

The City of New York
Department of Investigation

JOCELYN E. STRAUBER
COMMISSIONER

180 MAIDEN LANE
NEW YORK, NY 10038
212-825-5900

Release #08-2022
nyc.gov/doi

FOR IMMEDIATE RELEASE
THURSDAY, MARCH 31, 2022

CONTACT: DIANE STRUZZI
(212) 825-5931

**EIGHTH ANNUAL REPORT ISSUED BY
DOI'S OFFICE OF THE INSPECTOR GENERAL FOR THE NEW YORK CITY POLICE DEPARTMENT**

Today, the Department of Investigation's ("DOI") Office of the Inspector General for the New York City Police Department ("OIG-NYPD") released its Eighth Annual Report, which reviews the OIG-NYPD's completed investigations and systemic reviews to date, and analyzes the extent to which the New York City Police Department ("NYPD") has adopted or rejected its recommended proposals for reform. Approximately 82 percent of OIG-NYPD's 185 recommendations issued to NYPD, spanning 17 investigative reports since 2015, have been implemented, partially implemented, or accepted in principle by NYPD. A copy of the Annual Report is attached to this release and can be found at the following link: <http://www1.nyc.gov/site/doi/newsroom/public-reports.page>.

DOI Commissioner Jocelyn E. Strauber said, "This Annual Report provides critical transparency with respect to NYPD's handling of the matters we have examined and the recommendations we have issued and it demonstrates that NYPD has embraced the vast majority of improvements we have proposed in our public reports. This report also reflects that since its creation in 2014, OIG-NYPD has undertaken significant work on a range of policing issues that impact New York City."

Acting Inspector General Jeanene Barrett said, "The OIG-NYPD is dedicated to increasing public confidence in NYPD by conducting investigations and issuing recommendations aimed at enhancing the Police Department's effectiveness. This Annual Report demonstrates the broad array of issues we have tackled over the past seven years and the impact on NYPD. We are proud to issue this Report furthering transparency on policing in New York City."

The Annual Report provides a chart detailing NYPD's implementation status for all 185 recommendations issued in 17 investigative reports. The OIG-NYPD will continue to monitor the implementation status of these recommendations and issue follow-up reports as necessary.

While the pandemic and resulting impact on the City and its operations slowed OIG-NYPD's ability to advance investigations in 2021, highlights from 2021 noted in the Annual Report include:

- A report concerning "[Sharing Police Body-Worn Camera Footage in New York City](#)." This is the third report issued pursuant to Local Law 166, which instructs OIG-NYPD to "work[] with the law department, the comptroller, the police department, the civilian complaint review board, the commission to combat police corruption, and the commission on human rights [to] collect and evaluate information regarding allegations or findings of improper police conduct and develop recommendations relating to the ... operations, policies, programs, and practices of the police department." This 2021 report examined the information-sharing procedures of the Police Department with the noted oversight agencies, specifically with respect to Body-Worn Camera ("BWC") footage. The report concluded that each agency has different procedures for requesting, accessing, and retaining NYPD BWC footage and that the current procedures do not provide

more

every agency with the appropriate level of access needed to perform their respective duties. Among other things, OIG-NYPD recommended that NYPD consult the six police oversight agencies, including OIG-NYPD, to determine whether additional access to BWC footage would benefit them in fulfilling their mandates, which the NYPD accepted. The NYPD rejected OIG-NYPD's recommendation that the Police Department provide the Civilian Complaint Review Board ("CCRB") with independent and direct remote access credentials to its BWC storage databases so BWC videos can be searched, viewed, and used as appropriate in CCRB's investigations of police misconduct.

- In 2021, as outreach activities transitioned back to in-person, OIG-NYPD met with community groups, engaged in public forums hosted by elected officials, and attended numerous precinct community council meetings. The OIG-NYPD's outreach work extends beyond New York City. For example, in 2021, OIG-NYPD's then-Inspector General presented to law enforcement officers in Mexico working in the field of police oversight. The OIG-NYPD continues to undertake outreach work in order to obtain feedback and build relationships with the public that support its mission of increasing public safety, protecting civil liberties and civil rights, and strengthening public confidence in the Police Department, all to build stronger police-community relations.

The OIG-NYPD Annual Report is mandated by Local Law 70, which calls for a summary report to be issued annually on April 1. To read more about Local Law 70, [click here](#).

The Eighth Annual Report was compiled by DOI's Office of the Inspector General for the NYPD, specifically, Data Analyst Sara Hassan and Senior Auditor Renell Grant, under the supervision of Deputy Inspector General Percival Rennie and Acting Inspector General Jeanene Barrett.

DOI is one of the oldest law-enforcement agencies in the country and New York City's corruption watchdog. Investigations may involve any agency, officer, elected official or employee of the City, as well as those who do business with or receive benefits from the City. DOI's strategy attacks corruption comprehensively through systemic investigations that lead to high-impact arrests, preventive internal controls and operational reforms that improve the way the City runs.

DOI's press releases can also be found at twitter.com/NYC_DOI
Know something rotten in City government? Help DOI Get the Worms Out of the Big Apple.
Call: 212-3-NYC-DOI or email: Corruption@DOI.nyc.gov

New York City
Department of Investigation

Office of the Inspector General for the NYPD (OIG-NYPD)



EIGHTH ANNUAL REPORT OFFICE OF THE INSPECTOR GENERAL FOR THE NYPD

Jocelyn Strauber
Commissioner

Jeanene Barrett
Acting Inspector General for the NYPD

March 2022

Table of Contents

I. INTRODUCTION	1
II. 2021 OFFICE OF THE INSPECTOR GENERAL FOR THE NEW YORK CITY POLICE DEPARTMENT ACTIVITIES	5
A. <i>SYSTEMIC INVESTIGATIONS, REVIEWS, STUDIES, AND AUDITS: RECOMMENDATIONS AND NYPD RESPONSES</i>	<i>5</i>
i. Sharing Police Body Worn Camera Footage in New York City (November 2021)	5
B. <i>COMMUNITY OUTREACH AND ENGAGEMENT</i>	<i>8</i>
C. <i>COMPLAINTS.....</i>	<i>9</i>
III. 2015-2020 SYSTEMIC INVESTIGATIONS, REVIEWS, STUDIES, AND AUDITS: UPDATED NYPD RESPONSES TO RECOMMENDATIONS	10
A. Investigation Into NYPD Response To The George Floyd Protests (December 2020 Report)	10
B. An Investigation Of NYPD’s Officer Wellness And Safety Services (September 2019 Report)	12
C. Complaints of Biased Policing in New York City: an Assessment of NYPD’s Investigations, Policies, And Training (June 2019 Report)	15
D. 2019 Assessment of Litigation Data Involving NYPD (April 2019 Report)	23
E. Ongoing Examination Of Litigation Data Involving NYPD (April 2018 Report).....	25
F. An Investigation of NYPD’s Special Victims Division—Adult Sex Crimes (March 2018 Report)	27
G. An Investigation of NYPD’s New Force Reporting System (February 2018 Report).....	31
H. Review of NYPD’s Implementation of Patrol Guide Procedures Concerning Transgender and Gender Nonconforming People (November 2017 Report).....	36
I. When Undocumented Immigrants Are Crime Victims: an Assessment of NYPD’s Handling of U Visa Certification Requests (July 2017 Report)	39
J. Addressing Inefficiencies in NYPD’s Handling of Complaints: An Investigation of the “Outside Guidelines” Complaint Process (February 2017 Report)	42
K. Putting Training Into Practice: A Review of NYPD’s Approach to Handling Interactions with People in Mental Crisis (January 2017 Report)	44
L. An Investigation of NYPD’s Compliance with Rules Governing Investigations of Political Activity (August 2016 Report)	47
M. An Analysis of Quality-of-Life Summonses, Quality-of-Life Misdemeanor Arrests, and Felony Crime in New York City, 2010-2015 (June 2016 Report)	49
N. Police Use of Force in New York City: Findings and Recommendations on NYPD’s Policies and Practices (October 2015 Report)	52

O. Body-Worn Cameras in New York City: An Assessment of NYPD’s Pilot Program and Recommendations to Promote Accountability (July 2015 Report)..... 54

P. Using Data from Lawsuits and Legal Claims Involving NYPD to Improve Policing (April 2015 Report)..... 57

Q. Observations on Accountability and Transparency in Ten NYPD Chokehold Cases (January 2015 Report)..... 59

IV. APPENDIX A: RECOMMENDATIONS IMPLEMENTED OR NO LONGER APPLICABLE PRIOR TO 2021..... 60

I. INTRODUCTION

This is the Eighth Annual Report of the New York City Department of Investigation's (DOI) Office of the Inspector General for the New York City Police Department (OIG-NYPD or the Office). This Report summarizes the findings of systemic reviews conducted from 2015 through 2021 and assesses the extent to which the New York City Police Department (NYPD or the Department) has implemented OIG-NYPD's proposals for reform. This Report also discusses complaints the Office has received from the public, as well as its community outreach and engagement efforts.

DOI's OIG-NYPD is charged with external, independent review of NYPD.

Pursuant to Chapter 34 of the New York City Charter and Mayoral Executive Order 16, DOI's OIG-NYPD is charged with external, independent review of NYPD.¹

The Office publishes written, publicly available reports based on its investigations, reviews, studies, and audits. The NYPD Commissioner is required to submit a written response to each published report within 90 days.²

This Report examines NYPD's implementation of the recommendations made in OIG-NYPD's investigative reports and classifies the statuses of those recommendations into the following categories:

- **Implemented or Partially Implemented (I or PI):** NYPD has accepted and implemented these recommendations completely or in part.
- **Accepted in Principle (AIP):** NYPD has agreed with the general intent of these recommendations but has not yet implemented them.
- **Under Consideration (UC):** NYPD has not yet decided whether to adopt or reject these recommendations.
- **Rejected (R):** NYPD does not agree with the recommendations and will not implement them.
- **No Longer Applicable (NLA):** Due to a change in technology or procedure by NYPD, these recommendations are no longer relevant. OIG-NYPD will

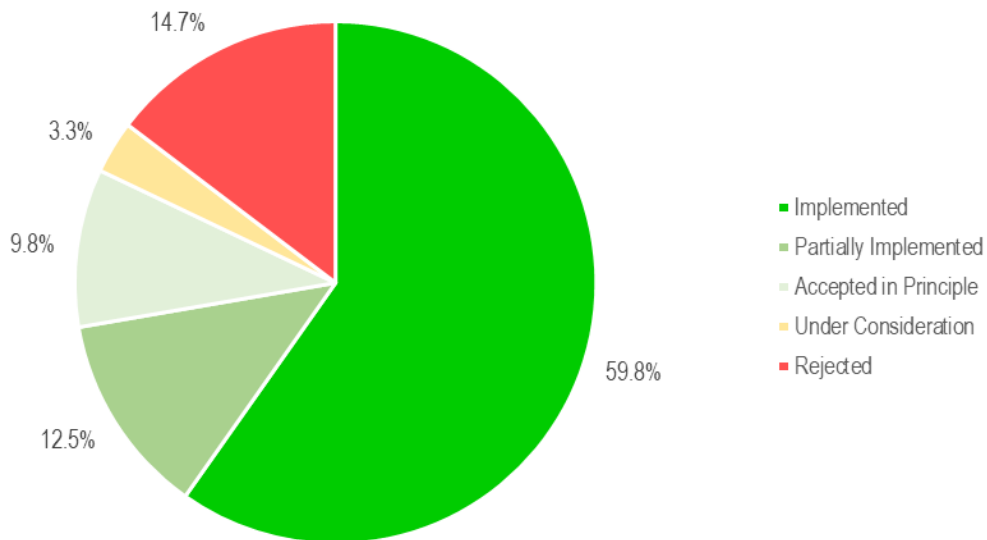
¹ The New York City Charter, as amended by Local Law 70 of 2013, empowers the DOI Commissioner to "investigate, review, study, audit and make recommendations relating to the operations, policies, programs and practices, including ongoing partnerships with other law enforcement agencies, of the New York city police department with the goal of enhancing the effectiveness of the department, increasing public safety, protecting civil liberties and civil rights, and increasing the public's confidence in the police force, thus building stronger police-community relations." N.Y.C. Charter § 803(c)(1).

² OIG-NYPD's reports and NYPD responses are available at: <http://www1.nyc.gov/site/doi/offices/oignypd.page>

continue to monitor these recommendations for future applicability as policies and procedures change.

In total, OIG-NYPD’s 17 investigative reports from 2015-2021 contain 187 recommendations; 184 of those are currently applicable to the Department.³ As depicted in the table and chart below, NYPD has implemented, partially implemented, or accepted in principle 82.1% of these 184 recommendations (59.8% have been implemented, 12.5% have been partially implemented, and 9.8% have been accepted in principle).

Status of Recommendations Applicable to NYPD



³ The total count of 187 recommendations made by OIG-NYPD includes two recommendations addressed exclusively to CCRB and one recommendation that is no longer applicable to the Department.

Table 1: Status of Recommendations Addressed to NYPD

Report	I	PI	AIP	UC	R	NLA
Sharing Police Body-Worn Camera Footage In New York City (November 2021)	0	0	1	0	2	0
An Investigation of NYPD's Officer Wellness and Safety Services NYPD (September 2019 Report)	8	1	1	2	0	0
Complaints of Biased Policing in New York City: An Assessment of NYPD's Investigations, Policies, and Training (June 2019 Report)	8	0	3	0	10	0
2019 Assessment of Litigation Data Involving NYPD (April 2019 Report)	0	1	1	2	0	0
Ongoing Examination of Litigation Data Involving NYPD (April 2018)	1	2	0	0	2	0
An Investigation of NYPD's Special Victims Division-Adult Sex Crimes (March 2018)	5	4	2	1	0	0
An Investigation of NYPD's New Force Reporting System (February 2018)	17	4	1	0	2	1
Review of NYPD's Implementation of Patrol Guide Procedures Concerning Transgender and Gender Nonconforming People (November 2017)	5	0	2	0	2	0
When Undocumented Immigrants Are Crime Victims: An Assessment of NYPD's Handling of U Visa Certification Requests (July 2017)	3	3	2	0	2	0
Addressing Inefficiencies in NYPD's Handling of Complaints: An Investigation of the "Outside Guidelines" Complaint Process (February 2017)	3	2	0	1	0	0
Putting Training into Practice: A Review of NYPD's Approach to Handling Interactions with People in Mental Crisis (January 2017)	11	2	0	0	0	0
An Investigation of NYPD's Compliance with Rules Governing Investigations of Political Activity (August 2016)	6	0	2	0	3	0
An Analysis of Quality-of-Life Summonses, Quality-of-Life Misdemeanor Arrests, and Felony Crime in New York City, 2010-2015 (June 2016)	4	0	0	0	3	0
Police Use of Force in New York City: Findings and Recommendations on NYPD's Policies and Practices (October 2015)	12	2	1	0	0	0
Body-Worn Cameras in New York City: An Assessment of NYPD's Pilot Program and Recommendations to Promote Accountability (July 2015)	20	0	2	0	1	0
Using Data from Lawsuits and Legal Claims Involving NYPD to Improve Policing (April 2015)	3	2	0	0	0	0
Observations on Accountability and Transparency in Ten NYPD Chokehold Cases (January 2015)	4	0	0	0	0	0
Total	110	23	18	6	27	1

I = Implemented. PI = Partially implemented. AIP = Accepted in principle. UC = Under consideration. R = Rejected. NLA = No Longer Applicable

NYPD's acceptance and implementation of these recommendations is an important indicator of whether the Department takes seriously the issues identified by OIG-NYPD and whether it intends to address those issues. OIG-NYPD therefore continues to monitor the status of all recommendations until they have been implemented by NYPD, and to make that status public.

Pursuant to § 803(d)(3) of the New York City Charter, as of December 31, 2021 OIG-NYPD reports that it had nine investigations open for six to 12 months, 11 investigations open for 13 to 24 months, six investigations open for 25 to 36 months, and ten investigations open for more than 36 months. These figures include investigations that qualify as systemic reviews as well as investigations prompted by individual complaints received from members of the public.

II. 2021 OFFICE OF THE INSPECTOR GENERAL FOR THE NEW YORK CITY POLICE DEPARTMENT ACTIVITIES

A. SYSTEMIC INVESTIGATIONS, REVIEWS, STUDIES, AND AUDITS; RECOMMENDATIONS AND NYPD RESPONSES

Pursuant to Section 803(d)(3) of the New York City Charter, summarized below are the findings and recommendations of the Report OIG-NYPD released in 2021, as well as an assessment of NYPD's progress in implementing the 3 recommendations in that Report. OIG-NYPD continually monitors NYPD's progress on all recommendations until implemented.

