Substantiation Rates

The June 2023 case substantiation rate was 20%.

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

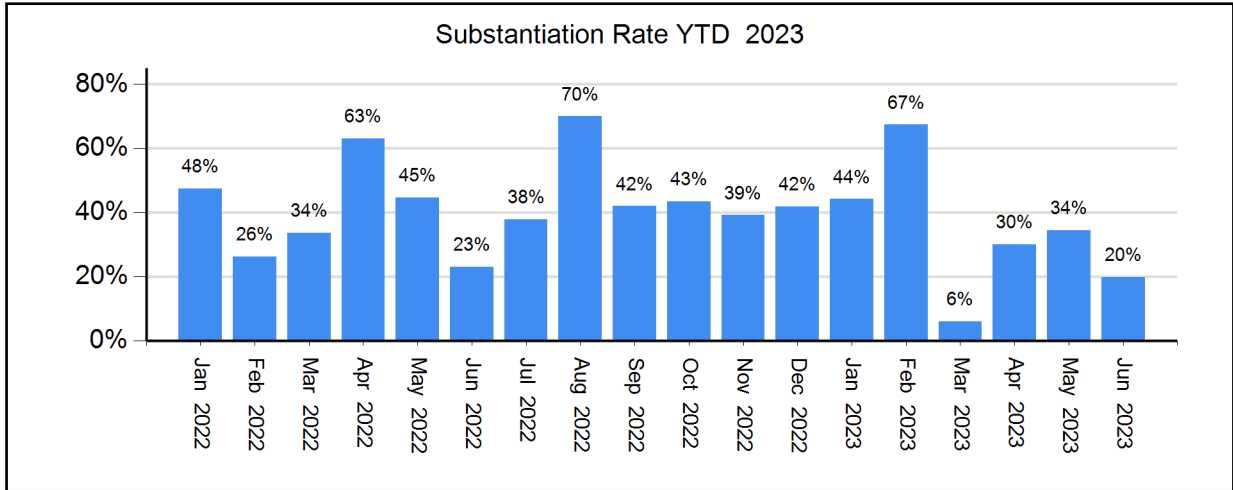
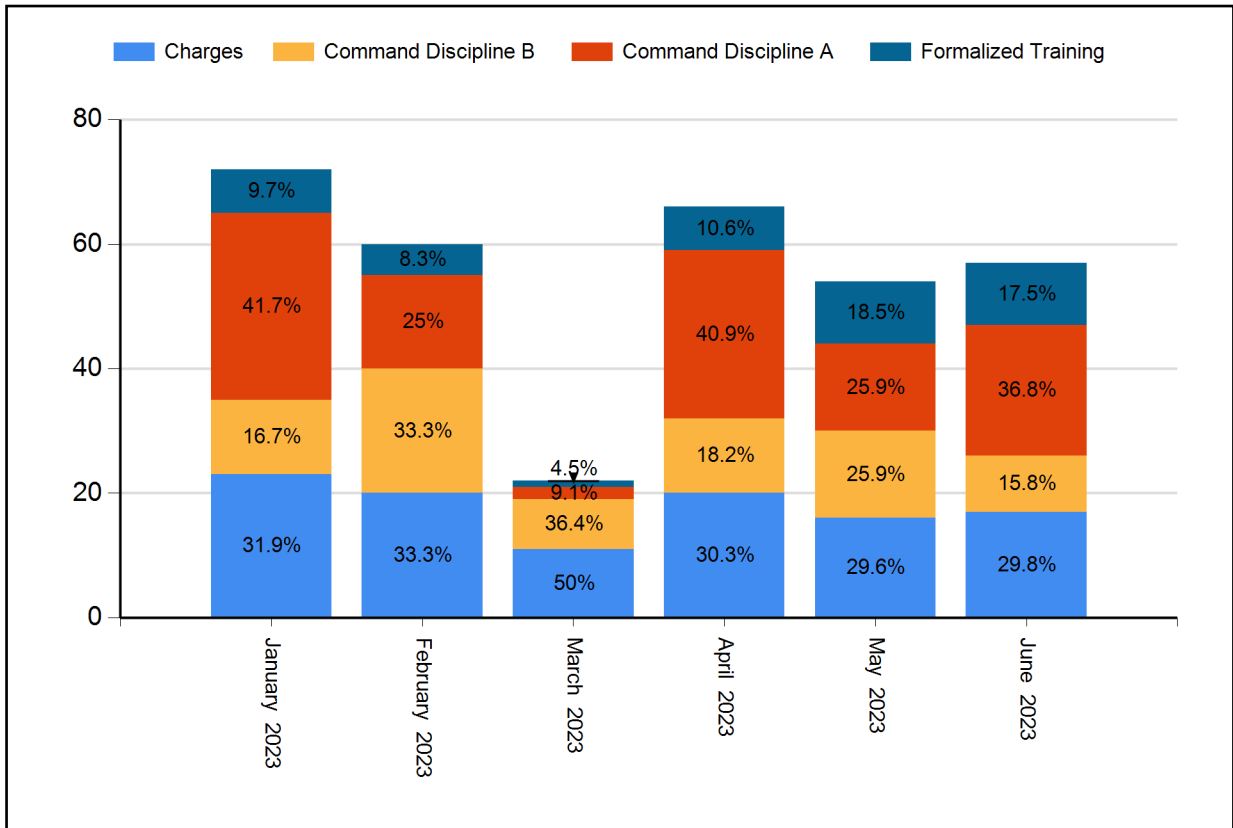


Figure 32: Disposition of Substantiated Complaints* (2023)