SHARING POLICE BODY-WORN CAMERA FOOTAGE IN NEW YORK CITY

NOVEMBER 5, 2021

On August 24, 2017, the New York City Council passed Local Law 166, which instructs OIG-NYPD to “work[] with the law department, the comptroller, the police department, the civilian complaint review board, the commission to combat police corruption, and the commission on human rights [to] collect and evaluate information regarding allegations or findings of improper police conduct and develop recommendations relating to the discipline, training, and monitoring of police officers and related operations, policies, programs, and practices of the police department,” and to publish a written evaluation or recommendations stemming from that work in each of the following three years and then every three years thereafter.⁴ This is the third Report, following reports on police use of litigation data in 2018 and 2019, published pursuant to Local Law 166.⁵ This Report considers “[i]nformation on collaboration and information sharing procedures of the police department,” with respect to those agencies with oversight responsibilities listed above, and focuses on the sharing of body-worn camera (BWC) footage.⁶

To conduct this assessment, OIG-NYPD interviewed officials from each of the cited agencies, reviewed documents detailing each agency's procedures for sharing information, and conducted research on comparable agencies in other cities to better understand model practices for the sharing of BWC footage between police departments and their oversight agencies.⁷

⁴ N.Y.C. CHARTER § 808(c).

⁵ Although, under Local Law 166, this Report was intended to be released in 2020, it was delayed due to operational constraints related to the COVID-19 pandemic.

⁶ N.Y.C. CHARTER § 808(b).

⁷ In an effort to gain insight into NYPD's perspectives on information sharing with the Charter § 808 agencies, OIG-NYPD requested to meet with NYPD on January 3, 2020. This request noted that the meeting was part of OIG-NYPD's compliance with NYC Charter § 808(b). NYPD opted against making any representatives available for a meeting (or meetings) to discuss information sharing with Charter § 808 agencies, instead committing to send a written memorandum by February 14, 2020, addressing the topic. NYPD submitted a four-page document to OIG-NYPD on March 3, 2020. The submission contained the following statement on BWCs: “With regard to footage recorded on body-worn cameras, the Legal Bureau's Body-Worn Camera Unit has signed (but, not yet implemented) a Memorandum of

This Report found that each agency follows a different procedure to access BWC footage from NYPD. Despite having these individualized procedures, NYPD does not provide each agency with the appropriate level of access to BWC footage to enable them to optimally perform their missions. The Civilian Complaint Review Board (CCRB), in particular, is negatively impacted by its lack of direct access because of its unique responsibilities. The current access procedures may contribute to unnecessary delays that impede CCRB investigations.

NYPD policy dictates that its staff must approve all requests for footage and perform all searches on behalf of CCRB. That is an area of concern. This requirement exists because NYPD's BWC footage platform commingles footage from sealed cases and cases involving juveniles with footage from unsealed matters. The commingling of footage creates a barrier to direct access to BWC footage for CCRB. This commingling also creates potential legal liability for the City because sealed records should not be commingled with unsealed records, nor should they be readily viewable by anyone with access to the database, including NYPD personnel.

This Report also examines the Memorandum of Understanding (MOU) that CCRB and NYPD are in the process of implementing, and that will change CCRB's process for accessing BWC footage.⁸ The MOU contemplates an updated search and request procedure and the creation of a dedicated location that CCRB and NYPD will use as a BWC search and review facility.

Other issues with the BWC footage sharing process include the Department's discretion to redact footage or decline to provide it, which the MOU does not address. Furthermore, CCRB has faced extended wait times for the return of footage. According to the MOU, NYPD must produce footage to CCRB within a set period of time following the completion of a search, but there is no set period within which NYPD must complete the search for footage. If CCRB had direct access to NYPD's BWC system, as many oversight agencies do in other cities, it would be able to conduct its investigations more efficiently. Furthermore, this would reduce NYPD's workload.

While OIG-NYPD expects that the MOU will improve CCRB's access to BWC footage for use in its police misconduct investigations, direct access to BWC footage would further reduce investigative delay.

For more information about the findings and recommendations, a full copy of the Report can be found [here](#).

Understanding (MOU) with CCRB to produce body-worn camera records directly to CCRB without the involvement of the IAB CCRB Liaison Unit.”

⁸ Memorandum of Understanding between CCRB and NYPD, (Nov. 21, 2019) (on file with author); *see also* CIVILIAN COMPLAINT REV. BD., STRENGTHENING ACCOUNTABILITY: THE IMPACT OF THE NYPD'S BODY-WORN CAMERA PROGRAM ON CCRB INVESTIGATIONS 35 (2020).

This Report made three recommendations. Those recommendations and an assessment of NYPD’s responses to those recommendations are below.

SHARING POLICE BODY-WORN CAMERA FOOTAGE (NOVEMBER 2021 REPORT)	
OIG-NYPD’S RECOMMENDATION	NYPD RESPONSE AND OIG-NYPD ASSESSMENT
<p>1 NYPD should conduct an internal review to ensure that sealed BWC footage is not being commingled with unsealed BWC footage, and, if necessary, enact software-level safeguards to prevent sealed BWC footage from being viewed (either within or without NYPD) without a court order or waiver.</p>	<p style="background-color: #f4cccc;">Rejected</p> <p>NYPD asserts that it will enact necessary changes consistent with the outcome of ongoing litigation concerning other kinds of sealed records in <i>R.C., et al. v. City of New York</i>. However, NYPD declines to conduct an internal review, in the interim, to address the commingling of sealed and unsealed records on NYPD’s BWC footage platform, which creates significant procedural obstacles to the CCRB’s prompt receipt of footage. The commingling of sealed and unsealed records in the BWC database also creates potential further legal liability for the City.</p> <p>Therefore, OIG-NYPD deems this recommendation rejected.</p>
<p>2 In an effort to more efficiently produce BWC footage and assist CCRB in fulfilling its mandate, NYPD should provide CCRB with independent and direct remote access credentials to all BWC storage databases so that BWC videos can be searched and viewed as necessary for CCRB investigations. Such access should be subject to appropriate credentials and audit trails to address security and privacy concerns.</p>	<p style="background-color: #f4cccc;">Rejected</p> <p>While CCRB and NYPD have entered into a MOU that has the potential to improve the exchange of BWC footage between the two agencies, the MOU does not grant direct access to all BWC footage storage databases to CCRB. Direct access would allow CCRB to search and view BWC footage as necessary for its investigations, as many police oversight agencies do in other jurisdictions.</p> <p>Since the Department declines to provide CCRB such access, OIG-NYPD deems this recommendation rejected.</p>
<p>3 Within six months of the release of this Report, NYPD should consult with each of the covered Charter § 808 agencies, as well as OIG-NYPD, to determine whether additional access to BWC footage would benefit them in fulfilling their mandates, and engage in good-faith discussions to expand or streamline access if necessary.</p>	<p style="background-color: #d9ead3;">Accepted in Principle</p> <p>NYPD informed OIG-NYPD that it accepts this recommendation. OIG-NYPD will follow up with NYPD once the six-month time period concludes to ensure that the Department has engaged in good-faith discussions with each of the covered Charter § 808 agencies regarding improved access to BWC footage.</p>

B. OUTREACH AND ENGAGEMENT

In 2021, OIG-NYPD continued to engage with a variety of community groups, advocacy organizations, city and state agencies, elected officials, religious organizations, police unions, police departments, and oversight agencies to strengthen the relationship between New York City residents and NYPD. As a result of these efforts, the Office identified important police accountability issues that, when addressed, could help further its mission to increase public safety while protecting people's civil liberties and civil rights.

Despite challenges presented by the COVID-19 pandemic in 2020 and 2021, the activities of the Outreach Unit have continued and expanded. As events and opportunities for outreach transition to in-person once again, the Office has implemented a robust schedule of community engagement. Additionally, the Director of Outreach assisted the Inspector General with a presentation to hundreds of law enforcement officers from Mexico working in the field of police oversight.

New York City residents can engage with the Outreach Unit in multiple ways, including formal meetings, by invitation to attend events related to policing issues, through sharing policy briefs, filing complaints about policing issues, and presenting issues at OIG-NYPD-hosted brown bag lunches.

In 2022, the Outreach Unit will seek to further expand its activities by hosting additional meetings with advocacy organizations, police-community relations professionals, law enforcement oversight agencies from other jurisdictions, and re-engaging with stakeholders the Office has met with in the past.

C. COMPLAINTS

Local Law 70 requires that OIG-NYPD receive complaints from the public about NYPD operations, policies, programs, and practices. The complaints received by the Office range in scope from allegations regarding misconduct by individual police officers to complaints regarding large-scale NYPD policies and practices. Through receiving and reviewing complaints, speaking with members of the public, connecting with other government agencies, and conducting investigations OIG-NYPD can address individual concerns and allegations while also identifying potential areas for systemic review.

In 2021, 732 complaints were received from members of the public, advocacy groups, and employees of NYPD. City agencies, including NYPD, the Office of the Mayor, the Conflicts of Interest Board, the City Council, and the Civilian Complaint Review Board also referred matters. Complaints received frequently allege inadequate police services, failure to investigate after a police report has been filed, police corruption, disputes involving summonses, harassment by police, and the use of excessive force. If complaints are received that fall squarely within the jurisdiction of, or would be more appropriately investigated by, another agency, those complaints are referred to another agency. OIG-NYPD's Investigations Unit conducts investigations of those complaints that are not referred to other agencies and which fall within OIG-NYPD's jurisdiction.

OIG-NYPD can be reached for a formal complaint by a variety of means, including in-person interviews, online form, phone, email, fax, and U.S. mail:



**In-Person
Interview**



Online Form



Phone



Email



Fax



U.S. Mail

III. 2015-2020 SYSTEMIC INVESTIGATIONS, REVIEWS, STUDIES, AND AUDITS: UPDATED NYPD RESPONSES TO RECOMMENDATIONS

This section summarizes the findings and recommendations made in the 16 reports OIG-NYPD released from 2015 through 2019, and assesses the progress made by NYPD towards implementing the recommendations in these reports. Previously implemented recommendations, and recommendations that are no longer applicable to the Department, are listed in Appendix A.

This section also summarizes DOI's 2020 Report regarding NYPD's protest response. The status of the recommendations made in that Report can be seen in the DOI Policy and Procedure Recommendations Portal, [here](#).

INVESTIGATION INTO NYPD RESPONSE TO THE GEORGE FLOYD PROTESTS (DOI Report)

December 18, 2020

Following the killing of George Floyd by a Minneapolis police officer, New York City saw mass protests concerning racism, policing, and accountability. As these protests evolved, DOI received a directive from the Mayor's Office, and a written referral from members of City Council, to investigate NYPD's protest response.

DOI investigators reviewed thousands of pages of NYPD records and footage, in addition to publicly available video, witness statements, and observer reports to examine NYPD's institutional protest response. DOI also reviewed various studies and published reports on protest policing practices, and interviewed experts on policing issues. As part of this review, DOI interviewed a number of senior NYPD leaders, including then-Police Commissioner Dermot Shea and then-Chief of Department Terence Monahan.

This Report identified deficiencies in NYPD's protest response. NYPD lacked both a central community affairs strategy as well as a strategy for responding to large-scale protests. As a result, NYPD applied "disorder control" tactics, including use-of-force and crowd-control methods like kettling, which produced heightened enforcement and escalated tensions between protesters and police. Reliance on these tactics by police officers may have occurred, in part, because most responding officers had not received training on policing protests, although a specialized unit within NYPD did receive such training. In addition, DOI found that some decisions by NYPD relied on intelligence without appropriate consideration of context or proportionality, thereby contributing to enforcement responses disproportionate to the circumstances. DOI also found that NYPD did not have a system with the capacity to track sufficient protest data.

DOI's report made 22 recommendations, organized into two parts. The recommendations in Part I aimed to improve NYPD's policies related to policing protests, while those recommendations in Part II focused on external oversight of the

Department.

For more information about the findings or recommendations issued in this Report, a copy of the original report can be found [here](#).

DOI and NYPD are working together to track the statuses of the recommendations in this report. DOI updates the statuses of the recommendations made to agencies City-wide on a quarterly basis in its DOI Policy and Procedure Recommendations Portal, [here](#). An assessment of the recommendations' statuses can also be found on NYPD's website, [here](#).

AN INVESTIGATION OF NYPD’S OFFICER WELLNESS AND SAFETY SERVICES

September 24, 2019 Report

OIG-NYPD’s Officer Wellness and Safety Report examined the services available to NYPD’s officers in need of assistance and explored the extent to which officers were aware of these services, were taking advantage of them, and how support services could be enhanced and made more widely available. The investigation included meeting with NYPD support services personnel and associated NYPD units, attending NYPD trainings, and speaking with several NYPD unions. As a key part of its review, OIG-NYPD also sought to understand the effectiveness and use of NYPD’s mental health resources by administering a survey to uniformed NYPD personnel who had completed their service.

OIG-NYPD made 12 recommendations aimed at enhancing NYPD’s mental health and wellness services.

For more information about the findings and recommendations, a full copy of the original Report can be found [here](#).

NYPD has implemented eight of the 12 recommendations issued in this Report. Those recommendations (1, 4, 5, 8-10) not listed below were implemented prior to the issuance of this Annual Report, and are listed in Appendix A. The statuses of the outstanding recommendations are detailed below.

AN INVESTIGATION OF NYPD’S OFFICER WELLNESS AND SAFETY SERVICES (SEPTEMBER 2019 REPORT)	
OIG-NYPD’S RECOMMENDATION	NYPD RESPONSE AND OIG-NYPD ASSESSMENT
2	<p>Changed from Partially Implemented to Implemented</p> <p>The responses to the 2019 survey demonstrated that NYPD officers were interested in additional services provided by the Department. The Health and Wellness Section (HWS) used the results of that initial survey to create programs for members of service, including the peer support program.</p> <p>NYPD reports that it has created and distributed a survey to participants of its Critical Incident Stress Management Program, which identifies and provides support to members of service who have been involved in traumatic incidents. The responses to that survey will be used to explore outcomes of the program.</p>

		<p>Additionally, the HWS leadership, are creating a follow-up wellness survey to be distributed Department-wide.</p>
<p>3</p>	<p>Consistent with the size of the Department, NYPD should increase the staffing levels in the Health and Wellness Section to include full-time licensed mental health professionals and support staff with appropriate levels of competency in the areas of mental health and wellness.</p>	<p>Unchanged: Partially Implemented</p> <p>Prior to the 2021 Annual Report, NYPD committed to hiring 17 full-time staff. To date, HWS is staffed by 11 personnel, including a Director, a Deputy Director, two level two psychologists, a clerical coordinator, and a uniformed team that assists with scheduling, training initiatives, incident identification, and various post-incident follow-up support.</p> <p>NYPD reports that it is working to onboard additional psychologists.</p> <p>OIG-NYPD will continue to monitor HWS staffing levels until sufficient.</p>
<p>6</p>	<p>NYPD should study the feasibility of establishing mandatory periodic mental health checks for all police officers or certain categories of at-risk officers.</p>	<p>Unchanged: Under Consideration</p> <p>According to NYPD, it is still exploring this option with labor unions, as it has been since this Report’s release. Implementation of this recommendation would be subject to collective bargaining.</p> <p>OIG-NYPD will continue to monitor this issue.</p>
<p>7</p>	<p>NYPD should modify its early intervention system—Risk Assessment Information Liability System (RAILS)—to include an “officer wellness” category, based on various relevant indicators, so that NYPD personnel requiring officer wellness intervention can be identified.</p>	<p>Changed from Rejected to Implemented</p> <p>NYPD has designated a sergeant to identify potentially at-risk members, by reviewing RAILS for low evaluations, chronic sick time, suspensions or modifications potentially involving domestic incidents, force allegations, or military affiliations, all of which it considers indicators of officer wellness. Officers identified can be referred to the Employee Assistance Unit for debriefing. To date, 690 members of service have been identified and referred in this way.</p> <p>Although NYPD’s RAILS system does not have an “officer wellness” category, the review of the existing categories in RAILS, as set out above, is an appropriate method of identifying officers who may require early intervention. As a result, OIG-NYPD will deem this recommendation implemented.</p>