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

Substantiation Rates and Video

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

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

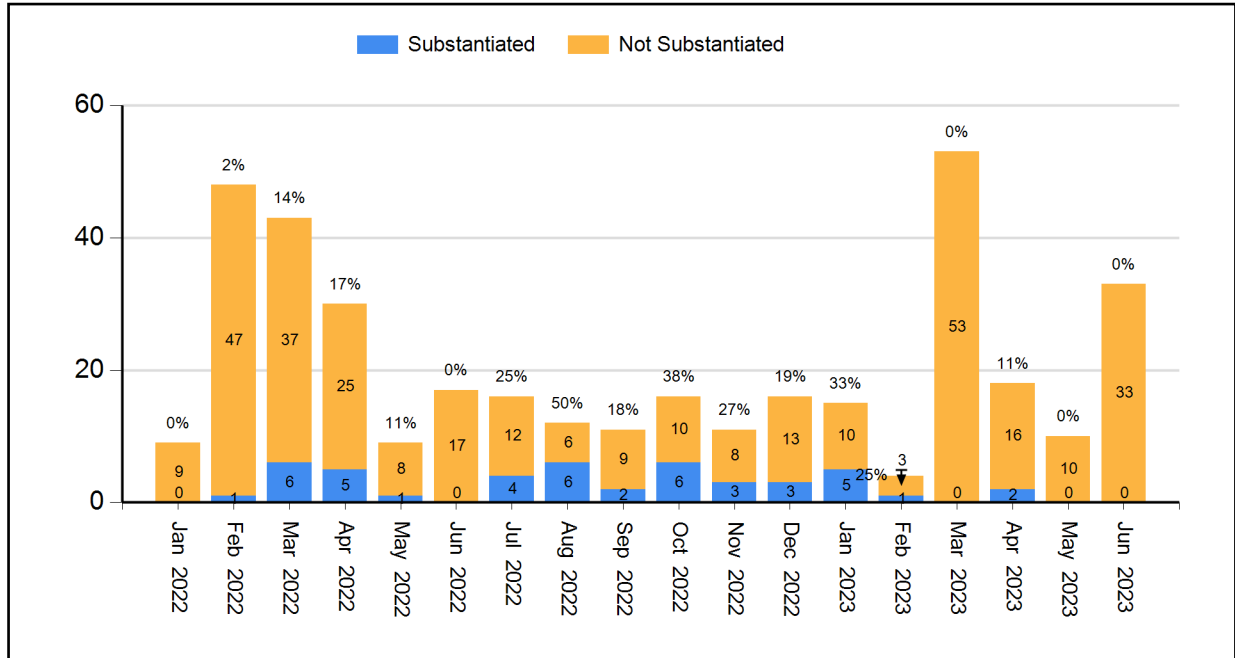
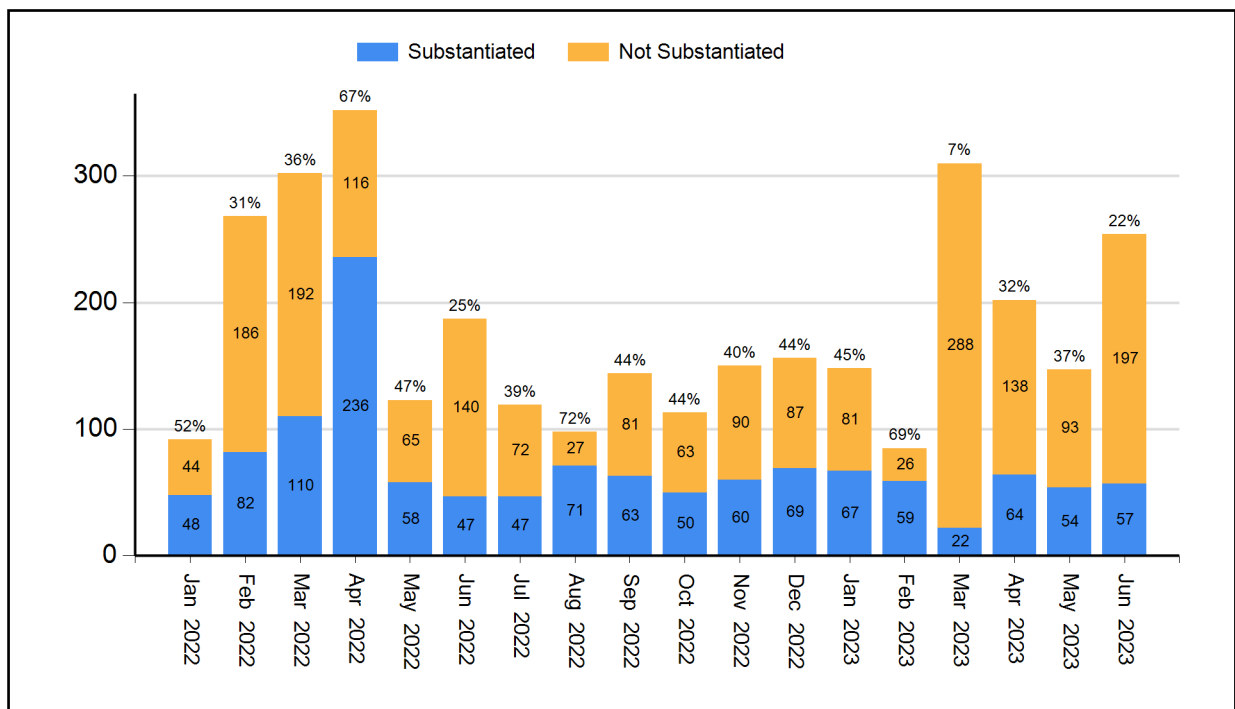


Figure 34: Substantiation Rates for Full Investigations with Video (Jan 2023 - Jun 2023)
(% substantiated shown)



Board Discipline Recommendations for Substantiated Officers

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

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

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

Disposition	June 2022		June 2023		YTD 2022		YTD 2023	
	Count	%	Count	%	Count	%	Count	%
Charges	23	26%	22	24%	347	34%	144	27%
Command Discipline B	14	16%	16	17%	240	23%	116	22%
Command Discipline A	41	47%	39	42%	384	37%	203	39%
Formalized Training	9	10%	15	16%	56	5%	62	12%
Total	87		92		1027		525	