		<p>NYPD reports that it will be integrating RAILS into a new system, the Central Personnel Resource System (CPRS), in August 2022. OIG-NYPD will re-evaluate this recommendation following the implementation of that system.</p>
<p>11</p>	<p>NYPD should explore the needs of its retired personnel and endeavor to make wellness support services available to them for a reasonable period of time following retirement or separation.</p>	<p>Unchanged: Under Consideration</p> <p>NYPD reports that a retirement coordinator has been hired. Pre-retirement informational sessions are now being held, as well as resume building programs, and wellness appointments for members of service. According to NYPD, a Post Transition Sponsorship Program is being developed to assist NYPD retirees with maintaining connections post-retirement.</p> <p>There is no timeline identified by which NYPD will provide <i>post-separation</i> services to retired personnel. OIG-NYPD will continue to monitor this issue.</p>
<p>12</p>	<p>NYPD should put in place mechanisms to ensure that the privacy rights of NYPD personnel are respected and strictly protected, both internally and externally, so that information relating to officer health and wellness is not misused and is accessible only by those who need to know. Such efforts should be informed by discussions with officers and representative organizations like police unions and fraternal organizations.</p>	<p>Unchanged: Accepted in Principle</p> <p>According to NYPD, the Department is committed to ensuring the privacy rights of NYPD personnel.</p> <p>NYPD plans to move the location of the HWS section to a private dedicated clinical space. Additionally, it seeks to begin using a confidential medical database for documentation storage, and a HIPPA compliant virtual platform designed for the provision of mental health care, pending approval. A start date for use has not been provided.</p> <p>OIG-NYPD will continue to monitor this issue.</p>

COMPLAINTS OF BIASED POLICING IN NEW YORK CITY: AN ASSESSMENT OF NYPD'S INVESTIGATIONS, POLICIES, AND TRAINING

June 26, 2019 Report

Biased policing is any discriminatory action (or inaction) by law enforcement that is motivated, even in part, by a person's actual or perceived status protected by law (for example, race, gender, sexual orientation, etc.). Biased policing, whether perceived or actual, is a matter of significant public concern because some communities, including communities of color, report high levels of distrust of the police, as the remedial process of *Floyd v. City of New York* has documented.⁹ After a Court found that NYPD's "stop, question, and frisk" policies and practices resulted in disproportionate and discriminatory stop-and-frisks of hundreds of thousands of Black and Latino people, the Court ordered NYPD to begin investigating complaints of biased policing, such as racial profiling. OIG-NYPD subsequently conducted an independent investigation that culminated in this 2019 Report. To perform its investigation OIG-NYPD analyzed over 5,000 pages of NYPD documents related to 888 allegations which covered a two-and-a-half year period, attended NYPD's trainings related to biased policing, and interviewed NYPD investigators who handled such allegations

The Report determined that from 2014, when NYPD began separately investigating and tracking such complaints, through the end of 2018, members of the public made at least 2,495 complaints of biased policing and the Department did not substantiate a single allegation. Among other findings, the Office found NYPD's method of investigation and tracking such allegations was inadequate in certain respects.

The investigation also revealed that the Civilian Complaint Review Board (CCRB), the City's primary agency charged with independently investigating allegations of police officer misconduct, is the *only* independent police review agency (of the agencies responsible for the 20 largest police departments in the U.S.) that does not investigate complaints of biased policing made against officers. Additionally, OIG-NYPD determined that NYPD does not investigate an officer's use of offensive or derogatory language related to a complainant's actual or perceived protected status, such as use of a racial slur, as biased policing. Instead, NYPD refers the matter to CCRB for investigation as Offensive Language.

Subsequent to the release of OIG-NYPD's 2019 Report, NYC Council passed legislation (Local Law No. 047 of 2021) in April 2021, which clarified that CCRB has the authority to investigate biased policing. This change is consistent with a recommendation made in this Report (recommendation #21). Furthermore, CCRB

⁹ See Belen, et al., *New York City Joint Remedial Process: Final Report and Recommendations on NYPD's Stop, Question, and Frisk and Trespass Enforcement Policies* (May 15, 2018), pursuant to Opinion and Order in *Floyd v. City of New York*, 959 F. Supp. 2d 540 (2013) (No. 08-CIV-1034-SAS-HBP, ECF No. 372 at p. 8 (Aug. 12, 2013)).

informed OIG-NYPD that, in response to the legislation, it has “hired a Director and is in the process of staffing” its new Racial Profiling and Bias Based Policing Unit. Although NYPD previously informed OIG-NYPD that biased policing “will no longer be investigated by [NYPD], but instead by CCRB and then either prosecuted or adjudicated by CCRB” once the unit is fully staffed, CCRB’s investigative jurisdiction only covers *uniformed* members of NYPD.¹⁰ Therefore, the approximately 19,000 non-uniformed members of NYPD (e.g., School Safety Agents, Traffic Enforcement Agents, etc.) will, in fact, continue to be investigated by NYPD for biased policing. OIG-NYPD has not yet received the requested information related to any policies, practices, and procedures for investigating non-uniformed members of NYPD who allegedly engage in biased policing. Progress towards implementation of the Report’s recommendations will be assessed based on current NYPD and CCRB practices of which OIG-NYPD is aware.

The Report makes 23 recommendations, the majority of which are addressed to NYPD. Four of the recommendations in this Report relate to either CCRB and/or the City’s Commission on Human Rights (CCHR); these recommendations also improve the City’s handling of biased policing complaints.

For more information about the findings and recommendations, a full copy of the Report can be found [here](#).

NYPD has implemented eight of the 21 recommendations addressed to it. CCRB has not yet fully implemented the two recommendations addressed to it. Those recommendations (4-8, 10, 13, 22) not listed below were implemented prior to the issuance of this Annual Report and can be found in Appendix A. The statuses of the outstanding recommendations are as follows.

COMPLAINTS OF BIASED POLICING IN NEW YORK CITY: AN ASSESSMENT OF NYPD’S INVESTIGATIONS, POLICIES, AND TRAINING (JUNE 2019 REPORT)	
OIG-NYPD’S RECOMMENDATION	NYPD RESPONSE AND OIG-NYPD ASSESSMENT
1 NYPD should amend its Patrol Guide policies to explicitly require NYPD officers and non-uniformed employees to report instances of biased policing upon observing or becoming aware of such conduct.	<p>Unchanged: Rejected</p> <p>NYPD’s Patrol Guide § 207-21, “Allegations of Corruption and Other Misconduct Against Members of the Service,” requires uniformed members who observe misconduct such as “the use of excessive force or perjury” to report it. Although NYPD explicitly cites “excessive force” and “perjury” in this Patrol Guide policy, NYPD continues to reject OIG-NYPD’s</p>

¹⁰ N.Y.C. Charter § 440(c)(1)

		<p>recommendation to also include explicit language requiring the reporting of biased policing.</p> <p>Therefore, OIG-NYPD has deemed this recommendation rejected.</p>
2	<p>NYPD should amend its Patrol Guide policies so that complaints alleging the use of offensive or derogatory language associated with an individual’s actual or perceived protected status, such as racial slurs, are classified as biased policing if there is a discriminatory intent.</p>	<p>Unchanged: Rejected</p> <p>NYPD takes the position that a discriminatory slur, such as a racial slur, cannot satisfy the requirement under Administrative Code § 14-151, that prohibits biased policing, because only an “action” can constitute biased policing. OIG-NYPD maintains its view that slurs by active-duty officers directed towards members of the public because of their protected status are in fact actions. NYPD’s Patrol Guide is inconsistent with the policies of other U.S. police departments in that it fails to recognize that the use of discriminatory slurs in this manner can constitute biased policing.</p> <p>Therefore, OIG-NYPD has deemed this recommendation rejected.</p>
3	<p>NYPD should amend its <i>written</i> investigative procedures related to biased policing so that offensive or derogatory language associated with an individual’s actual or perceived protected status, such as an officer’s use of racial slurs, is classified, investigated, and adjudicated as a biased policing matter.</p>	<p>Unchanged: Rejected</p> <p>The City plans to transfer responsibility for complaints of biased policing by uniformed officers to CCRB once its Racial Profiling and Bias Based Policing Unit is fully staffed. However, in the interim, NYPD declines to amend the written investigative procedures by which it conducts biased policing investigations.</p> <p>Additionally, non-uniformed members of NYPD (e.g., School Safety Agents, Traffic Enforcement Agents, etc.) will continue to be investigated by NYPD for biased policing using the existing written procedures (which do not classify the use of slurs related to protected status as biased policing), because CCRB’s investigative jurisdiction is limited to <i>uniformed</i> members of NYPD.</p> <p>Therefore, OIG-NYPD has deemed this recommendation rejected.</p>
9	<p>NYPD should make records of complaints and investigations of biased policing allegations available to CCHR for analysis and review.</p>	<p>Unchanged: Accepted in Principle</p> <p>According to NYPD, it complies with appropriate request(s) for closed biased policing complaint</p>

		<p>information from CCHR. However, the Department has declined to provide documentation of such compliance to OIG-NYPD.</p>
<p>11</p>	<p>NYPD should develop a checklist of all the required protocols for investigating allegations of biased policing, such as interviewing complainants and sub-classifying all applicable protected statuses.</p>	<p>Unchanged: Rejected</p> <p>The City plans to transfer responsibility for complaints of biased policing by uniformed officers to CCRB once its Racial Profiling and Bias Based Policing Unit is fully staffed. However, in the interim, NYPD will continue to conduct these investigations by using existing processes, and without a checklist.</p> <p>Additionally, non-uniformed members of NYPD (e.g., School Safety Agents, Traffic Enforcement Agents, etc.) will continue to be investigated by NYPD for biased policing using the existing written procedures, because CCRB’s investigative jurisdiction is limited to <i>uniformed</i> members of NYPD.</p> <p>Therefore, OIG-NYPD has deemed this recommendation rejected.</p>
<p>12</p>	<p>Investigators should be required to complete and submit to their supervisors the checklist with their case closing reports.</p>	<p>Unchanged: Rejected</p> <p>The City plans to transfer responsibility for complaints of biased policing by uniformed officers to CCRB once its Racial Profiling and Bias Based Policing Unit is fully staffed. However, in the interim, NYPD investigators continue to use the existing process that does not require investigators to complete and submit a checklist to their supervisors.</p> <p>Additionally, non-uniformed members of NYPD (e.g., School Safety Agents, Traffic Enforcement Agents, etc.) will continue to be investigated by NYPD under the existing process, because CCRB’s investigative jurisdiction is limited to <i>uniformed</i> members of NYPD.</p> <p>Therefore, OIG-NYPD has deemed this recommendation rejected.</p>
<p>14</p>	<p>With respect to complaints of biased policing, NYPD should ensure that IAB’s case management system contains the same controls found in the ICMT system used by NYPD’s Bureau/Borough investigators,</p>	<p>Unchanged: Rejected</p> <p>The City plans to transfer responsibility for complaints of biased policing by uniformed officers to CCRB once its Racial Profiling and Bias Based Policing Unit is fully staffed. In the interim, Internal Affairs Bureau</p>

	<p>including controls regarding the requisite number of attempts to contact complainants. This will ensure that the necessary requirements of an investigation are completed prior to the closure of all biased policing cases.</p>	<p>(IAB) investigators continue to use its Internal Case Management System, which does not require a successful contact with the complainant or three documented contact attempts before the case can be closed.</p> <p>Additionally, non-uniformed members of NYPD (e.g., School Safety Agents, Traffic Enforcement Agents, etc.) will continue to be investigated by NYPD under the existing process, even after CCRB completes the staffing process of its new unit because CCRB’s investigative jurisdiction is limited to <i>uniformed</i> members of NYPD.</p> <p>Therefore, OIG-NYPD has deemed this recommendation rejected.</p>
<p>15</p>	<p>NYPD should develop and implement a pilot mediation program for some biased policing complaints. As part of that program, NYPD should develop criteria for referring to mediation cases involving both uniformed and non-uniformed members.</p>	<p>Changed from Accepted in Principle to Rejected</p> <p>The City plans to transfer responsibility for complaints of biased policing by uniformed officers to CCRB once its Racial Profiling and Bias Based Policing Unit is fully staffed. However, in the interim, there is no mediation process in place for any biased policing complaints.</p> <p>Additionally, non-uniformed members of NYPD (e.g., School Safety Agents, Traffic Enforcement Agents, etc.) will continue to be investigated by NYPD under the existing process, because CCRB’s investigative jurisdiction will be limited to <i>uniformed</i> members of NYPD.</p> <p>Therefore, OIG-NYPD has deemed this recommendation rejected.</p>
<p>16</p>	<p>NYPD’s RAILS should be expanded to capture unsubstantiated biased policing allegations involving both uniformed and non-uniformed members.</p>	<p>Unchanged: Rejected</p> <p>NYPD has early intervention programs that may consider unsubstantiated biased policing allegations. However, RAILS, NYPD’s early intervention program dedicated to providing real-time alerts to supervisors does not include unsubstantiated biased policing allegations as one of the triggers for early intervention.</p> <p>Therefore, OIG-NYPD has deemed this recommendation rejected.</p>

<p>17</p>	<p>NYPD’s Performance Monitoring Program should develop monitoring criteria to include officers and non-uniformed employees who are the subject of biased policing complaints, regardless of substantiation, modeled on the metrics currently in use for excessive force complaints.</p>	<p>Changed from Accepted in Principle to Rejected</p> <p>The City plans to transfer responsibility for complaints of biased policing by uniformed officers to CCRB once its Racial Profiling and Bias Based Policing Unit is fully staffed. After this is done, some of these allegations will become CCRB complaints and thus have adequate performance monitoring criteria. However, in the interim, NYPD has not changed its performance monitoring criteria to include biased policing complaints, regardless of substantiation.</p> <p>Additionally, non-uniformed members of NYPD (e.g., School Safety Agents, Traffic Enforcement Agents, etc.) will continue to be investigated by NYPD under the existing process, because CCRB’s investigative jurisdiction is limited to <i>uniformed</i> members of NYPD.</p> <p>Therefore, OIG-NYPD has deemed this recommendation rejected.</p>
<p>18</p>	<p>NYPD should develop written materials to educate the public about what biased policing is and how members of the public can file biased policing complaints. This information should be conspicuously visible on NYPD’s website and in other locations where such information would be readily available to the public.</p>	<p>Unchanged: Rejected</p> <p>NYPD has not made the relevant biased policing information conspicuously visible on its website, nor has the Department developed written materials to educate the public about what biased policing is and how members of the public can file complaints.</p> <p>Therefore, OIG-NYPD has deemed this recommendation rejected.</p>
<p>19</p>	<p>NYPD should publish statistics for the public as part of an annual report covering biased policing. These statistics should, at a minimum, include a breakdown of the following:</p> <ul style="list-style-type: none"> (i) the subject officer’s uniformed versus non-uniformed status, bureau or unit assignment, gender, race/ethnicity, age, and length of service to the Department; (ii) the self-reported demographics (race/ethnicity, sex, age, etc.) of complainants; 	<p>Unchanged: Rejected</p> <p>The City plans to transfer responsibility for complaints of biased policing by uniformed officers to CCRB once its Racial Profiling and Bias Based Policing Unit is fully staffed. However, this does not prevent NYPD from publicly reporting the various statistics and information that OIG-NYPD recommends.</p> <p>Therefore, since the Department is not providing the recommended transparency to the public, OIG-NYPD has deemed this recommendation rejected.</p>