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

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

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

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

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

Board Disposition	Officer	FADO&U Category	Allegation	Precinct of Occurrence	Borough of Occurrence
Substantiated (Formalized Training)	PO Suzanne Velasquez	Abuse of Authority	Failure to provide RTKA card	9	Manhattan
Substantiated (Command Discipline B)	LT Steven Cameron	Abuse of Authority	Refusal to process civilian complaint	10	Manhattan
Substantiated (Command Discipline B)	PO Yreck Fontaine	Abuse of Authority	Refusal to process civilian complaint	10	Manhattan
Substantiated (Formalized Training)	DT3 Daniel Sendrowski	Abuse of Authority	Failure to provide RTKA card	10	Manhattan
Substantiated (Formalized Training)	SGT Daniel Noonan	Abuse of Authority	Search (of person)	13	Manhattan
Substantiated (Charges)	DTS Darryle Lamb	Abuse of Authority	Threat of arrest	14	Manhattan
Substantiated (Charges)	DTS Darryle Lamb	Abuse of Authority	Threat of force (verbal or physical)	14	Manhattan
Substantiated (Charges)	DTS Darryle Lamb	Discourtesy	Word	14	Manhattan
Substantiated (Charges)	DTS Darryle Lamb	Force	Physical force	14	Manhattan
Substantiated (Command Discipline A)	PO Elise Rivera	Abuse of Authority	Refusal to provide shield number	20	Manhattan
Substantiated (Charges)	PO Gabriel Leal	Abuse of Authority	Entry of Premises	23	Manhattan
Substantiated (Charges)	SGT Daniel Cody	Abuse of Authority	Entry of Premises	23	Manhattan
Substantiated (Charges)	SGT Daniel Cody	Abuse of Authority	Search of Premises	23	Manhattan
Substantiated (Charges)	SGT Daniel Cody	Abuse of Authority	Failure to provide RTKA card	23	Manhattan
Substantiated (Command Discipline B)	SGT Daniel Cody	Discourtesy	Word	23	Manhattan
Substantiated (Command Discipline B)	SGT Daniel Cody	Offensive Language	Disability	23	Manhattan
Substantiated (Command Discipline A)	PO Adams Casianohidalgo	Abuse of Authority	Refusal to process civilian complaint	25	Manhattan
Substantiated (Command Discipline A)	DTS Diane Johnson	Abuse of Authority	Refusal to process civilian complaint	25	Manhattan
Substantiated (Command Discipline A)	PO Ernesto Feliz	Discourtesy	Word	26	Manhattan
Substantiated (Command Discipline A)	PO Donte Perez	Abuse of Authority	Entry of Premises	30	Manhattan
Substantiated (Command Discipline A)	PO Jennifer Ramirez	Abuse of Authority	Entry of Premises	30	Manhattan
Substantiated (Command Discipline A)	PO Joseph Sheridan	Abuse of Authority	Entry of Premises	30	Manhattan
Substantiated (Command Discipline A)	PO Matae Lee	Abuse of Authority	Entry of Premises	30	Manhattan
Substantiated (Command Discipline A)	PO Avery Jennings	Abuse of Authority	Search of Premises	30	Manhattan
Substantiated (Command Discipline A)	PO Luigi Campoli	Discourtesy	Word	30	Manhattan
Substantiated (Command Discipline A)	PO Rufian Arshad	Discourtesy	Word	30	Manhattan
Substantiated (Command Discipline A)	PO Donald Champagne	Abuse of Authority	Threat of summons	33	Manhattan

Board Disposition	Officer	FADO&U Category	Allegation	Precinct of Occurrence	Borough of Occurrence
Substantiated (Charges)	PO Charlie Ruizreyes	Abuse of Authority	Threat of force (verbal or physical)	33	Manhattan
Substantiated (Charges)	PO Charlie Ruizreyes	Abuse of Authority	Refusal to provide name	33	Manhattan
Substantiated (Charges)	PO Charlie Ruizreyes	Abuse of Authority	Refusal to provide shield number	33	Manhattan
Substantiated (Charges)	PO Charlie Ruizreyes	Discourtesy	Word	33	Manhattan
Substantiated (Charges)	PO Charlie Ruizreyes	Discourtesy	Word	33	Manhattan
Substantiated (Formalized Training)	PO Joshua Espana	Abuse of Authority	Stop	40	Bronx
Substantiated (Formalized Training)	PO Brandon Quiles	Abuse of Authority	Stop	40	Bronx
Substantiated (Command Discipline A)	PO Andres Uribe	Abuse of Authority	Failure to provide RTKA card	42	Bronx
Substantiated (Command Discipline A)	PO Joseph Canale	Abuse of Authority	Failure to provide RTKA card	42	Bronx
Substantiated (Command Discipline B)	SGT Venus Marrero	Abuse of Authority	Entry of Premises	43	Bronx
Substantiated (Command Discipline A)	SGT Calvin Black	Abuse of Authority	Entry of Premises	43	Bronx
Substantiated (Charges)	PO Steven Sanchez	Abuse of Authority	Interference with recording	43	Bronx
Substantiated (Charges)	PO Crisbel Lopez	Abuse of Authority	Interference with recording	43	Bronx
Substantiated (Command Discipline A)	SGT Calvin Black	Abuse of Authority	Forcible Removal to Hospital	43	Bronx
Substantiated (Command Discipline B)	SGT Venus Marrero	Abuse of Authority	Search of Premises	43	Bronx
Substantiated (Formalized Training)	PO Jose Blanco	Abuse of Authority	Failure to provide RTKA card	43	Bronx
Substantiated (Command Discipline B)	SGT Venus Marrero	Abuse of Authority	Failure to provide RTKA card	43	Bronx
Substantiated (Formalized Training)	PO Richard Rosario	Abuse of Authority	Failure to provide RTKA card	43	Bronx
Substantiated (Charges)	PO Steven Sanchez	Discourtesy	Word	43	Bronx
Substantiated (Charges)	PO Crisbel Lopez	Discourtesy	Word	43	Bronx
Substantiated (Charges)	PO Crisbel Lopez	Discourtesy	Word	43	Bronx
Substantiated (Charges)	PO Daniel Rangel	Force	Physical force	43	Bronx
Substantiated (Charges)	PO Daniel Rangel	Force	Physical force	43	Bronx
Substantiated (Charges)	PO Crisbel Lopez	Offensive Language	Other	43	Bronx
Substantiated (Charges)	PO Jorge Flores	Abuse of Authority	Threat of force (verbal or physical)	44	Bronx
Substantiated (Charges)	PO Jorge Flores	Abuse of Authority	Threat of force (verbal or physical)	44	Bronx
Substantiated (Charges)	PO Jorge Flores	Abuse of Authority	Threat of force (verbal or physical)	44	Bronx
Substantiated (Charges)	PO Bryan Coluccimolina	Abuse of Authority	Interference with recording	44	Bronx
Substantiated (Charges)	PO Alex Almontepichardo	Discourtesy	Word	44	Bronx

Board Disposition	Officer	FADO&U Category	Allegation	Precinct of Occurrence	Borough of Occurrence
Substantiated (Command Discipline B)	PO Anthony Benitez	Abuse of Authority	Threat re: removal to hospital	45	Bronx
Substantiated (Command Discipline A)	PO Reginald Minott	Abuse of Authority	Failure to provide RTKA card	45	Bronx
Substantiated (Charges)	PO James Biondo	Abuse of Authority	Unlawful Summons	45	Bronx
Substantiated (Charges)	PO James Biondo	Force	Physical force	45	Bronx
Substantiated (Command Discipline B)	PO Paul Velez	Abuse of Authority	Vehicle search	46	Bronx
Substantiated (Command Discipline B)	PO Sammy Figueroa	Abuse of Authority	Frisk	46	Bronx
Substantiated (Command Discipline B)	PO Daniel Demarco	Abuse of Authority	Frisk	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	Search (of person)	46	Bronx
Substantiated (Command Discipline B)	PO Sammy Figueroa	Abuse of Authority	Stop	46	Bronx
Substantiated (Command Discipline B)	PO Daniel Demarco	Abuse of Authority	Stop	46	Bronx
Substantiated (Command Discipline B)	PO Paul Velez	Abuse of Authority	Failure to provide RTKA card	46	Bronx
Substantiated (Command Discipline A)	PO Jose Diaz	Abuse of Authority	Refusal to process civilian complaint	47	Bronx
Substantiated (Command Discipline A)	PO Ugur Goktan	Abuse of Authority	Failure to provide RTKA card	47	Bronx
Substantiated (Command Discipline A)	SGT Ryan Conroy	Abuse of Authority	Failure to provide RTKA card	47	Bronx
Substantiated (Command Discipline A)	PO Luis Salvatierra	Abuse of Authority	Failure to provide RTKA card	47	Bronx
Substantiated (Command Discipline A)	PO Ugur Goktan	Discourtesy	Word	47	Bronx
Substantiated (Command Discipline B)	SGT Roger Rachelski	Abuse of Authority	Refusal to process civilian complaint	48	Bronx
Substantiated (Command Discipline B)	SGT Roger Rachelski	Abuse of Authority	Refusal to process civilian complaint	48	Bronx
Substantiated (Command Discipline B)	CPT Michael Piper	Abuse of Authority	Entry of Premises	50	Bronx
Substantiated (Command Discipline B)	SGT Christopher Neil	Abuse of Authority	Entry of Premises	50	Bronx
Substantiated (Command Discipline B)	SGT Joseph Carolan	Abuse of Authority	Entry of Premises	50	Bronx
Substantiated (Command Discipline B)	SGT Joseph Carolan	Abuse of Authority	Search of Premises	50	Bronx
Substantiated (Command Discipline B)	CPT Michael Piper	Abuse of Authority	Search of Premises	50	Bronx
Substantiated (Command Discipline B)	SGT Christopher Neil	Abuse of Authority	Search of Premises	50	Bronx
Substantiated (Charges)	PO Michael Agunzo	Abuse of Authority	Entry of Premises	52	Bronx
Substantiated (Charges)	PO Michael Agunzo	Abuse of Authority	Entry of Premises	52	Bronx
Substantiated (Charges)	PO Michael Agunzo	Abuse of Authority	Entry of Premises	52	Bronx
Substantiated (Charges)	PO Michael Agunzo	Abuse of Authority	Entry of Premises	52	Bronx

Board Disposition	Officer	FADO&U Category	Allegation	Precinct of Occurrence	Borough of Occurrence
Substantiated (Charges)	PO Michael Agunzo	Abuse of Authority	Entry of Premises	52	Bronx
Substantiated (Charges)	PO Michael Agunzo	Abuse of Authority	Entry of Premises	52	Bronx
Substantiated (Command Discipline B)	PO Yahneece Roberts	Abuse of Authority	Refusal to process civilian complaint	52	Bronx
Substantiated (Command Discipline B)	SGT Ronald Cobilich	Abuse of Authority	Refusal to process civilian complaint	52	Bronx
Substantiated (Charges)	PO Michael Agunzo	Abuse of Authority	Search of Premises	52	Bronx
Substantiated (Charges)	PO Michael Agunzo	Abuse of Authority	Search of Premises	52	Bronx
Substantiated (Charges)	PO Michael Agunzo	Abuse of Authority	Search of Premises	52	Bronx
Substantiated (Charges)	PO Michael Agunzo	Abuse of Authority	Search of Premises	52	Bronx
Substantiated (Charges)	PO Michael Agunzo	Abuse of Authority	Search of Premises	52	Bronx
Substantiated (Formalized Training)	PO Jorge Quiles	Abuse of Authority	Failure to provide RTKA card	61	Brooklyn
Substantiated (Formalized Training)	PO Adnand Misku	Abuse of Authority	Failure to provide RTKA card	61	Brooklyn
Substantiated (Charges)	SGT Heriberto Hernandez	Discourtesy	Action	62	Brooklyn
Substantiated (Charges)	SGT Ernest Hernandez	Force	Physical force	62	Brooklyn
Substantiated (Charges)	SGT Heriberto Hernandez	Force	Physical force	62	Brooklyn
Substantiated (Command Discipline A)	SGT Matthew Gilson	Abuse of Authority	Failure to provide RTKA card	63	Brooklyn
Substantiated (Command Discipline A)	PO Daniel Brennan	Discourtesy	Word	71	Brooklyn
Substantiated (Charges)	DT3 Jeffrey Goris	Abuse of Authority	Vehicle search	73	Brooklyn
Substantiated (Charges)	SGT James Seder	Abuse of Authority	Vehicle search	73	Brooklyn
Substantiated (Charges)	PO Kevin Richards	Abuse of Authority	Vehicle search	73	Brooklyn
Substantiated (Command Discipline A)	SGT Korkut Koseoglu	Abuse of Authority	Forcible Removal to Hospital	73	Brooklyn
Substantiated (Charges)	DT3 Jeffrey Goris	Abuse of Authority	Unlawful Summons	73	Brooklyn
Substantiated (Command Discipline A)	PO Christopher Bracco	Discourtesy	Word	75	Brooklyn
Substantiated (Charges)	SGT Anthony Gonzalez	Abuse of Authority	Unlawful Arrest	78	Brooklyn
Substantiated (Command Discipline A)	PO Hinolito Inoa	Abuse of Authority	Vehicle search	79	Brooklyn
Substantiated (Command Discipline A)	PO Emilio Ortega	Abuse of Authority	Threat of arrest	79	Brooklyn
Substantiated (Command Discipline A)	PO Aaron Husbands	Abuse of Authority	Frisk	79	Brooklyn
Substantiated (Command Discipline A)	PO Aaron Husbands	Abuse of Authority	Question	79	Brooklyn
Substantiated (Charges)	PO James Drummy	Abuse of Authority	Other	101	Queens
Substantiated (Charges)	PO James Drummy	Abuse of Authority	Other	101	Queens