	<p>(iii) the types of police encounters that resulted in complaints of biased policing;</p> <p>(iv) the number of biased policing complaints initiated by borough and precinct;</p> <p>(v) the discriminatory policing conduct alleged;</p> <p>(vi) the sub-classifications and outcomes of such complaints; and</p> <p>(vii) the status of the Department’s efforts to prevent biased policing. This information should be conspicuously visible on NYPD’s website and in other locations where such information would be readily available to the public.</p>	
<p>20</p>	<p>CCRB should add all the protected statuses, such as “National Origin,” “Color,” “Age,” “Alienage,” “Citizenship Status,” and “Housing Status” as outlined in § 14-151 of the NYC Administrative Code and § 203-25 of NYPD’s Patrol Guide, to the sub-classifications of its Offensive Language category.</p>	<p>Changed from Accepted in Principle to Rejected</p> <p>CCRB’s Offensive Language category contains some of the protected statuses as sub-classifications including “Race,” “Ethnicity,” “Gender,” “Gender Identity,” “Sexual Orientation,” “Religion,” “Physical Disability,” and “Other.” However, CCRB does not include <i>all</i> of the protected statuses that are outlined in § 14-151 of the NYC Administrative Code and § 203-25 of NYPD’s Patrol Guide. Sub-classifications should also include “National Origin,” “Color,” “Age,” “Alienage,” “Citizenship Status,” and “Housing Status.”</p> <p>Therefore, OIG-NYPD has deemed this recommendation rejected.</p>
<p>21</p>	<p>CCRB should adopt a policy to classify and investigate allegations of biased policing by uniformed members of NYPD under its Abuse of Authority jurisdiction instead of referring such allegations to IAB for investigation. Consistent with this new authority, CCRB should request additional resources from the City to take on this new responsibility if the</p>	<p>Unchanged: Accepted in Principle</p> <p>CCRB informed OIG-NYPD that it has “hired a Director and is in the process of staffing” it’s new Racial Profiling and Bias Based Policing Unit that will investigate uniformed members of NYPD accused of biased policing practices. According to CCRB, it will commence investigations once it completes its staffing process.</p>

	<p>agency can demonstrate that more resources are necessary.</p>	
<p>23</p>	<p>NYPD, CCRB, and CCHR should develop protocols and procedures to share data and information on biased policing complaints on a regular basis. To the extent that implementing this Report’s recommendations would require CCRB or CCHR to have prompt access to NYPD records (e.g., case files, data, body-worn camera video, etc.), protocols should be established so that NYPD will commit itself to providing such access to these agencies.</p>	<p>Unchanged: Accepted in Principle</p> <p>According to NYPD, it is committed to complying with requests related to biased policing from CCHR.</p> <p>According to CCRB, its new Racial Profiling and Bias Based Policing Unit will work with NYPD to develop protocols and procedures by which it will conduct its biased policing investigations.</p>

2019 ASSESSMENT OF LITIGATION DATA INVOLVING NYPD

April 30, 2019 Report

Pursuant to Local Law 166 and as a follow-up to OIG-NYPD’s previously issued reports on police use of litigation data in 2015 and 2018, in April 2019 the Office assessed NYPD’s ongoing efforts to track and analyze data from claims and lawsuits, with a particular focus on the Department’s early intervention system, the Risk Assessment Information Liability System (RAILS). OIG-NYPD conducted an analysis of civil actions filed against the Department alleging misconduct from the years 2014 to 2018 using litigation data publicly released by the New York City Law Department. The review of this five-year period found that while there was a 49 percent decline in the number of NYPD-related lawsuits alleging police misconduct during the period as a whole, there was a large uptick in the number of lawsuits filed from 2017 to 2018.

The review concluded that the Department was tracking more data on lawsuits and claims, including the nature of the claim, the location of the incident, and details about the subject officer than the Department tracked as of the Office’s 2015 report. The Report made four recommendations for NYPD to continue to build upon RAILS as a tool for tracking misconduct allegations and to ensure that supervisors are effectively prepared to use the system.

For more information about the findings and recommendations, a full copy of the Report can be found [here](#).

NYPD has not fully implemented any of the four recommendations issued in this Report. The statuses of the recommendations are as follows.

ASSESSMENT OF LITIGATION DATA INVOLVING NYPD (APRIL 2019 REPORT)	
OIG-NYPD'S RECOMMENDATION	NYPD RESPONSE AND OIG-NYPD ASSESSMENT
1 NYPD should consider incorporating peer officer averages and performance indicator ratios in its thresholds for RAILS, or other approaches that would account for officers with greater activity who may not necessarily exhibit problematic behavior.	<p>Unchanged: Under Consideration</p> <p>NYPD states that it has a target date of August 2022 to integrate RAILS into a new system, Central Personnel Resource System (CPRS), that, once functional, may be able to incorporate peer officer averages and performance indicator ratios.</p> <p>Therefore, OIG-NYPD deems this recommendation under consideration.</p>

<p>2</p>	<p>NYPD should seek input from supervisors in further developments of RAILS and create a mechanism for supervisors to direct their feedback. Supervisors should be involved in each stage of the development and implementation process for RAILS. NYPD should have a formal, standing mechanism for supervisors to direct their feedback, including any problems or concerns with the system.</p>	<p>Unchanged: Partially Implemented</p> <p>Although NYPD held a working group in January 2019 for supervisors, it has not created a formal, standing mechanism for supervisors to direct their feedback about RAILS. NYPD states that it has a target date of August 2022 to integrate RAILS into a new system, Central Personnel Resource System (CPRS), that, once functional, may be able to create such a formal, standing, mechanism.</p> <p>Since NYPD held the working group in January 2019, but did not create a formal, standing mechanism, OIG-NYPD deems this recommendation partially implemented.</p>
<p>3</p>	<p>NYPD should ensure that sufficient and ongoing training is available to all supervisors once RAILS is fully developed. Such training should specifically take into account supervisors’ new roles and responsibilities with the system.</p>	<p>Unchanged: Under Consideration</p> <p>NYPD has had no new trainings on this subject since April 2019. Furthermore, NYPD states that it has a target date of August 2022 to integrate RAILS into a new system, Central Personnel Resource System (CPRS), that, once functional, may be able to allow such trainings.</p> <p>Therefore, OIG-NYPD deems this recommendation is under consideration.</p>
<p>4</p>	<p>NYPD should ensure there are procedures in place before RAILS is fully implemented to hold supervisors accountable for upholding their responsibilities concerning the system. These procedures should include a policy outlining how often supervisors should log on to RAILS and review their alerts. NYPD should also take steps to confirm that supervisors are following this policy as directed, such as by conducting regular audits of the system.</p>	<p>Unchanged: Accepted in Principle</p> <p>According to NYPD it has a target date of August 2022 to integrate RAILS into a new system, Central Personnel Resource System (CPRS). NYPD states that once that system is operational, the policies and procedures will be communicated to ensure that supervisors are appropriately discharging their duties under the system.</p>

ONGOING EXAMINATION OF LITIGATION DATA INVOLVING NYPD

April 30, 2018 Report

In response to OIG-NYPD’s 2015 Report, the City Council passed Local Law No. 166. The law required the Office of the Inspector General for the NYPD to collect, evaluate, and report on information concerning improper police conduct by analyzing claims and lawsuits filed against the Department. Pursuant to this law, the Office released its 2018 Report proposing how NYPD can use data from lawsuits to improve policing.

Though the filing of a lawsuit does not necessarily demonstrate improper police conduct, NYPD can still use lawsuit trends to identify areas warranting closer review of Departmental operations, and consider any needed policy or practice changes. This Report underscored the types of data trends NYPD should assess. OIG-NYPD identified precincts that experienced increases or decreases in various types of allegations (e.g., false arrests, excessive force, etc.), and found that, while NYPD acknowledged the benefits of analyzing litigation data, it was not using its early intervention system to track the number, types, and outcomes of lawsuits filed against individual officers. In addition, to the extent NYPD had conducted any litigation data analysis, the results had not been made public.

OIG-NYPD made five recommendations concerning NYPD’s litigation data-tracking system, intended to use such data to identify both individual officers at risk, as well as Department-wide areas for improvement.

For more information about the findings and recommendations, a full copy of the Report can be found [here](#).

NYPD has only implemented one out of the five recommendations issued in this Report. That recommendation (3) can be found in Appendix A. The statuses of the outstanding recommendations are as follows.

ONGOING EXAMINATION OF LITIGATION DATA INVOLVING NYPD (APRIL 2018 REPORT)	
OIG-NYPD’S RECOMMENDATION	NYPD RESPONSE AND OIG-NYPD ASSESSMENT
1	<p>Unchanged: Partially Implemented</p> <p>NYPD has not included lawsuits that it believes to be “meritless” in its early intervention system. OIG-NYPD maintains that by not including supposedly “meritless” litigation in this system, NYPD’s analysis is too limited. Additionally, the Department has raised concerns that this recommendation will require additional staffing.</p>

	<p>should review and analyze patterns and trends such as those shown in DOI’s analysis of the 77th Precinct.</p>	<p>OIG-NYPD asserts that there is value in a broader, Department-wide analysis of litigation and claims data.</p>
<p>2</p>	<p>Based on the findings that result from such analyses, NYPD should create internal reports that describe specific Department-wide and precinct or unit level patterns and trends in legal claims and should share these reports with command leadership.</p>	<p>Unchanged: Partially Implemented</p> <p>While NYPD conducts some trend analysis of lawsuits and claims, the Department has continued to reject the OIG-NYPD’s recommendation that the Department to conduct data analysis of all lawsuits.</p> <p>OIG-NYPD maintains there is value in a broader, Department-wide analysis and that reports can be generated without violating legal privileges.</p>
<p>4</p>	<p>NYPD should create public reports that do not violate rules of confidentiality, taking care to disclose only the number and the general nature of claims filed against the Department as well as the current state of any interventions or policy changes.</p>	<p>Unchanged: Rejected</p> <p>NYPD continues to reject OIG-NYPD’s recommendation because it asserts that public reports would open the Department up to unnecessary litigation. OIG-NYPD maintains that NYPD could release such a report while taking care to disclose only the number and the general nature of claims filed against the Department.</p> <p>In an effort to provide greater transparency to the public, OIG-NYPD stands by the original recommendation.</p>
<p>5</p>	<p>NYPD should increase the number of employees focusing primarily on tracking litigation trends in order for NYPD to conduct proactive litigation analysis so that patterns and trends can be identified, tracked, and, where necessary, addressed.</p>	<p>Changed from Under Consideration to Rejected</p> <p>NYPD asserts that it continually assesses its staffing levels, despite staffing constraints. Nonetheless, NYPD has not increased the number of employees focusing primarily on tracking litigation trends since OIG-NYPD made it’s 2018 recommendation and has not confirmed that it will do so, OIG-NYPD has deemed this recommendation rejected.</p>

AN INVESTIGATION OF NYPD’S SPECIAL VICTIMS DIVISION—ADULT SEX CRIMES

March 26, 2018 Report

In 2018, OIG-NYPD released a Report focusing on NYPD’s Special Victims Division’s (SVD) staffing resources. The New York City Council took legislative action in response to the Report’s findings, requiring public reporting on SVD’s case-management system, staffing, caseload, and training. These reports can be found on NYPD’s website.¹¹

By 2021, NYPD appeared to make notable progress on almost every recommendation. At the time, however, two barriers remained that have a negative impact on full implementation: (1) the recommendations have not been “codified” as policies or procedural requirements and thus the progress that has been made could easily be reversed and (2) funding.

Over the course of the past year, progress on the remaining recommendations has largely stalled. City funding remains an obstacle to increasing promotional opportunities at SVD, and OIG-NYPD reiterates its call for the City Council and the Mayor to make invest the necessary resources in SVD. With respect to the recommendations within NYPD’s control, NYPD has not yet codified the recommendations into official Department policy.

Overall, NYPD has made significant progress towards implementation and deserves recognition for its efforts. However, there is still more work to be done to achieve full implementation. The Office will continue to monitor NYPD’s implementation of the Report’s recommendations.

For more information about the findings and recommendations, a full copy of the Report can be found [here](#).

NYPD has fully implemented five of the 12 recommendations made in this Report. Those recommendations (1, 6, 7, 11, 12) not listed below were implemented prior to the issuance of this Annual Report, and are listed in Appendix A. The statuses of the outstanding recommendations are as follows.

AN INVESTIGATION OF NYPD’S SPECIAL VICTIMS DIVISION—ADULT SEX CRIMES (MARCH 2018 REPORT)	
OIG-NYPD’S RECOMMENDATION	NYPD RESPONSE AND OIG-NYPD ASSESSMENT
2 In order to prevent a recurrence of understaffing, NYPD should adopt an evidence-based investigative staffing model that relies on actual	Unchanged: Accepted in Principle

¹¹ These laws were codified as N.Y.C. Admin. Code §§ 14-178, 14-179, and 14-180; *Special Victims Division Reports*, N.Y.P.D., <https://www1.nyc.gov/site/nypd/stats/reports-analysis/svd.page> (last visited Mar. 30, 2020).

	<p>investigative hours available and projected caseload (not caseload alone) and continuously monitor SVD caseloads and staffing levels to ensure the appropriate number of staff are available for the assigned caseloads.</p>	<p>NYPD provided to OIG-NYPD the underlying staffing model used to achieve implementation of recommendation 1.</p> <p>Instead of using the target of average “investigative hours” required to properly close a case, NYPD uses the target of the number of cases that have been properly closed in one month. With this new caseload model, the caseload target is no longer arbitrary, or based on other detective squads that do substantially different work. Instead, the caseload target was obtained by examining the investigative capacity of an SVD investigator’s full tour in one month.</p> <p>OIG-NYPD has maintained that NYPD need not adopt the exact staffing formula proposed in its Report, as long as the formula is evidence-based and reliant on investigative hours available instead of caseload alone.</p> <p>While an acceptable formula, NYPD has not formalized this new staffing model as official Departmental policy. It is not codified as part of the Patrol Guide, Operation Order, or any official Department document. Without formal adoption, this recommendation is not considered implemented, and is instead accepted in principle.</p>
<p>3</p>	<p>Since staffing deficiencies are not unique to adult sex crime units alone, NYPD should use the staffing model adopted in Recommendation 2 to appropriately staff the other SVD sub-units.</p>	<p>Unchanged: Accepted in Principle</p> <p>See Recommendation 2 above. NYPD is using a seemingly appropriate staffing model in practice, but has yet to formalize this practice as official policy in writing.</p>
<p>4</p>	<p>NYPD should immediately take steps to improve SVD’s ability to recruit and retain experienced detectives by making SVD a “graded” division. Once completed, NYPD should end the practice of transferring officers to SVD without extensive investigative experience.</p>	<p>Unchanged: Under Consideration</p> <p>NYPD continues to report that SVD is sufficiently staffed such that “white shield” investigators are no longer given primary investigative or case responsibility. Instead, they spend their time as white shields in a training capacity. This is a positive development.</p> <p>In terms of “grading” and promotions, according to NYPD SVD’s promotional structure is again under consideration but promotions are a practical impossibility due to the City’s fiscal situation. OIG-</p>

		<p>NYPD asks that the City Council and the Mayor prioritize funding these reforms. Until such structure is finalized this recommendation would not be considered implemented.</p> <p>OIG-NYPD will continue to monitor this recommendation.</p>
5	<p>NYPD should increase in-house training opportunities for SVD staff in order to better prepare them for the rigors and unique nature of SVD work. The depth and rigor of this training should be equivalent to the training provided to other specialized units in NYPD.</p>	<p>Changed from Accepted in Principle to Partially Implemented</p> <p>NYPD reiterates that it has implemented new in-house training opportunities for SVD investigators that largely meet the spirit of this recommendation. Further, as noted in recommendation 4 above, NYPD reports that SVD no longer uses white shields in a primarily investigative role. Instead, investigators spend their time as white shields in a six-month training and observation role. SVD has also reintroduced enhanced specialized training for SVD staff.</p> <p>This recommendation, however, is not yet considered implemented because these changes are not official Departmental policy and could change at any time. Therefore, OIG-NYPD will continue to monitor this recommendation to ensure full implementation.</p>
8	<p>NYPD should find new physical locations and/or completely renovate all five SVD adult sex crime unit locations. These new physical locations should be easily accessible from public transportation and built out in the model of the Children’s Advocacy Centers now operational in New York City.</p>	<p>Unchanged: Partially Implemented</p> <p>While some progress has been made on this front, there is still additional work to be done.</p> <p>OIG-NYPD understands that the capital budget process is largely not within NYPD’s control, and can take some time to complete. It has, however, been more than three years since the Report was published. As with recommendation 4, OIG-NYPD urges the City to provide adequate budget funding to implement this recommendation.</p>
9	<p>NYPD should invest in a new case management system for SVD that would replace ECMS. The new system should have the highest security protocols and limit access to the case detective and their immediate supervisors within SVD.</p>	<p>Changed from Accepted in Principle to Partially Implemented</p> <p>In the 2021 Annual Report, OIG-NYPD noted that NYPD had made changes to its ECMS practices to better limit access to SVD files. ECMS audit logs were reviewed and found to be satisfactory. These changes,</p>

	<p>In addition, any new system should have advanced caseload, staff management, and data analysis capabilities.</p>	<p>however, still rely on the legacy ECMS software. Therefore, the Office will continue to monitor to ensure full implementation of the spirit of this recommendation.</p>
<p>10</p>	<p>NYPD should take steps to safeguard the identifying information of sex crimes victims, including conducting a review of the various reports, forms, and memoranda generated during the course of a sex crimes investigation that unnecessarily require the victim’s name, address, or other contact information.</p>	<p>Changed from Rejected to Partially Implemented</p> <p>NYPD states that while some paperwork outside of the ECMS system continues to be generated, these reports no longer include any identifying information of the victims of sex crimes.</p> <p>This recommendation, however, is not yet considered implemented because these changes are not official Departmental policy and could change at any time. Therefore, OIG-NYPD will continue to monitor this recommendation to ensure full implementation.</p>

AN INVESTIGATION OF NYPD'S NEW FORCE REPORTING SYSTEM

February 6, 2018 Report

In June 2016, in response to OIG-NYPD's 2015 Report on Use of Force, the Department replaced its existing use-of-force policies and created a new form: the Threat, Resistance, and Injury Worksheet (T.R.I.). NYPD designed the new form to record certain uses of force by and against police officers, as well as any injuries that occurred during the course of a police action or while an individual was in police custody.