Board Disposition	Officer	FADO&U Category	Allegation	Precinct of Occurrence	Borough of Occurrence
Substantiated (Charges)	SGT Robert Luckmann	Abuse of Authority	Other	101	Queens
Substantiated (Command Discipline A)	PO Shaun Healy	Abuse of Authority	Search (of person)	101	Queens
Substantiated (Command Discipline A)	PO Michael Sinto	Abuse of Authority	Search (of person)	101	Queens
Substantiated (Charges)	PO Jeff Biondo	Abuse of Authority	Strip-searched	102	Queens
Substantiated (Charges)	DTS Alex Cruz	Abuse of Authority	Strip-searched	102	Queens
Substantiated (Charges)	PO Jeff Biondo	Abuse of Authority	Sex Miscon (Humiliation: fail to cover)	102	Queens
Substantiated (Charges)	DTS Alex Cruz	Abuse of Authority	Sex Miscon (Humiliation: fail to cover)	102	Queens
Substantiated (Formalized Training)	PO Kevin Greaney	Abuse of Authority	Other	103	Queens
Substantiated (Command Discipline A)	SGT Edwin Espinal	Abuse of Authority	Question	103	Queens
Substantiated (Charges)	PO Anthony Pala	Discourtesy	Word	103	Queens
Substantiated (Charges)	PO Anthony Pala	Discourtesy	Other	103	Queens
Substantiated (Formalized Training)	PO Cesar Urrutia	Abuse of Authority	Entry of Premises	104	Queens
Substantiated (Formalized Training)	PO Travis Gluck	Abuse of Authority	Entry of Premises	104	Queens
Substantiated (Command Discipline B)	PO William Mei	Abuse of Authority	Property damaged	104	Queens
Substantiated (Formalized Training)	PO John Condon	Abuse of Authority	Refusal to provide shield number	106	Queens
Substantiated (Charges)	SGT Vincent Siraco	Abuse of Authority	Other	107	Queens
Substantiated (Charges)	PO Gregory Danca	Abuse of Authority	Other	107	Queens
Substantiated (Charges)	PO Gregory Danca	Abuse of Authority	Frisk	107	Queens
Substantiated (Charges)	SGT Vincent Siraco	Abuse of Authority	Frisk	107	Queens
Substantiated (Charges)	SGT Vincent Siraco	Abuse of Authority	Stop	107	Queens
Substantiated (Charges)	PO Gregory Danca	Abuse of Authority	Stop	107	Queens
Substantiated (Charges)	PO Gregory Danca	Abuse of Authority	Photography/Videography	107	Queens
Substantiated (Charges)	SGT Vincent Siraco	Abuse of Authority	Failure to provide RTKA card	107	Queens
Substantiated (Command Discipline A)	PO Cristian Almeida	Discourtesy	Word	109	Queens
Substantiated (Charges)	DT3 David Rene	Abuse of Authority	Frisk	110	Queens
Substantiated (Charges)	DT2 Duane Atkinson	Abuse of Authority	Frisk	110	Queens
Substantiated (Charges)	DT2 Duane Atkinson	Abuse of Authority	Stop	110	Queens
Substantiated (Charges)	DT3 David Rene	Abuse of Authority	Stop	110	Queens
Substantiated (Charges)	DT2 Duane Atkinson	Force	Physical force	110	Queens
Substantiated (Command Discipline A)	PO Nicholas Dicandia	Abuse of Authority	Entry of Premises	112	Queens

Board Disposition	Officer	FADO&U Category	Allegation	Precinct of Occurrence	Borough of Occurrence
Substantiated (Command Discipline A)	PO Raul Sariol	Abuse of Authority	Entry of Premises	112	Queens
Substantiated (Charges)	PO William Scheffler	Abuse of Authority	Entry of Premises	114	Queens
Substantiated (Charges)	PO William Scheffler	Abuse of Authority	Threat re: removal to hospital	114	Queens
Substantiated (Charges)	PO William Scheffler	Abuse of Authority	Search of Premises	114	Queens
Substantiated (Charges)	PO William Scheffler	Discourtesy	Word	114	Queens
Substantiated (Charges)	PO Joseph Mirabello	Abuse of Authority	Vehicle search	122	Staten Island
Substantiated (Charges)	PO Joseph Giambalvo	Abuse of Authority	Stop	122	Staten Island
Substantiated (Charges)	PO Joseph Mirabello	Abuse of Authority	Stop	122	Staten Island
Substantiated (Charges)	PO Joseph Mirabello	Abuse of Authority	Failure to provide RTKA card	122	Staten Island
Substantiated (Charges)	PO Joseph Giambalvo	Abuse of Authority	Failure to provide RTKA card	122	Staten Island
Substantiated (Charges)	PO Joseph Mirabello	Discourtesy	Demeanor/tone	122	Staten Island
Substantiated (Formalized Training)	PO Jennifer Castillo	Abuse of Authority	Failure to provide RTKA card	123	Staten Island

Unable to Investigate and Withdrawn Complaints

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

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

	Withdrawn	Unable to Investigate	Total
Force	23	140	163
Abuse of Authority	48	196	244
Discourtesy	9	29	38
Offensive Language	1	10	11
Total	81	375	456

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

	Withdrawn	Unable to Investigate	Total
Total	34	127	161

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

	Withdrawn	Unable to Investigate	Total
Force	91	788	879
Abuse of Authority	264	1011	1275
Discourtesy	39	118	157
Offensive Language	7	48	55
Total	401	1965	2366

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

	Withdrawn	Unable to Investigate	Total
Total	178	681	859

Complaints Against Officers Assigned to Police Service Areas

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

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

	Jun 2022	Jun 2023	YTD 2022	YTD 2023
PSA Complaints	9	27	133	117
Total Complaints	319	522	2197	2540
PSA Complaints as % of Total	2.8%	5.2%	6.1%	4.6%

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

Figure 42: Closed Complaints Against Officers Assigned to a PSA

	Jun 2022	Jun 2023	YTD 2022	YTD 2023
PSA 1	0	2	12	9
PSA 2	4	2	56	34
PSA 3	4	12	33	48
PSA 4	1	1	12	15
PSA 5	0	9	19	40
PSA 6	0	9	7	13
PSA 7	4	6	115	30
PSA 8	0	9	32	23
PSA 9	1	2	23	12
Total	14	52	309	224