OIG-NYPD's 2018 Report, conceived as a follow-up to the earlier report, examined NYPD's compliance with its new policies. The 2018 Report revealed some gaps and initial missteps in the rollout of the Department's new policies. This Report contained 25 recommendations that, if implemented, would make NYPD's use-of-force data collection process more accurate and effective.

The Department was initially resistant to the 2018 Use of Force Report, rejecting most of the recommendations outright. Starting in 2019, however, the Department began to re-engage with OIG-NYPD to enhance its use-of-force policies. Those policies were re-imagined as T.R.I. 2.0, incorporating many of OIG-NYPD's recommendations.

This past year, NYPD continued to build on some positive changes with respect to its use-of-force policies. NYPD has fully implemented an additional four recommendations, reducing the total number of outstanding recommendations to seven. No progress was made, however, on any of those outstanding recommendations, as to which there are continuing disagreements.

For more information about the findings and recommendations, a full copy of the Report can be found [here](#).

NYPD has now implemented 17 of the 25 recommendations in this Report, and one additional recommendation is no longer applicable to the Department. Those recommendations not listed below (1, 3, 7, 11-14, 16, 17, 19, 21B, 21C, 21E) were implemented prior to the issuance of this Annual Report or are no longer applicable (20), and are listed in Appendix A. The statuses of the outstanding recommendations are as follows.

AN INVESTIGATION OF NYPD’S NEW FORCE REPORTING SYSTEM (FEBRUARY 2018 REPORT)

OIG-NYPD’S RECOMMENDATION	NYPD RESPONSE AND OIG-NYPD ASSESSMENT
<p>2 NYPD should continue to develop its software capabilities. Existing systems initiate the creation of a T.R.I. number when an officer indicates on an arrest report that force was used. Additional software capabilities could enable the system to prompt officers that they may have to complete a T.R.I. when certain arrest charges are entered (such as Resisting Arrest or Assault on a Police Officer), when the arrest report indicates an arrestee or officer injury has occurred, and in other similar scenarios.</p>	<p>Unchanged: Accepted in Principle</p> <p>In the Annual Report for 2020, issued in 2021, NYPD reported that it was still working on linking TRI Forms to arrest reports, and that it may take some time to implement due to fiscal considerations.</p> <p>For this Report, NYPD provided no update. Therefore, the recommendation status remains unchanged.</p> <p>OIG-NYPD will continue to monitor this recommendation. If NYPD does not make progress by the 2023 Annual Report, the recommendation may be considered rejected.</p>
<p>4 NYPD should add additional checkboxes to the T.R.I. worksheet to allow for more specificity in describing the force used by an officer, including a closed fist strike, an open hand strike, and a knee strike.</p>	<p>Changed from Partially Implemented to Implemented</p> <p>In 2019, NYPD made a series of changes to its use-of-force policies, including “T.R.I. 2.0.” As noted in the two previous Annual Reports, while these changes did not actually add the check boxes proposed, these changes accomplished the same goal by capturing similar information using drop-down menus and other dynamic forms in the T.R.I. 2.0 system. In practice, OIG-NYPD observed that T.R.I. 2.0 appeared to be satisfying the spirit of this recommendation.</p> <p>Three years later, NYPD’s T.R.I. 2.0 revisions have proven sustainable and continue to satisfy the spirit of this recommendation. Therefore, this recommendation is considered implemented.</p>
<p>5 NYPD should add a section to the T.R.I. worksheet that prompts officers to indicate where exactly on the person’s body force was used.</p>	<p>Changed from Partially Implemented to Implemented</p> <p>As noted in the two previous Annual Reports, while these changes did not actually add the check boxes proposed, these changes accomplished the same goal by capturing similar information using drop-down menus and other dynamic forms in the T.R.I. 2.0 system. In</p>

		<p>practice, OIG-NYPD observed that T.R.I. 2.0 appeared to be satisfying the spirit of this recommendation.</p> <p>Three years later, NYPD’s T.R.I. 2.0 revisions have proven sustainable and continue to satisfy the spirit of this recommendation. Therefore, this recommendation is considered implemented.</p>
6	<p>NYPD should impose (a) an “end of tour” deadline by which officers must complete a required T.R.I. form, with appropriate exceptions, and (b) appropriate discipline against officers who fail to meet the deadline, except when certain exceptions apply.</p>	<p>Unchanged: Partially Implemented</p> <p>NYPD reports that it has made no changes towards full implementation at this time. Without any changes since last year, this recommendation remains partially implemented.</p>
8	<p>NYPD should reinstate the “Force Used” checkbox on the arrest-processing stamp used in precinct command logs and add an entry on the stamp for force details and the T.R.I. incident number.</p>	<p>Unchanged: Rejected</p> <p>NYPD continues to reject this recommendation and has taken no steps towards implementation. NYPD maintains that this recommendation should be “rescinded” as it is overly “cumbersome,” no longer required by the patrol guide, and made redundant by the T.R.I. 2.0 process.</p> <p>OIG-NYPD stands by its recommendation.</p>
9	<p>NYPD should prompt desk officers to record the details of a force incident and the T.R.I. incident number in the command log, including details from the “Force Used” checkbox on the arrest-processing stamp, as required by Patrol Guide Series 221.</p>	<p>Unchanged: Rejected</p> <p>NYPD continues to reject this recommendation and has taken no steps towards implementation.</p> <p>As with recommendation 8, the benefit of this recommendation applies not only to data capture, but also to the system of mutual accountability created by interconnected levels of responsibility in the use-of-force reporting process. The command log requirement created a system whereby the desk officer and arresting officer both relied on each other to comply with the regulation at the time of booking, and therefore held each other accountable while the arrest was still being processed. The T.R.I. 2.0 system has not replaced this kind of ad-hoc interaction at booking.</p> <p>OIG-NYPD stands by its recommendation.</p>

<p>10</p>	<p>NYPD must enhance supervisory review of all arrest-related documentation at the local command level. In high-volume commands, NYPD should assign specially-trained supervisors at the rank of sergeant or above to carefully review such documents during arrest processing to ensure that all uses of reportable force are properly documented.</p>	<p>Changed from Partially Implemented to Implemented</p> <p>As noted in the two previous Annual Reports, none of the T.R.I. 2.0 changes addressed this recommendation explicitly. In practice, however, OIG-NYPD observed that T.R.I. 2.0 appeared to satisfy the spirit of this recommendation.</p> <p>Three year later, NYPD’s T.R.I. 2.0 revisions have proven sustainable and continue to satisfy the spirit of this recommendation. Therefore, this recommendation is considered implemented.</p>
<p>15</p>	<p>NYPD should revise policies to ensure that the narrative or “Remarks” section of Medical Treatment of Prisoner forms include fact-specific details sufficient to explain the individual’s condition and, where known, what caused the condition. If an individual sustained an injury in the course of the police encounter, the form should specify the type of injury and its cause.</p>	<p>Changed from Partially Implemented to Implemented</p> <p>As noted in the two previous Annual Reports, none of the T.R.I. 2.0 changes addressed this recommendation explicitly. In practice, however, OIG-NYPD observed that T.R.I. 2.0 appeared to satisfy the spirit of this recommendation.</p> <p>Three year later, NYPD’s T.R.I. 2.0 revisions have proven sustainable and continue to satisfy the spirit of this recommendation. Therefore, this recommendation is considered implemented.</p>
<p>18</p>	<p>NYPD should conduct an annual audit of T.R.I. compliance and include the results in its annual and public Use-of-Force report.</p>	<p>Unchanged: Partially Implemented</p> <p>NYPD continues its monthly T.R.I. audits as part of its monthly Force Review Meetings or “ForceStat.”</p> <p>In 2020, NYPD began making much of this data publicly available on its “NYPD Force Dashboard.” This public dashboard, however, has no information regarding T.R.I. compliance, only use-of-force statistics based on T.R.I. data. While NYPD should be commended for making available this public dashboard (see recommendation 21 below), this recommendation is not fully implemented without the publication of the audit results for T.R.I. compliance.</p>
<p>21A</p>	<p>NYPD should use data from T.R.I. forms to publish annual Use-of-Force reports that identify and analyze trends in all force categories. The report should</p>	<p>Unchanged: Partially Implemented</p> <p>NYPD has previously rejected any public reporting requirements that were not explicitly required by law.</p>

	<p>contain all information currently mandated by law and include the following trend analyses:</p> <p>A) All force encounters disaggregated by the reason force was used;</p>	<p>Starting in 2020, however, NYPD began making detailed statistics on use-of-force data from T.R.I.s publicly available on its “NYPD Force Dashboard.” This new tool satisfies many of the subparts of recommendation 21.</p> <p>Specifically, with regard to this recommendation, the Dashboard includes summary statistics for the “Basis of Encounter.” However, that information largely concerns the reason for the interaction that led to injuries, not the reason why force was used.</p> <p>Because the public dashboard represents real change in the Department’s willingness to disclose, it would take only a few tweaks and additions to achieve full implementation.</p> <p>Therefore, this recommendation is partially implemented.</p>
<p>21D</p>	<p>D) Commands with the highest rates of force;</p> <ul style="list-style-type: none"> • Is the frequency of force consistent with crime and arrest rates in these commands? • Are certain units more or less likely to employ force? 	<p>Unchanged: Partially Implemented</p> <p>The NYPD Force Dashboard makes statistics on use-of-force data from T.R.I.s publicly available, including summary data for each NYPD precinct. A user can select individual or multiple precincts and receive summary statistics for incident count, type of force, and basis for encounter. This data can be independently cross referenced with existing public CompStat 2.0 data to answer the hypothetical questions posed by this recommendation.</p> <p>However, the Dashboard only provides information by NYPD Precinct; it does not currently provide information on non-precinct commands such as Transit Bureaus, PSAs, commands in the Detective Bureau, and other specialized units.</p> <p>For this recommendation to be considered implemented, only a few tweaks and additions are needed. Because the dashboard provides data by NYPD Precinct, but not by other non-precinct commands, the status is changed from rejected to partially implemented.</p>

REVIEW OF NYPD'S IMPLEMENTATION OF PATROL GUIDE PROCEDURES CONCERNING TRANSGENDER AND GENDER NONCONFORMING PEOPLE

November 21, 2017 Report

In 2012, following negotiations between NYPD, representatives of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) community and members of the New York City Council, the Department revised its Patrol Guide to address officer approaches to interacting with members of the public who identify as transgender and gender nonconforming (TGNC) while they are being held in custody. Five years after the adoption of those 2012 revisions, OIG-NYPD initiated an evaluation of the changes and their implementation. The resulting 2017 report included nine recommendations for improvements.

As part of its efforts to ensure compliance with the revised Patrol Guide, NYPD released an internal bulletin entitled “Interactions with Members of the Transgender & Gender Nonconforming Communities” in 2020. That document outlined the Patrol Guide procedures regarding gender identity and expression for personnel. A companion guidebook on the topic created by the Department remains in circulation.

In 2021, the City passed legislation clarifying CCRB’s authority to investigate complaints of biased policing (including LGBTQ-related complaints) made against uniformed officers, subsequent to OIG-NYPD’s 2019 report regarding complaints of biased policing. As a result, CCRB created the Racial Profiling and Bias Based Policing Unit, which it is in the process of fully staffing. Moving forward, when allegations of such misconduct are substantiated, CCRB will recommend disciplinary actions for adoption by the Department. At present, those policy and practice changes have not been fully implemented as CCRB continues prepare for the integration of those duties into agency operations.

OIG-NYPD’s assessment of the Department’s progress toward the implementation of this Report’s recommendations, including those which might be affected to some degree by the transfer of authority to CCRB, will continue.

For more information about the findings and recommendations, a full copy of the Report can be found [here](#).

NYPD has implemented five of the nine recommendations issued in this Report. Those recommendations (#2-4, 7) not listed below were implemented prior to the issuance of this Annual Report and can be found in Appendix A. The statuses of the outstanding recommendations are as follows.

REVIEW OF NYPD'S IMPLEMENTATION OF PATROL GUIDE PROCEDURES CONCERNING TRANSGENDER AND GENDER NONCONFORMING PEOPLE (NOVEMBER 2017 REPORT)	
OIG-NYPD'S RECOMMENDATION	NYPD RESPONSE AND OIG-NYPD ASSESSMENT
<p>1 NYPD should provide mandatory in-service training and accompanying resource materials on the 2012 Patrol Guide revisions to all uniformed members through the NYPD-U webinar platform. Training attendance and completion should be tracked to ensure that all members of the police force have received this training. NYPD should conduct this training within the next six months.</p>	<p>Changed from Accepted in Principle to Implemented</p> <p>NYPD reports that since 2012, 47,131 members of service, 90.3% of all personnel, have received the required Equal Employment Opportunity (EEO) training, which includes a module on LGBTQIA+ Diversity and Inclusion, and relevant Patrol Guide revisions. Participation data is collected by the Office of the Chief of Training. In 2021, the Department also issued two updates to the Patrol Guide intended to increase inclusivity for staffers. The first broadened the ways in which employees may update personal information electronically using the Central Personnel Resource System (CPRS), while the second modified the procedure entitled “Member of the Service Seeking to Notify the Department of Transgender or Gender Non-Conforming Transition or Status” to include the personal pronoun “their” in addition to the standard “his” or “her.” Previously developed tools including a gender identity and expression guide, a gender inclusive language resource and an LGBTQ terminology reference are available to members of service via the internal Office of Equity and Inclusion website.</p> <p>On the basis of those procedural and policy changes, this recommendation is implemented.</p>
<p>5 Within six months, NYPD should report to DOI whether and how the Department will change remaining forms and databases to record an individual’s preferred name in a separate field.</p>	<p>Unchanged: Accepted in Principle</p> <p>NYPD reports that it has continued to delay the revision of all relevant forms and databases as recommended pending consultation with relevant community groups. Until a consensus has been reached, a separate field to capture the preferred names of those in custody will not be made universally available.</p> <p>OIG-NYPD will continue to monitor the issue until the recommendation is fulfilled.</p>

<p>6</p>	<p>On a periodic basis, NYPD should make sure that police stations are using updated forms, particularly those documents that are intended to comply with the 2012 revisions.</p>	<p>Unchanged: Accepted in Principle</p> <p>According to NYPD, representatives of the Quality Assurance Division (QUAD) conduct audits of precincts on a routine basis to ensure that the sites are compliant with a range of agency directives on subjects including EEO regulations, which capture LGBTQ-related themes. The assessments include the review of the content of posters, bulletins and other distributed resources. However, OIG-NYPD was not provided with information sufficient to determine whether NYPD is auditing police stations’ use of the updated forms, as was intended to comply with the 2012 revisions. As such, the status of the recommendation remains unchanged.</p> <p>OIG-NYPD will continue to monitor the issue.</p>
<p>8</p>	<p>NYPD Internal Affairs Bureau’s complaint system should be configured to categorize and track all LGBTQ-related allegations that implicate biased conduct, and not just “profiling.” LGBTQ-related allegations involving bias would include violations of the 2012 Patrol Guide revisions and “offensive language.”</p>	<p>Unchanged: Rejected</p> <p>Despite the pending transfer of biased policing investigative authority from NYPD to CCRB, the tracking procedures proposed for LGBTQ-related allegations in the recommendation would still fall within the purview of IAB and its complaint management system.</p> <p>As such, the recommendation remains applicable and its status unchanged. OIG-NYPD will continue to monitor this issue.</p>
<p>9</p>	<p>IAB should report patterns and trends associated with LGBTQ-related complaints to NYPD’s LGBT Liaison to the Police Commissioner as well as to DOI pursuant to NYPD’s reporting obligations under Local Law 70.</p>	<p>Changed from Accepted in Principle to Rejected</p> <p>Although NYPD’s Risk Management Bureau tracks LGTBQ-related complaints for its Early Intervention Program, IAB does not analyze LGBTQ-related complaint data for patterns and trends, nor does it send such information to OIG-NYPD.</p> <p>OIG-NYPD maintains that production of this information is required by Local Law 70. OIG-NYPD will continue to monitor this issue.</p>

WHEN UNDOCUMENTED IMMIGRANTS ARE CRIME VICTIMS: AN ASSESSMENT OF NYPD’S HANDLING OF U VISA CERTIFICATION REQUESTS

July 28, 2017 Report

Law enforcement agencies rely on victim cooperation in the investigation and prosecution of crimes. However, for undocumented people who are victims of crimes, fear of deportation can stand in the way of cooperation—a fact that perpetrators readily exploit. The U nonimmigrant status visa (U visa), a special visa provided to undocumented victims of certain qualifying crimes who provide assistance to officials in the investigation and prosecution of those crimes, is intended to address this concern. A certification of cooperation from a local law enforcement agency is required to obtain this visa. In 2017, OIG-NYPD conducted a review of NYPD’s U visa certification program to ensure that it was fair and efficient and provided the protection envisioned by the program.