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

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

	Jun 2022		Jun 2023		YTD 2022		YTD 2023	
	Count	% of Total	Count	% of Total	Count	% of Total	Count	% of Total
Force (F)	7	41%	21	31%	126	30%	124	41%
Abuse of Authority (A)	9	53%	37	55%	204	48%	127	42%
Discourtesy (D)	1	6%	8	12%	69	16%	42	14%
Offensive Language (O)	0	0%	1	1%	14	3%	12	4%
Untruthful Statement (U)	0	0%	0	0%	8	2%	0	0%
Total	17	100%	67	99%	421	99%	305	101%

Dispositions of Officers Assigned to PSAs

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

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

	Jun 2022		Jun 2023		YTD 2022		YTD 2023	
	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Full Investigations								
Substantiated	1	25%	12	32%	100	45%	38	30%
Within NYPD Guidelines	0	0%	10	27%	44	20%	45	36%
Unfounded	2	50%	6	16%	21	10%	18	14%
Unable to Determine	1	25%	9	24%	52	24%	24	19%
MOS Unidentified	0	0%	0	0%	4	2%	1	1%
Total - Full Investigations	4		37		221		126	
Mediation Closures	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Mediated	0	0%	0	0%	2	15%	3	100%
Mediation Attempted	0	0%	0	0%	11	85%	0	0%
Total - ADR Closures	0		0		13		3	
Resolved Case Total	4	29%	37	71%	234	76%	129	58%
Unable to Investigate / Other Closures	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Complaint withdrawn	4	40%	0	0%	9	14%	4	4%
Unable to Investigate	5	50%	9	60%	32	51%	48	52%
Closed - Pending Litigation	1	10%	4	27%	4	6%	36	39%
Miscellaneous	0	0%	2	13%	18	29%	5	5%
Administrative closure*	0	0%	0	0%	0	0%	0	0%
Total - Other Case Dispositions	10		15		63		93	
Total - Closed Cases	14		52		309		224	

*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 June and this year.

Figure 45: Mediated Complaints Closed

	June 2023	YTD 2023
Mediated Complaints	15	54

Figure 46: Mediated FADO Allegations Closed

	June 2023	YTD 2023
Force	5	15
Abuse of Authority	35	123
Discourtesy	11	21
Offensive Language	2	2
Total	53	161

Figure 47: Mediated Complaints By Borough (June 2023)

	Mediations
Bronx	5
Brooklyn	3
Manhattan	5
Queens	1
Staten Island	1

Figure 48: Mediated Allegations By Borough (June 2023)

	Mediations
Bronx	17
Brooklyn	18
Manhattan	13
Queens	3
Staten Island	2

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

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

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

Precinct	Jun 2023	YTD 2023	Precinct	Jun 2023	YTD 2023
5	0	2	67	0	2
6	0	2	68	0	14
7	0	1	69	0	7
9	1	1	75	9	9
13	0	1	77	0	1
14	2	8	78	0	6
23	2	2	79	0	2
24	7	7	90	7	7
26	0	4	101	0	4
40	0	4	105	3	12
42	4	4	106	0	1
43	2	2	108	0	2
44	0	6	113	0	1
46	11	15	114	0	4
48	0	10	115	0	5
49	0	1	120	0	3
50	0	2	122	2	2
63	2	3	NA	1	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 51: Administrative Prosecution Unit Case Closures

Disposition Category	Prosecution Disposition	Jun 2023	YTD 2023
Disciplinary Action	Not guilty after trial but Discipline Imposed	0	0
	Guilty after trial	3	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	2	12
	Plea Renegotiated by PC	1	1
	Plea set aside, Comm. Disc. B	0	0
	Plea set aside, Comm. Disc. A	0	0
	Plea set aside, Formalized Training	1	9
	Plea set aside, Instructions	0	0
	*Retained, with discipline	1	2
	Disciplinary Action Total	8	28
No Disciplinary Action	Not guilty after trial	4	10
	Trial verdict reversed by PC, Final verdict Not Guilty	0	0
	Plea set aside, Without discipline	2	4
	**Retained, without discipline	1	4
	Dismissed by Police Commissioner	0	0
	Dismissed by APU	0	0
	SOL Expired in APU	0	0
	No Disciplinary Action Total	7	18
Not Adjudicated	Charges not served	21	53
	Deceased	0	0
	Other	0	0
	***Previously adjudicated, with discipline	0	2
	***Previously adjudicated, without discipline	0	0
	†Reconsidered by CCRB Board	0	0
	Retired	5	10
	Resigned	1	4
	Terminated	0	0
	Terminal leave	0	0
	SOL Expired prior to APU	8	22
	Not Adjudicated Total	35	91
Total Closures	50	137	

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

NYPD Discipline

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

Figure 52: NYPD-CCRB Discipline Concurrence

Discipline Report Year	Non APU %	APU %	Total %
2021	77.21	25.00	70.96
2022	41.50	35.42	41.11
2023 YTD	48.30	48.94	48.37

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

Figure 53: NYPD Discipline Imposed for Adjudicated APU Cases

Discipline*	June 2023	YTD 2023
Terminated	0	0
Suspension for or loss of vacation time of 31 or more days and/or Dismissal Probation	0	1
Suspension for or loss of vacation time of 21 to 30 days	0	0
Suspension for or loss of vacation time of 11 to 20 days	0	3
Suspension for or loss of vacation time of 1 to 10 days	5	7
Command Discipline B	2	5
Command Discipline A	1	3
Formalized Training**	0	9
Warned & Admonished/Reprimanded	0	0
Disciplinary Action† Total	8	28
No Disciplinary Action†	7	18
Adjudicated Total	15	46
Discipline Rate	53%	61%
Not Adjudicated† Total	35	91
Total Closures	50	137