The Office found that NYPD had taken commendable steps to improve its U visa program and to work with, protect, and gain the trust of the undocumented immigrant community. However, the Report identified concerns about the Department’s application of certification criteria, its reliance on criminal background checks to deny certification requests, and its practice of referring certification requests to other agencies. The Report contained ten recommendations for strengthening NYPD’s U visa certification program. An assessment of NYPD’s continued progress on the status of the remaining seven recommendations follows.

For more information about the findings and recommendations, a full copy of the Report can be found [here](#).

NYPD has implemented three of the ten recommendations issued in this Report. Those recommendations (2, 5, 8) not listed below were implemented prior to the issuance of this Annual Report, and are listed in Appendix A. The statuses of the outstanding recommendations are as follows.

WHEN UNDOCUMENTED IMMIGRANTS ARE CRIME VICTIMS: AN ASSESSMENT OF NYPD’S HANDLING OF U VISA CERTIFICATION REQUESTS (JULY 2017 REPORT)	
OIG-NYPD’S RECOMMENDATION	NYPD RESPONSE AND OIG-NYPD ASSESSMENT
1 NYPD should develop concrete, written standards on how to conduct an assessment of an applicant’s criminal background and on the types of criteria that warrant denial of the certification request.	<p>Unchanged: Rejected</p> <p>Since the publication of this Report, NYPD has asserted that this recommendation is addressed by federal guidelines and in Patrol Guide § 212-111 and Administrative Guide § 308-07, which are publicly available.</p> <p>Neither Patrol Guide § 212-111 or A.G. § 308-07 directly address what types of criminal histories will result in a</p>

		<p>certification denial, and federal guidelines do not require local agencies to conduct criminal background checks.</p> <p>OIG-NYPD maintains that written standards regarding criminal background checks are important in ensuring consistency and transparency in how U visa certification decisions are made by NYPD. This recommendation remains rejected.</p>
<p>3</p>	<p>If NYPD’s investigative file states that the applicant was not cooperative but the applicant certification request or other information in the investigative file suggests the applicant had a reasonable basis for not helping law enforcement, NYPD should assess whether the non-cooperation was reasonable by contacting both the NYPD personnel who investigated the incident and the party requesting the U visa certification.</p>	<p>Unchanged: Partially Implemented</p> <p>NYPD asserts that DVIU investigators assess whether there was a reasonable basis for the applicant’s refusal to cooperate when reviewing the application, and that it uses a form to document its outreach to personnel who conducted the investigation at issue. NYPD also asserts that DVIU investigators have an opportunity to clarify any prior reasons for lack of cooperation when the applicant files for a U visa application. However, NYPD does not <i>require</i> a record of this contact.</p> <p>OIG-NYPD maintains that it is equally important to contact the party requesting the U visa certification to obtain that individual’s explanation for the subsequent non-cooperation. The recommendation is partially implemented.</p>
<p>4</p>	<p>NYPD should provide a written rationale in its internal file when concluding that the applicant was not a victim of a qualifying crime.</p>	<p>Unchanged: Rejected</p> <p>The form NYPD uses to explain why the applicant was not the victim of a qualifying crime only provides a non-exhaustive check list of qualifying crimes. It does not <i>require</i> NYPD to provide a detailed written rationale explaining the denial of an application for a U visa. Without <i>requiring</i> a written explanation, a non-exhaustive checklist may not provide sufficient information for a denial to be clearly supported.</p> <p>OIG-NYPD maintains that NYPD should ensure that the reason that a crime is not qualifying is clearly stated in each applicant’s file in writing. This recommendation remains rejected.</p>
<p>6</p>	<p>NYPD should create and publish its complete standards for certification eligibility.</p>	<p>Unchanged: Partially Implemented</p> <p>In 2019, NYPD reported that its standards for certification were explained in the federal guidelines and in Patrol Guide § 212-111 and A.G. § 308-07. According</p>

		<p>to NYPD, these provide guidance for reviewing U visa certification requests.</p> <p>Although NYPD stated that criminal background checks were still part of the U visa certification request process, NYPD has provided no updates regarding written policies outlining the need to conduct background checks, or explaining how to assess whether a particular criminal background check constitutes a public safety concern.</p> <p>OIG-NYPD will continue to monitor this issue.</p>
7	<p>NYPD’s denial letters should articulate specific reasons for each denial, using the facts of the case to explain the decision.</p>	<p>Unchanged: Partially Implemented</p> <p>According to NYPD, DVIU achieves this by providing the letter listing qualifying crimes mentioned above. This form does not, however, <i>require</i> DVIU to list specific facts of the case in order to clarify for the applicant why their case does not qualify.</p> <p>OIG-NYPD will continue to monitor this issue.</p>
9	<p>NYPD should develop written materials regarding the U visa program for dissemination at precincts and other locations where victims may encounter police.</p>	<p>Unchanged: Accepted in Principle</p> <p>NYPD has stated that DVIU has finalized a flyer, which is not yet approved by NYPD leadership, to be disseminated to each NYPD precinct regarding the U visa program. The flyer will be available to members of the public as well as members of service.</p> <p>OIG-NYPD will continue to monitor this issue until the materials are disseminated.</p>
10	<p>NYPD should develop informational training on U visas for specialized NYPD units that frequently encounter immigrant communities.</p>	<p>Unchanged: Accepted in Principle</p> <p>As mentioned above, NYPD has reported working to finalize U visa related materials for dissemination.</p> <p>In the meantime, OIG-NYPD appreciates that DVIU has begun to refer officers to Patrol Guide § 212-111 as a means of providing U visa training. NYPD reports that approximately 3,297 members of service were trained in this way in 2021, focusing on promotional classes, training sergeants, and Domestic Violence officers.</p>

ADDRESSING INEFFICIENCIES IN NYPD’S HANDLING OF COMPLAINTS: AN INVESTIGATION OF THE “OUTSIDE GUIDELINES” COMPLAINT PROCESS

February 7, 2017 Report

In February 2017, OIG-NYPD released a report detailing NYPD’s procedure for handling “Outside Guidelines” (OG) complaints—less severe allegations that fall outside NYPD’s Patrol Guide rules. The Report identified inefficiencies and inconsistencies in how NYPD tracks OG complaints as they move from NYPD’s Internal Affairs Bureau to the Office of the Chief of Department’s (COD) Investigation Review Section (IRS) for handling. These problems included outdated technology incompatible with other NYPD systems, which slowed down the completion of the complaint process.

For more information about the findings and recommendations, a full copy of the Report can be found [here](#).

NYPD has implemented three of the six recommendations issued in this Report. Those recommendations (1, 2, 4) not listed below were implemented prior to the issuance of this Annual Report, and are listed in Appendix A. The statuses of the outstanding recommendations are detailed as follows.

ADDRESSING INEFFICIENCIES IN NYPD'S HANDLING OF COMPLAINTS: AN INVESTIGATION OF "OUTSIDE GUIDELINES" COMPLAINT PROCESS (FEBRUARY 2017 REPORT)	
OIG-NYPD’S RECOMMENDATION	NYPD RESPONSE AND OIG-NYPD ASSESSMENT
<p>3 If an OG investigation has not been completed within 90 days, the assigned supervising investigator should be required to request an extension from COD-IRS in writing, stating the reason for this request.</p>	<p>Unchanged: Partially Implemented</p> <p>NYPD’s Internal Case Management and Tracking System (ICMT) features automatic notifications that alert commanding officers, executive officers, supervisors and case owners when cases are not assigned within 10 days, after 30 days of inactivity, and when cases are open over 90 days. Additionally, COD-IRS sends daily email reminders for cases that are 75 days or older and 90 days or older.</p> <p>While OIG-NYPD acknowledges the steps NYPD has taken to ensure supervisors are aware of cases open beyond the 90-day deadline, explanation of the reason for investigation extension should be recorded. OIG-NYPD will continue to monitor this issue.</p>
<p>5 NYPD should implement a web-based procedure for communicating the status and results of externally-generated OG</p>	<p>Unchanged: Partially Implemented</p> <p>In 2020, NYPD updated its website to include information that instructs community members to</p>

	<p>investigations back to the community members who filed the complaints.</p>	<p>contact IAB in order to inquire about the status of their complaint. This is not the equivalent of providing a web-based procedure to communicate the status of complaints to complainants; therefore, this recommendation remains partially implemented.</p>
<p>6</p>	<p>NYPD should publish quarterly reports on OG complaints.</p>	<p>Unchanged: Under Consideration</p> <p>The Department continues to report that it is considering regularly releasing relevant information on OG complaints, as it has since the time of this Report’s release in 2017.</p> <p>If NYPD does not make progress by the 2023 Annual Report, the recommendation will be considered rejected.</p>

PUTTING TRAINING INTO PRACTICE: A REVIEW OF NYPD'S APPROACH TO HANDLING INTERACTIONS WITH PEOPLE IN MENTAL CRISIS

January 19, 2017 Report

Reflecting national trends, in 2015, OIG-NYPD began a review of NYPD's approach to the handling of interactions with people in mental health distress. The primary goals of the Crisis Intervention Team (CIT) model, which has been successfully applied in jurisdictions across the country and was adopted by the Department: the improvement of officer-public relations by limiting use of force against those in crisis and reducing instances of incarceration of those with mental health conditions by increasing opportunities for their diversion into publicly facilitated social service networks.

The findings of OIG-NYPD's 2017 Report revealed that while NYPD was following the CIT model in many respects, it was not implementing all aspects of the program. In particular the Department's dispatch system could not direct CIT-trained individuals to all crisis incidents, a practice which OIG-NYPD viewed as likely to minimize use of force by having trained individuals aid people in distress. Instead, whether trained in the CIT approach or not, officers are randomly assigned to encounters with people in crisis. That approach serves to undermine the intention of the training protocols and the program more broadly. Further, OIG-NYPD identified shortfalls in how NYPD managed its CIT efforts, weaknesses in data collection regarding crisis incidents and gaps in the agency's Patrol Guide regarding how officers should approach the mentally vulnerable. As a result, OIG-NYPD made 13 recommendations for procedural or policy improvements.

Since the Report's release, NYPD has accepted in principle or implemented a majority of those proposals. As of October 19, 2021, 16,869 uniformed personnel had completed the CIT curriculum, a number that had not changed since January 2021, due to COVID-19 related limitations, as well as the creation of an MOU with the Department of Health and Mental Hygiene (DOHMH) to aid in the delivery of the course. The Department indicated that the provision of training will resume at an unspecified point in the near future.

For more information about the findings and recommendations, a full copy of the Report can be found [here](#).

NYPD has implemented 11 of the 13 recommendations issued in this Report. Those recommendations (1, 4–7, 9–13) not listed below were implemented prior to the issuance of this Annual Report and are listed in Appendix A. The statuses of the outstanding recommendations are as follows.

PUTTING TRAINING INTO PRACTICE: A REVIEW OF NYPD'S APPROACH TO HANDLING INTERACTIONS WITH PEOPLE IN MENTAL CRISIS (JANUARY 2017 REPORT)	
OIG-NYPD'S RECOMMENDATIONS	NYPD RESPONSE AND OIG-NYPD ASSESSMENT
<p>2 NYPD should adjust its dispatch procedures to ensure that officers with CIT training are directed to crisis incidents.</p>	<p>Unchanged: Partially Implemented</p> <p>NYPD reports that the development of “Next Generation 911” (NG911) by its contracted vendor may make it possible in the future to direct calls concerning people in crisis to officers trained in CIT. However, according to NYPD, automatic assignment of calls to trained personnel is not currently possible. The integration and testing of the necessary new features into the dispatch system is not anticipated by NYPD until the third quarter of 2024.</p> <p>OIG-NYPD will continue to monitor this issue until NYPD trains all of its uniformed officers in CIT, which would render the recommendation no longer applicable, or until the ICAD system is updated to allow calls to be directed to trained officers.</p>
<p>3 NYPD should create a dedicated mental health unit, or at the very least appoint a CIT coordinator who holds the rank of chief, in order to manage all aspects of a CIT program.</p>	<p>Changed from Partially Implemented to Implemented</p> <p>NYPD reports that in December 2019, its Behavioral Health Division (BHD) was established to address the findings of then-Mayor De Blasio’s NYC Crisis Prevention and Response Task Force. BHD is responsible for providing management and oversight to NYPD’s Co-Response teams that operate citywide to assist those in crisis, coordinating the delivery of the CIT course with the Training Bureau, the assessment of data, the maintenance of NYPD’s relationship with DOHMH’s Support and Connection centers, and public outreach, among other things.</p> <p>BHD is staffed by five officers including a Chief, a lieutenant, three sergeants, and a detective. The Co-Response Unit, which has been overseen by the Division since October 2021, has 28 assigned personnel including an Assistant Commissioner, 4 sergeants, and 23 uniformed members of service. In fiscal year 2020, the Co-Response teams intervened 7,176 times with individuals in mental crisis.</p>

		<p>Since July 2021, the BHD has been working with various City agencies to support the Behavioral Health Assistance Emergency Response Division (B-HEARD) pilot program, which is pairing EMS providers with social workers to respond to low-level 911 calls involving those in mental distress as an alternative to officer involvement.¹² This approach has been successful in other jurisdictions and seeks to minimize police involvement with individuals in mental crisis.</p> <p>Given the creation and existence of BHD, this recommendation can be considered implemented. OIG-NYPD may reevaluate this recommendation should the Department make substantial operational changes.</p>
8	<p>NYPD should analyze data regarding mental crisis incidents.</p>	<p>Changed from Accepted in Principle to Partially Implemented</p> <p>NYPD maintains that it evaluates data related to interactions with people in mental distress using 911 call details, incident reports, and other forms. In addition, data is collected and assessed for the Co-Response Unit, which provides short-term assistance and connects individuals with resources. Quarterly and annual cumulative data regarding the Co-Response Unit and B-HEARD program are available on the Mayor’s office of Community Mental Health (OCMH) website. The Department states it has an active role in maintaining and assessing this data.</p> <p>OIG-NYPD will continue to monitor the issue until the Department demonstrates that information related to interactions with individuals in crisis has been analyzed and considered for the purposes of policy development or program improvement.</p>

¹² For more information about the B-HEARD program, please visit the following site: <https://mentalhealth.cityofnewyork.us/b-heard>

AN INVESTIGATION OF NYPD’S COMPLIANCE WITH RULES GOVERNING INVESTIGATIONS OF POLITICAL ACTIVITY

August 23, 2016

On August 23, 2016, OIG-NYPD released a Report on NYPD’s compliance with court-mandated rules governing the investigation of political activity known as the Handschu Guidelines.¹³ The Guidelines require, in part, that NYPD document the basis for an investigation, secure specific approvals from senior NYPD officials, and complete the investigation within an approved time-frame.

After a comprehensive review, OIG-NYPD found that documents seeking to extend investigations or to include undercover officers or confidential informants in investigations usually did not have the required information, and that in more than half the cases, investigations continued after the expiration of the approved time frame.