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

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

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

Figure 54: NYPD Discipline Imposed for Non-APU Cases

Disposition	Disposition Type*	May 2023	YTD 2023
Disciplinary Action	Terminated	0	0
	Suspension for or loss of vacation time of 31 or more days and/or Dismissal Probation	0	0
	Suspension for or loss of vacation time of 21 to 30 days	0	0
	Suspension for or loss of vacation time of 11 to 20 days	0	0
	Suspension for or loss of vacation time of 1 to 10 days	0	0
	Command Discipline B	4	46
	Command Discipline A	8	89
	Formalized Training**	7	37
	Closed Administratively (With Discipline) ††	2	5
	Total	21	177
No Disciplinary Action	Retired	2	7
	Resigned	1	8
	SOL Expired	1	17
	Department Unable to Prosecute†††	20	177
	Closed Administratively (No penalty reported) ††	0	2
	Total	24	211
	Discipline Rate	47%	46%
	DUP Rate	44%	46%

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

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

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

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

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

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

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

Board Disposition	Officer	FADO &U	Allegation	Precinct	Borough	NYPD Discipline
Substantiated (Command Discipline B)	PO Vito Andreani	A	Search of Premises	18	Manhattan	No penalty
Substantiated (Command Discipline B)	PO Sean Costigan	A	Search of Premises	18	Manhattan	No penalty
Substantiated (Formalized Training)	DTS Kerriann Smith	A	Refusal to provide name	23	Manhattan	Formalized Training
Substantiated (Formalized Training)	DTS Kerriann Smith	A	Refusal to provide shield number	23	Manhattan	Formalized Training
Substantiated (Command Discipline A)	DT3 Mark Tufano	A	Search (of person)	24	Manhattan	Closed Administratively (Command Discipline - A)
Substantiated (Command Discipline A)	DT3 Mark Tufano	A	Stop	24	Manhattan	Closed Administratively (Command Discipline - A)
Substantiated (Command Discipline A)	PO Joseph Manfra	A	Stop	24	Manhattan	Closed Administratively (Command Discipline - A)
Substantiated (Command Discipline A)	PO Joseph Manfra	A	Failure to provide RTKA card	24	Manhattan	Closed Administratively (Command Discipline - A)
Substantiated (Command Discipline A)	DT3 Mark Tufano	A	Failure to provide RTKA card	24	Manhattan	Closed Administratively (Command Discipline - A)
Substantiated (Command Discipline A)	SGT Daniel Travis	A	Vehicle search	32	Manhattan	No penalty
Substantiated (Command Discipline B)	DT2 Lahmar Sanders	A	Search of Premises	32	Manhattan	No penalty
Substantiated (Command Discipline B)	POM Andrei Nijnic	A	Threat of force (verbal or physical)	40	Bronx	No penalty
Substantiated (Formalized Training)	POM Eduard Lucero	D	Word	40	Bronx	Formalized Training
Substantiated (Command Discipline A)	DTS Elwin Martinez	F	Physical force	43	Bronx	No penalty
Substantiated (Formalized Training)	PO Angel Suazopelaez	A	Vehicle search	43	Bronx	Formalized Training
Substantiated (Command Discipline B)	SGT Alexis Fernandez	A	Threat of force (verbal or physical)	44	Bronx	Command Discipline - B (Vacation: 5 days)
Substantiated (Command Discipline A)	PO John Joyce	A	Frisk	44	Bronx	Command Discipline - B (Vacation: 6 days)
Substantiated (Command Discipline A)	PO Michael Visintin	A	Frisk	44	Bronx	Command Discipline - B (Vacation: 6 days)
Substantiated (Command Discipline A)	PO Michael Visintin	A	Stop	44	Bronx	Command Discipline - B (Vacation: 6 days)
Substantiated (Command Discipline A)	PO John Joyce	A	Stop	44	Bronx	Command Discipline - B (Vacation: 6 days)
Substantiated (Command Discipline A)	PO Nestor Lozano	A	Search of Premises	44	Bronx	No penalty
Substantiated (Command Discipline A)	PO Melvin Balbuena	A	Search of Premises	44	Bronx	No penalty
Substantiated (Command Discipline A)	PO Michael Visintin	A	Refusal to provide shield number	44	Bronx	Command Discipline - B (Vacation: 6 days)
Substantiated (Command Discipline A)	PO John Joyce	A	Refusal to provide shield number	44	Bronx	Command Discipline - B (Vacation: 6 days)
Substantiated (Command Discipline A)	PO John Joyce	A	Failure to provide RTKA card	44	Bronx	Command Discipline - B (Vacation: 6 days)

Board Disposition	Officer	FADO &U	Allegation	Precinct	Borough	NYPD Discipline
Substantiated (Command Discipline A)	PO Michael Visintin	A	Failure to provide RTKA card	44	Bronx	Command Discipline - B (Vacation: 6 days)
Substantiated (Command Discipline A)	PO Melvin Balbuena	A	Failure to provide RTKA card	44	Bronx	No penalty
Substantiated (Command Discipline A)	PO Nestor Lozano	A	Failure to provide RTKA card	44	Bronx	No penalty
Substantiated (Command Discipline A)	PO Vinicio Garcia	A	Vehicle search	47	Bronx	No penalty
Substantiated (Command Discipline A)	SGT Esnaily Cuevas	D	Word	47	Bronx	No penalty
Substantiated (Formalized Training)	SGT Esnaily Cuevas	A	Failure to provide RTKA card	47	Bronx	No penalty
Substantiated (Formalized Training)	PO Vinicio Garcia	A	Failure to provide RTKA card	47	Bronx	No penalty
Substantiated (Command Discipline B)	DTS Phelim Orouke	A	Property damaged	49	Bronx	No penalty
Substantiated (Command Discipline A)	PO Shantel Creary	A	Threat re: removal to hospital	60	Brooklyn	No penalty
Substantiated (Command Discipline B)	SGT Smithu Samuel	A	Refusal to process civilian complaint	61	Brooklyn	Command Discipline - B (Vacation: 5 days)
Substantiated (Command Discipline A)	PO John Viloriomartinez	A	Refusal to provide name	61	Brooklyn	Command Discipline - A
Substantiated (Command Discipline A)	PO John Viloriomartinez	A	Refusal to provide shield number	61	Brooklyn	Command Discipline - A
Substantiated (Command Discipline A)	PO Jarred Anton	D	Word	63	Brooklyn	No penalty
Substantiated (Command Discipline A)	SGT Rory Heron	A	Refusal to process civilian complaint	67	Brooklyn	Command Discipline - A
Substantiated (Command Discipline A)	POM Carlo Cassata	D	Word	70	Brooklyn	No penalty
Substantiated (Formalized Training)	PO Jeffrey Estrella	A	Failure to provide RTKA card	71	Brooklyn	Formalized Training
Substantiated (Formalized Training)	PO Heflin George	A	Failure to provide RTKA card	71	Brooklyn	Retired
Substantiated (Formalized Training)	PO Romel Hill	A	Failure to provide RTKA card	71	Brooklyn	Formalized Training
Substantiated (Formalized Training)	PO Marcus Thomas	A	Failure to provide RTKA card	71	Brooklyn	Formalized Training
Substantiated (Formalized Training)	PO Elvir Lekperic	A	Failure to provide RTKA card	73	Brooklyn	Formalized Training
Substantiated (Command Discipline A)	PO Christopher Daguanno	D	Word	81	Brooklyn	Command Discipline - A
Substantiated (Command Discipline A)	PO Waseem Shabbir	F	Physical force	84	Brooklyn	Command Discipline - A
Substantiated (Command Discipline A)	SGT Brian Tiernan	D	Word	105	Queens	No penalty
Substantiated (Command Discipline A)	PO John Condon	D	Word	106	Queens	No penalty
Substantiated (Command Discipline A)	SGT Michael Goggins	D	Word	106	Queens	No penalty
Substantiated (Command Discipline B)	PO Arun Arora	F	Physical force	109	Queens	No penalty
Substantiated (Command Discipline B)	PO Marlon Castro	F	Physical force	109	Queens	No penalty
Substantiated (Command Discipline A)	PO Ferry Oscar	A	Forcible Removal to Hospital	110	Queens	Command Discipline - A

Board Disposition	Officer	FADO &U	Allegation	Precinct	Borough	NYPD Discipline
Substantiated (Command Discipline A)	PO Tresha Pharsi	A	Forcible Removal to Hospital	110	Queens	Resigned
Substantiated (Command Discipline A)	PO David Buttenhoff	D	Word	114	Queens	No penalty
Substantiated (Command Discipline B)	PO Lucas Nicolas	A	Threat re: removal to hospital	114	Queens	No penalty
Substantiated (Command Discipline A)	SGT Christopher Rinelli	A	Failure to provide RTKA card	120	Staten Island	Command Discipline - A (Vacation: 0.25 days)
Substantiated (Command Discipline A)	PO Syed Bokhari	A	Failure to provide RTKA card	120	Staten Island	Command Discipline - A
Substantiated (Command Discipline A)	PO Daniel Keating	A	Failure to provide RTKA card	120	Staten Island	Retired
Substantiated (Command Discipline A)	PO Leron Lee	A	Failure to provide RTKA card	120	Staten Island	Command Discipline - A

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

Board Disposition	Officer	FADO&U	Allegation	Precinct	Borough	NYPD Discipline
Substantiated (Charges)	PO Edwin Olivo	A	Refusal to obtain medical treatment	43	Bronx	Dismissed
Substantiated (Charges)	LSA David Vasquez	U	Misleading official statement	43	Bronx	Forfeit vacation 10 days
Substantiated (Charges)	POM Jose Gonzalez	A	Interference with recording	46	Bronx	Dismissed
Substantiated (Charges)	POM Charles Alexander	F	Physical force	47	Bronx	Forfeit vacation 10 days
Substantiated (Command Discipline A)	POM Charles Alexander	D	Word	47	Bronx	Forfeit vacation 10 days
Substantiated (Command Discipline A)	PO Gregory Clena	A	Vehicle search	73	Brooklyn	Command Discipline B 3 days
Substantiated (Command Discipline A)	PO Gregory Clena	A	Frisk	73	Brooklyn	Command Discipline B 3 days
Substantiated (Command Discipline A)	PO Gregory Clena	A	Search (of person)	73	Brooklyn	Command Discipline B 3 days
Substantiated (Command Discipline A)	PO Gregory Clena	A	Failure to provide RTKA card	73	Brooklyn	Command Discipline B 3 days
Substantiated (Command Discipline B)	POM William Schumacher	O	Gender	75	Brooklyn	Forfeit vacation 5 days / Formalized Training
Substantiated (Command Discipline B)	POM William Schumacher	O	Gender	75	Brooklyn	Forfeit vacation 5 days / Formalized Training
Substantiated (Command Discipline B)	POM William Schumacher	O	Gender	75	Brooklyn	Forfeit vacation 5 days / Formalized Training
Substantiated (Command Discipline B)	POM William Schumacher	O	Gender	75	Brooklyn	Forfeit vacation 5 days / Formalized Training
Substantiated (Command Discipline A)	POM William Schumacher	A	Failure to provide RTKA card	75	Brooklyn	Forfeit vacation 5 days / Formalized Training
Substantiated (Command Discipline A)	POM Anthony Waite	A	Failure to provide RTKA card	75	Brooklyn	Command Discipline A / Formalized Training
Substantiated (Command Discipline A)	POM Anthony Waite	A	Failure to provide RTKA card	75	Brooklyn	Command Discipline A / Formalized Training
Substantiated (Command Discipline A)	POM William Schumacher	A	Failure to provide RTKA card	75	Brooklyn	Forfeit vacation 5 days / Formalized Training
Substantiated (Command Discipline A)	POM William Schumacher	A	Failure to provide RTKA card	75	Brooklyn	Forfeit vacation 5 days / Formalized Training
Substantiated (Command Discipline A)	POM Anthony Waite	A	Failure to provide RTKA card	75	Brooklyn	Command Discipline A / Formalized Training
Substantiated (Command Discipline A)	POM Anthony Waite	A	Failure to provide RTKA card	75	Brooklyn	Command Discipline A / Formalized Training

Board Disposition	Officer	FADO&U	Allegation	Precinct	Borough	NYPD Discipline
Substantiated (Command Discipline A)	POM William Schumacher	A	Failure to provide RTKA card	75	Brooklyn	Forfeit vacation 5 days / Formalized Training
Substantiated (Charges)	POM Kyle Calenda	F	Nightstick as club (incl asp & baton)	78	Brooklyn	Command Discipline B 10 days
Substantiated (Command Discipline B)	POM Corey Johnson	F	Physical force	88	Brooklyn	Forfeit vacation 5 days
Substantiated (Command Discipline B)	POM Michael Dunn	A	Search of Premises	103	Queens	Dismissed
Substantiated (Command Discipline A)	POM Michael Dunn	A	Failure to provide RTKA card	103	Queens	Dismissed
Substantiated (Command Discipline B)	POM Marcelino Roman	A	Threat re: removal to hospital	105	Queens	Forfeit vacation 5 days