In 2017, the Court monitoring the Handschu Guidelines approved a proposal for modifications. A central element of those resulting Guideline changes was to install a Civilian Representative on NYPD’s “Handschu Committee,” empowered to report violations of the Handschu Guidelines to the applicable federal court, and to publish reports on NYPD’s compliance with the rules.

For more information about the findings and recommendations, a full copy of the Report can be found [here](#).

The six recommendations (1-3, 5, 8, 9) not listed below were implemented prior to the issuance of this Annual Report and are listed in Appendix A; NYPD has not made progress with respect to implementing the remaining five recommendations in this Report. The statuses of the outstanding recommendations are as follows.

AN INVESTIGATION OF NYPD’S COMPLIANCE WITH RULES GOVERNING INVESTIGATIONS OF POLITICAL ACTIVITY (AUGUST 2016 REPORT)	
OIG-NYPD’S RECCOMENDATION	NYPD RESPONSE AND OIG-NYPD ASSESSMENT
4	<p>Unchanged: Rejected</p> <p>NYPD continues to disagree with the Report’s finding, asserting that requests to extend Preliminary Inquiries include a full and detailed recitation of the key facts justifying further investigation. NYPD has made no changes relevant to this recommendation since the publication of this Report in 2016.</p>

¹³The Handschu Guidelines were established pursuant to a 1971 federal lawsuit and are codified in NYPD Patrol Guide § 212-72.

6	<p>NYPD’s Human Source Authorization Form should require members of NYPD’s Intelligence Bureau to specify the role of the undercover officer or confidential informant.</p>	<p>Unchanged: Rejected</p> <p>NYPD last provided updates on its Human Source Authorization forms in 2017. When OIG-NYPD reviewed those updates, it determined that the section on the role of the human source included a handful of very broad, generic categories that did not meaningfully describe the anticipated investigative role of the undercover officer or confidential informant, as opposed to specific content specifying the role of the human source.</p> <p>NYPD has made no additional changes relevant to this recommendation.</p>
7	<p>NYPD should specify, when extending use of an undercover or confidential informant, the reason for the extension.</p>	<p>Unchanged: Accepted in Principle</p> <p>When OIG-NYPD last reviewed NYPD’s updated Human Source Extension memos in 2017, it found that those forms needed to be revised to include more detailed, fact-based reasons for the extensions. OIG-NYPD has no reason to believe that any changes have been made since that time. Despite requests, NYPD has provided no further update.</p> <p>If NYPD does not make progress by the 2023 Annual Report, the recommendation will be considered rejected.</p>
10	<p>NYPD should consolidate its policies and procedures for investigations involving political activity into a unified handbook.</p>	<p>Unchanged: Accepted in Principle</p> <p>In preparation for OIG-NYPD’s Annual Report released in 2020, NYPD stated “the Intelligence Bureau has finalized the policy guide.” Two years later, however, the Department has still not provided a copy of the finalized policy guide or provided any updates. As a result, the status of the recommendation remains unchanged.</p>
11	<p>NYPD should develop written guidelines concerning informational standards for Preliminary Inquiries, Full Investigations, and Terrorism Enterprise Investigations.</p>	<p>Unchanged: Rejected</p> <p>NYPD has made no changes relevant to this recommendation since the publication of this Report in 2016.</p>

AN ANALYSIS OF QUALITY-OF-LIFE SUMMONSES, QUALITY-OF-LIFE MISDEMEANOR ARRESTS, AND FELONY CRIME IN NEW YORK CITY, 2010-2015

June 22, 2016 Report

In June 2016, OIG-NYPD issued a Report that examined whether quality-of-life criminal summonses (also known as “C-summonses”) and misdemeanor arrests contributed to reductions in the occurrence of felony crimes, as had been long asserted by NYPD in publications such as “Broken Windows and Quality-of-Life Policing in New York City.”¹⁴ The OIG-NYPD Report found that dramatic declines in C-summons activity over the period of 2010-2015 did not correlate with elevations in the seven major categories of felony crimes. It was also observed that C-summons enforcement was not evenly distributed across the five boroughs. High rates of such activity by officers were found to be concentrated in precincts with larger proportions of Black and Hispanic residents, among New York City Housing Authority residents, and males aged 15–20. In contrast, precincts with significant numbers of White residents had lower rates of such policing.

As a result of those observations, OIG-NYPD issued seven recommendations to the Department, including support for the introduction of data-driven approaches to assessing its quality-of-life enforcement tactics and policies. Over the nearly six-year period since the report’s release, NYPD has increased the information available for public analysis on its website and the City’s Open Data Portal, and the rates of quality-of-life enforcement have remained low.

For more information about the findings and recommendations, a full copy of the Report can be found [here](#).

NYPD has implemented four of the seven recommendations made in this Report. Those recommendations (4-7) not cited below were implemented prior to the issuance of this Annual Report and are outlined in Appendix A. The statuses of the outstanding recommendations are as follows.

AN ANALYSIS OF QUALITY-OF-LIFE SUMMONSES, QUALITY-OF-LIFE MISDEMEANOR ARRESTS, AND FELONY CRIME IN NEW YORK CITY, 2010-2015 (JUNE 2016 REPORT)	
OIG-NYPD’S RECOMMENDATION	NYPD RESPONSE AND OIG-NYPD ASSESSMENT
1 NYPD should assess the relative effectiveness of quality-of-life summonses, quality-of-life misdemeanor arrests, and other disorder reduction strategies in reducing felony crime,	<p>Unchanged: Rejected</p> <p>Since 2016, NYPD has not completed an assessment of the relationship between criminal summons issuance, misdemeanor arrests and the occurrence of felony crimes</p>

¹⁴ Bratton, W.J. (2015). Broken windows and Quality-of-Life policing in New York City. *New York City Police Department*. http://www.nyc.gov/html/nypd/downloads/pdf/analysis_and_planning/qol.pdf.

	<p>demonstrating whether statistically significant relationships exist between these particular disorder reduction tactics and specific felony crimes.</p>	<p>due to a decrease in these enforcement actions following the adoption of the Criminal Justice Report Act (CJRA). On March 23, 2022, NYPD Commissioner Sewell announced that Neighborhood Safety Teams will expand their focus to include enforcement of quality-of-life related offenses. NYPD’s justification for this policy and procedural shift is grounded in a hallmark of the “Broken Windows” policing era rhetoric that quality-of-life violations precede acts of violence.¹⁵ This return to earlier practices creates the potential for the recurrence of the same disparate impact issues that were captured by the 2016 report. As such, OIG-NYPD will continue to monitor the issue and encourages the Department to consider the relationship between the policing of low-level offenses and the occurrence of felony crimes.</p>
<p>2</p>	<p>NYPD should conduct an analysis to determine whether quality-of-life enforcement disproportionately impacts black and Hispanic residents, males aged 15-20, and NYCHA residents.</p>	<p>Unchanged: Rejected</p> <p>In the past, NYPD asserted that the completion of a disproportionality effect analysis of its quality-of-life policing data is unnecessary due to the diminished state of enforcement regarding the related offenses. With the March 23, 2022 announcement by the NYPD Police Commissioner that quality-of-life enforcement will resume, this recommendation is highly relevant. There is no indication from the Department, however, that it intends to adopt this recommendation at any point in the future. OIG-NYPD will continue to monitor the issue and maintains that internal evaluation of the impact of Department policies and protocols, which are suspected of having a disparate impact on groups across the city, should occur regularly.</p>
<p>3</p>	<p>NYPD should expand consideration regarding quality-of-life</p>	<p>Unchanged: Rejected</p> <p>In the past, NYPD argued that this recommendation was no longer applicable as it had wound down its</p>

¹⁵ The announcement regarding the reintroduction of the quality-of-life policing initiative was made by the Department on March 23, 2022 in a press release entitled “NYPD Announces Citywide Crime and Quality-of-Life Enforcement Initiative,” which was referenced on the agency website at: <https://www1.nyc.gov/site/nypd/news/p00040/nypd-citywide-crime-quality-of-life-enforcement-initiative>.

<p>enforcement beyond short-term real-time conditions.</p>	<p>enforcement of quality-of-life offenses. With the March 23, 2022 announcement by the NYPD Police Commissioner that quality-of-life enforcement will resume, this recommendation is highly relevant. There is no indication from the Department that it intends to implement this recommendation.</p> <p>OIG-NYPD stands by its recommendation. NYPD should consider the long-term, adverse implications for vulnerable populations of quality-of-life enforcement, particularly considering the recent announcement of a returned focus on low level violations.</p>
--	---

POLICE USE OF FORCE IN NEW YORK CITY: FINDINGS AND RECOMMENDATIONS ON NYPD’S POLICIES AND PRACTICES

October 1, 2015 Report

Police officers are empowered and at times obligated to use force against members of the public when appropriate. In 2015, OIG-NYPD released this Report following an investigation of NYPD’s policies on force, how force incidents are reported, how NYPD trains officers regarding the use of force, and the disciplinary process for substantiated cases of excessive force.

OIG-NYPD found that NYPD’s use-of-force policy provided little guidance to individual officers on what actions constitute force and provided insufficient instruction on de-escalation. Further, it concluded that NYPD’s documentation and reporting processes left the Department unable to accurately and comprehensively capture data on how frequently officers use force. The Office also found that NYPD frequently failed to impose discipline even when provided with evidence of excessive force.

For more information about the findings and recommendations, a full copy of the Report can be found [here](#).

NYPD has implemented 12 of the 15 recommendations issued in this Report—an increase from last year’s Annual Report where 11 of 15 recommendations were implemented. There was no movement, however, on the three recommendations that remain unimplemented. Those recommendations (1-3, 5-10, 12, 14) not listed below were implemented prior to this Annual Report, and are listed in Appendix A. The statuses of the outstanding recommendations are as follows.

POLICE USE OF FORCE IN NEW YORK CITY: FINDINGS AND RECOMMENDATIONS ON NYPD’S POLICIES AND PRACTICES (OCTOBER 2015 REPORT)	
OIG-NYPD’S RECOMMENDATION	NYPD RESPONSE AND OIG-NYPD ASSESSMENT
4 With respect to the newly created form, NYPD should require all officers—whether the subject of a force investigation or a witness to a use of force—to document and report all force incidents. When completing this document, officers should use descriptive language to articulate the events leading up to the use of force in encounters with the public, the reason why the force was used, and the level and type of force used.	<p>Unchanged: Partially Implemented</p> <p>The only outstanding portion of this recommendation is that NYPD require witnesses to document and report all force incidents.</p> <p>NYPD provided no update towards implementation of this final outstanding portion. Therefore, this recommendation remains partially implemented.</p>

<p>11</p>	<p>NYPD should review use-of-force trends to identify which categories of officers (e.g., by years of service and/or duty assignments) are most in need of de-escalation and use-of-force in-service training, and then implement such instruction.</p>	<p>Changed from Accepted in Principle to Implemented</p> <p>Building on the progress identified in last year’s Annual Report, NYPD implemented new policies and procedures involving NYPD Risk Management Bureau’s implementation of the Early Warning System. This sufficiently addresses the concern that while progress towards implementation was being made, it was not formally documented.</p> <p>This recommendation is implemented.</p>
<p>13</p>	<p>NYPD should collect, review, and compare data regarding disciplinary penalties imposed in use-of-force cases and report on the effects of disciplinary penalties on the frequency of incidents of excessive force. NYPD should publish data in the previously mentioned annual report (Recommendation #6) on the number and percentage of cases in which the Police Commissioner reduces or declines discipline.</p>	<p>Unchanged: Accepted in Principle</p> <p>NYPD published disciplinary data in its 2020 “Discipline in the NYPD” report.¹⁶</p> <p>While the Department informed OIG-NYPD in 2019 that it anticipated future public disciplinary reports will include information on the number of downward departures made by the Police Commissioner, this has not occurred. There was no information in the 2020 report regarding downward departures.</p> <p>OIG-NYPD will continue to monitor this issue to ensure full implementation.</p>
<p>15</p>	<p>NYPD should share a subject officer’s force monitoring history with CCRB’s Administrative Prosecution Unit (APU) since this information is a critical element that must be taken into consideration when CCRB recommends penalties.</p>	<p>Unchanged: Partially Implemented</p> <p>NYPD reports that it has made “no changes as of this time.” Without NYPD taking any further steps towards implementation, this recommendation remains partially implemented.</p>

¹⁶ *Discipline in the NYPD*, N.Y.P.D., <https://www1.nyc.gov/site/nypd/stats/reports-analysis/discipline.page> (last visited Mar. 30, 2021).

BODY-WORN CAMERAS IN NEW YORK CITY: AN ASSESSMENT OF NYPD'S PILOT PROGRAM AND RECOMMENDATIONS TO PROMOTE ACCOUNTABILITY

July 30, 2015 Report

In September 2014, NYPD launched a small pilot program to evaluate the use of body-worn cameras (BWCs) by members of the force. OIG-NYPD conducted a comprehensive review of the program, with a particular focus on the policies and practices developed by the Department concerning usage and preservation of BWC footage. Data collected from participants in the program revealed disparate and inconsistent practices concerning camera activation despite NYPD policies. In its July 2015 report, OIG-NYPD made 23 recommendations to improve the use of the technology. Many of those proposals were implemented.

Of the three remaining recommendations that the Department has yet to implement, NYPD has maintained its objection to the proposal that officers named as subjects or witnesses in misconduct inquiries not be permitted to view their BWC footage until they have submitted formal statements outlining the details of the incidents during which the problematic behavior or activities occurred. Over the nearly seven year period that has elapsed since the 2015 report publication, a number of other jurisdictions, including Atlanta, Baltimore, and San Francisco, have implemented policies that have placed some limits on officer access to footage while under scrutiny for improper conduct.¹⁷ OIG-NYPD believes that NYPD should likewise restrict viewing of BWC footage by its officers before they have provided their initial statements, to preserve investigative integrity. Failure to do so could potentially lead to lessened public trust in law enforcement.

For more information about the findings and recommendations, a full copy of the Report can be found [here](#).

NYPD has implemented 20 of the 23 recommendations issued in this Report. Those recommendations (1.1-3.4, 4.1, 4.3, 5.1, 5.2, 5.3, 6.2, 7.1, 8.1, 8.2, 9) not listed below were implemented prior to the issuance of this Annual Report, and are listed in Appendix A.

¹⁷ The data that were examined to make the comparative statement with relation to the privileges possessed by officers in other jurisdictions to view body worn camera footage in situations when they are beneath evaluation for misconduct was derived from a joint effort by The Leadership Conference on Civil and Human Rights and Upturn. Police Body Worn Cameras: A Policy Scorecard. (November 2017). <https://www.bwccscorecard.org/>.

BODY-WORN CAMERAS IN NEW YORK CITY: AN ASSESSMENT OF NYPD’S PILOT PROGRAM AND RECOMMENDATIONS TO PROMOTE ACCOUNTABILITY (JULY 2015 REPORT)

OIG-NYPD’S RECOMMENDATION	NYPD RESPONSE AND OIG-NYPD ASSESSMENT
<p>4.2 NYPD should integrate BWC footage review into NYPD’s field training program.</p>	<p>Unchanged: Accepted in Principle</p> <p>The Department’s position is that by encouraging Field Training Officers (FTOs) and training sergeants to use BWC footage in trainings, and including this encouragement in the FTO program guide, this recommendation is satisfied.</p> <p>The Department states that the 24,000 members of the force “regularly assigned to patrol duties throughout the city are equipped with body worn cameras,” with training provided by Police Academy personnel.¹⁸ A related memo #31-18 entitled “Body Worn Cameras: Supervisor Responsibilities” available to patrol commanders, training sergeants, and Integrity Control Officers (ICOs) instructs them to “periodically review BWC footage to provide positive feedback and address any performance or tactical deficiencies observed.”</p> <p>OIG-NYPD will continue to monitor this recommendation until BWC footage review is included as a standard part of the FTO program.</p>
<p>6.1 Access to BWC recordings should be limited where officers are under investigation or are witnesses in misconduct investigations.</p>	<p>Unchanged: Rejected</p> <p>NYPD has maintained that access to body-worn camera footage related to an active investigation is restricted with respect to most parties, including officers. NYPD’s Force Investigation Division (FID) and Internal Affairs Bureau (IAB) use BWC footage regularly in their operations. FID determines who can access footage relevant to an investigation, while IAB imposes access limitations on a case by case basis ensuring that officers under investigation are not alerted to such activity until relevant information is collected. NYPD notes that it maintains BWC access logs, which is intended to serve as a deterrent to misconduct.</p>

¹⁸ The figure of 24,000 police officers, detectives, sergeants and lieutenants comprising the members of the force who are regularly assigned to patrol duties was drawn from NYPD’s description of the Body-Worn Camera program provided on the agency website at: <https://www1.nyc.gov/site/nypd/about/about-nypd/equipment-tech/body-worn-cameras.page>.

		<p>However, any officer who is subject to an internal investigation can view BWC footage relevant to their case, when deemed appropriate by the supervising investigator, prior to providing an official statement, in direct contrast with OIG-NYPD’s recommendation. The Department believes that advanced review of BWC footage allows officers to provide statements which are as accurate as possible.</p> <p>OIG-NYPD maintains that officers should be required to submit statements before viewing BWC footage. Viewing privileges should assist with providing supplemental reports when “their initial testimony diverges from the relevant video, and NYPD should not discipline officers solely on the basis of discrepancies absent evidence of intent to mislead.”</p> <p>OIG-NYPD will continue to monitor this issue.</p>
<p>7.2</p>	<p>NYPD should ensure fairness between citizens’ and officers’ rights to view BWC footage.</p>	<p>Unchanged: Accepted in Principle</p> <p>OIG-NYPD’s recommendation urges the Department to prevent a member of the public or an officer from having access to BWC footage until the individual has provided a statement about an incident. NYPD reports that it permits members of the public who have witnessed incidents/encounters of concern to view footage over the course of criminal investigations, if doing so does not violate legal and policy restrictions. The Patrol Guide requires members of service to confer with a prosecutor before showing a witness BWC footage. However, OIG-NYPD holds that that practice does not address viewing rights for the public in officer misconduct investigations conducted by IAB. In that context, access to footage should be as convenient as possible for participant witnesses, which is not the current situation.</p> <p>Additionally, NYPD reports that after BWC footage is provided to CCRB, the decision to share it with complainants lies with that agency. The Department also reports that it responds to FOIL requests from the public pursuant to the New York State Public Officers Law § 87 and § 89.</p> <p>OIG-NYPD will continue to monitor this issue until the recommendation is adopted as written.</p>

USING DATA FROM LAWSUITS AND LEGAL CLAIMS INVOLVING NYPD TO IMPROVE POLICING

April 21, 2015 Report

Noting the rising number of costly civil claims and lawsuits against NYPD, along with the substantial financial burden on City taxpayers, in April 2015, OIG-NYPD released a Report on how NYPD can better collect and use police litigation data to improve officer performance, identify trends, and make important process improvements. The Report recommended NYPD track more qualitative data, including details about the nature of the claims, the core allegations, information about the subject police officer, the location of the alleged incident, and the home address of the plaintiff. OIG-NYPD also recommended NYPD create an interagency working group with the Law Department and the Comptroller’s Office to coordinate the collection and exchange of litigation data.

For more information about the findings and recommendations, a full copy of the Report can be found [here](#).

This Report issued five recommendations, of which three have been implemented by NYPD. NYPD has not implemented any additional recommendations since last year’s Annual Report. Those recommendations (1.1, 1.2, 2) not listed below were implemented prior to the issuance of this Annual Report, and are listed in Appendix A. The statuses of the outstanding recommendations are as follows.

USING DATA FROM LAWSUITS AND LEGAL CLAIMS INVOLVING NYPD TO IMPROVE POLICING (APRIL 2015 REPORT)	
OIG-NYPD’S RECOMMENDATION	NYPD RESPONSE AND OIG-NYPD ASSESSMENT
1.3 NYPD should perform a qualitative review of the most relevant data contained within legal claims and lawsuits against NYPD. Specifically: the location of the alleged incident and address of the plaintiff(s).	<p>Unchanged: Partially Implemented</p> <p>NYPD has not made any progress towards implementing this recommendation since 2018, when it began reviewing the location of alleged incidents in its analysis of claims/core allegations.</p> <p>NYPD continues to decline to collect and analyze the available data regarding plaintiff addresses, maintaining that such information is not valuable and could instead open up the Department to lawsuits.</p> <p>OIG-NYPD will continue to monitor this issue.</p>
3 NYPD should provide the public with details about NYPD’s Early Intervention System and its litigation data analysis team and	<p>Unchanged: Partially Implemented</p> <p>NYPD has published details about the early intervention system on its public-facing website, along with responses to court filings, responses to various OIG-NYPD reports, a yearly report to the City Council,</p>

	<p>solicit suggestion for further development.</p>	<p>several quarterly aggregate data reports, and Administrative Guides 320-22 and 320-54. However, NYPD has not published information in a similarly transparent manner regarding its litigation data analysis team. Additionally, NYPD has not solicited suggestions for further development of early intervention system or the litigation data analysis team from the public. Therefore, OIG-NYPD has deemed this recommendation partially implemented.</p> <p>OIG-NYPD will continue to monitor this issue.</p>
--	--	---

OBSERVATIONS ON ACCOUNTABILITY AND TRANSPARENCY IN TEN NYPD CHOKEHOLD CASES**January 12, 2015 Report**

OIG-NYPD's issued its first Report on January 12, 2015, assessing NYPD's disciplinary process for officers who were found to have improperly used chokeholds. As part of the investigation, OIG-NYPD reviewed ten chokehold cases substantiated by the Civilian Complaint Review Board and subsequently handled by the Department Advocate's Office records. OIG-NYPD found that in nine of the ten cases reviewed, although CCRB recommended Administrative Charges, the highest level of discipline, NYPD departed from CCRB's recommendation every time and recommended lesser penalties or no discipline at all.

OIG-NYPD's Report made four recommendations that have all been implemented by NYPD. Those recommendations are listed in Appendix A.

For more information about the findings and recommendations, a full copy of the Report can be found [here](#).

IV. APPENDIX A: RECOMMENDATIONS IMPLEMENTED OR NO LONGER APPLICABLE PRIOR TO 2022

The following recommendations were IMPLEMENTED by NYPD prior to the April 2022 Annual Report. As a result, no further update is required.

AN INVESTIGATION OF NYPD’S OFFICER WELLNESS AND SAFETY SERVICES (SEPTEMBER 2019 REPORT)	
1	To guide the Department’s efforts and memorialize the Department’s commitments, NYPD should develop an overarching Mental Health and Wellness policy that articulates goals, establishes standards, and outlines relevant programs and resources. This policy would encompass the recommendations in this Report, the work of the Mental Health and Wellness Coordinator, and the efforts of the Mental Health and Wellness Task Force and the Health and Wellness Section.
4	NYPD’s Health and Wellness Section should have access to specific internal data that would assist the Section with identifying behavioral themes or trends in the conduct of NYPD personnel so as to inform the work of the Section.
5	NYPD should retain outside mental health experts to review and audit the current range of Department-wide health and wellness trainings provided by NYPD to personnel, many of which are new, and ask these experts to recommend to NYPD what additional training, if any, should be developed and delivered.
8	NYPD should establish clear written procedures on debriefing NYPD personnel in the wake of critical incidents and follow up with these officers after the debriefing sessions.
9	According to NYPD, its Mental Health and Wellness Coordinator has collaborated with numerous external groups and counterparts that are experts on resilience. Some examples include: Columbia University Medical Center, Police Executive Research Forum (PERF), and the national Fraternal Order of Police.
10	NYPD should establish a mandatory program that provides NYPD personnel approaching retirement with helpful information on the availability of support services following separation, adjusting to life as a member of the public, financial advisement, and medical and retirement benefits.
COMPLAINTS OF BIASED POLICING IN NEW YORK CITY: AN ASSESSMENT OF NYPD’S INVESTIGATIONS, POLICIES, AND TRAINING (JUNE 2019 REPORT)	
4	Consistent with NYPD’s investigative training, NYPD should amend its <i>written</i> investigative procedures to document the number of attempts that investigators must make to contact complainants for interviews when investigating biased policing complaints before the case is closed.
5	NYPD should amend its <i>written</i> investigative procedures to require investigators to attempt to interview incarcerated complainants when such complainants are being held at a jail located within the five boroughs of New York City (regardless of whether the jail is managed by NYC Department of Correction, NYS Department of Corrections and Community Supervision, or the federal Bureau of Prisons).
6	Consistent with NYPD’s investigative training, NYPD should amend its <i>written</i> investigative procedures to state that a guilty status, plea, or conviction does not resolve the issue of whether an officer or a non-uniformed employee engaged in discriminatory conduct, even if

	the criminal matter and the complaint of biased policing arise from the same set of underlying facts.
7	NYPD should amend its <i>written</i> investigative procedures to state that a complainant’s previous criminal history should not be dispositive of whether a biased policing allegation is substantiated. Where NYPD does regard the complainant’s previous criminal history as a factor in a non-substantiation decision, the investigator should articulate how the criminal history impacted the decision and the investigator must still complete a full investigation of the allegation.
8	Consistent with NYPD’s investigative training, the Department should amend its <i>written</i> investigative procedures to state that a subject officer’s race/ethnicity or other protected status should not be determinative in deciding whether to substantiate a biased policing allegation, even when the officer (or non-uniformed employee) and complainant identify as members of the same race/ethnicity or other protected group.
10	NYPD investigators should not be assigned investigations of biased policing allegations until they complete the formal “Profiling and Bias-Based Policing” training for investigating such complaints.
13	Deputy Chiefs should receive training and reminders emphasizing that biased policing investigations can only be closed when proper investigative protocols have been followed, unless such protocols were impossible to implement or inapplicable to the particular case.
22	City agencies that handle biased policing complaints (NYPD, CCRB, CCHR) should convene within the next four months to address the findings and recommendations in OIG-NYPD’s investigation. This would, for example, include developing standard categories and definitions for how these complaints are grouped and sub-classified.
ONGOING EXAMINATION OF LITIGATION DATA INVOLVING NYPD (APRIL 2018 REPORT)	
3	NYPD should regularly enter data about claims naming individual officers into its new Risk Assessment Information Liability System (RAILS), or comparable early intervention system, so that NYPD is aware of at-risk officers who may require assistance.
AN INVESTIGATION OF NYPD’S SPECIAL VICTIMS DIVISION—ADULT SEX CRIMES (MARCH 2018 REPORT)	
1	NYPD should immediately increase the staffing level in SVD’s adult sex crime units to meet the minimum investigative capacity required by an evidence-backed and nationally-accepted staffing analysis model. To appropriately handle a caseload as seen in 2017, that model would require an additional 21 detectives in Manhattan SVS, 11 detectives in Bronx SVS, 16 detectives in Queens SVS, 21 detectives in Brooklyn SVS, and four detectives in Staten Island SVS.
6	To the extent that it is inevitable that patrol officers may be the first to respond to sexual assaults in exigent circumstances, NYPD should expand existing training, both in-service and at the academy, to include trauma-informed care and best practices regarding sexual assault.
7	NYPD should formally end the “triaging” process for sex crimes—instead, all sex crimes should be investigated and enhanced by SVD detectives, including patrol arrests for “domestic rape” and “acquaintance rape.” The implementation of this recommendation will

	have staffing implications that are not accounted for in Recommendation 1 above, and NYPD should, therefore, include appropriate staffing increases in implementing this recommendation.
11	NYPD should review the use of CompStat as the oversight mechanism for SVD.
12	NYPD should increase and publicize existing efforts to encourage victims of sex crimes to come forward and report these crimes to law enforcement. At the same time, NYPD should take new steps to advise policy makers and the public that success in this area will result in an apparent rise in the “index crime numbers” for sexual assault cases, even if the “true” rate of sex crimes remains unchanged.
AN INVESTIGATION OF NYPD'S NEW FORCE REPORTING SYSTEM (FEBRUARY 2018 REPORT)	
1	NYPD should add a field to the “Force Used” section of the arrest report for officers to note the associated T.R.I. incident number(s).
3	NYPD should add a narrative section to the T.R.I. and require officers to provide a full account of the force incident, including specific details on the force used by the officer and/or members of the public, the chronology of the force encounter, as well as any injuries sustained by either.
7	NYPD should require desk officers to question the involved officers about any force used during arrest processing so that the command log accurately reflects the force incident.
11	NYPD should dedicate well-trained and knowledgeable personnel to be available by phone during all shifts to answer questions from command supervisors regarding T.R.I. worksheets and approval. NYPD should consider removing this function from the Internal Affairs Bureau.
12	NYPD should include in Patrol Guide series 221 a clear and unambiguous definition of “reportable force” by officers. The current policy provides a definition of force when used against officers and defines three levels of force by officers, but a lack of clarity still exists for many officers regarding whether certain actions constitute reportable force.
13	NYPD should establish a clear policy that requires arresting officers to select “Yes” on the arrest report in response to the “Force Used” section if any officer used reportable force during the encounter.
14	NYPD should impose appropriate discipline against arresting officers who fail to select “Force Used: Yes” on the arrest report when reportable force is found to have been used.
16	NYPD should provide officers with more training and formal reminders on (a) when and how to complete a T.R.I. form and the importance of submitting the T.R.I. form, and (b) how to write a detailed account of a force encounter (should a narrative section is added to the T.R.I. form).
17	NYPD should provide more training for desk officers, integrity control officers, precinct training sergeants, and other supervisors to (a) ensure T.R.I. compliance and proper supervisory review of completed T.R.I. worksheets, and (b) closely examine the arrest report narratives and the “Force Used” section on the arrest reports to ensure that officers are selecting “Yes” for “Force Used” when force was used.
19	NYPD’s Force Review process should include quality-control procedures that seek to improve the accuracy of force reporting not only on T.R.I. forms, but also on arrest reports and other arrest-related documentation.

21	B) Types of interactions leading to injuries;
21	C) Officer use of force based on job tenure and experience;
21	E) Demographic characteristics of members of the public and officers involved in force incidents; <ul style="list-style-type: none"> • Are there disparities in the types or amount of force used based on age, gender, race, national origin, precinct, or other factors? • What are the reasons for such disparities?
REVIEW OF NYPD'S IMPLEMENTATION OF PATROL GUIDE PROCEDURES CONCERNING TRANSGENDER AND GENDER NONCONFORMING PEOPLE (NOVEMBER 2017 REPORT)	
2	NYPD should create a memo book insert for officers with a summary of the revised LGBTQ protocols. Officers can use this for reference as needed.
3	Community input should be carefully considered and incorporated as appropriate into the curriculum of officer training on LGBTQ issues.
4	All handouts and additional resource materials provided during LGBTQ trainings should be consistent, as appropriate, ensuring that officers receive the same information.
7	NYPD should consult with its LGBT Advisory Committee and re-examine whether and how to record gender identity information of TGNC people on NYPD forms and databases. The collection of this information is a sensitive matter for some members of the LGBTQ community. Any changes in how such information is recorded must not interfere with NYPD's ability to describe and circulate descriptions of suspects and persons of interest for purposes of apprehension.
WHEN UNDOCUMENTED IMMIGRANTS ARE CRIME VICTIMS: AN ASSESSMENT OF NYPD'S HANDLING OF U VISA CERTIFICATION REQUESTS (JULY 2017 REPORT)	
2	When denying a U visa certification request based on the applicant's criminal history, NYPD should articulate, in its internal file, the reasons why the criminal history presents an ongoing public safety concern and warrants denial.
5	If an arrest has been made on the underlying crime, NYPD should evaluate U visa certification requests if the criminal case has closed.
8	NYPD should publish contact information for its reviewers and certifying officials.
ADDRESSING INEFFICIENCIES IN NYPD'S HANDLING OF COMPLAINTS: AN INVESTIGATION OF "OUTSIDE GUIDELINES" COMPLAINT PROCESS (FEBRUARY 2017 REPORT)	
1	NYPD should update and unify the computer systems it uses to track and manage OG cases by upgrading OCD IRS from BCATS to ICIS (or an ICIS - compatible system).
2	NYPD should establish a uniform timeframe for completing OG investigations and a uniform system of tracking due dates.
4	NYPD should revise the current OG Disposition and Penalty Form to include a box denoting the case's due date as well as a date section for each stage of the investigation.
PUTTING TRAINING INTO PRACTICE: A REVIEW OF NYPD'S APPROACH TO HANDLING INTERACTIONS WITH PEOPLE IN MENTAL CRISIS (JANUARY 2017 REPORT)	

1	NYPD should commit to creating timelines for any changes to its CIT initiative within 90 days of the publication of this Report.
4	NYPD should revise its Patrol Guide to explicitly authorize CIT-trained officers to use the skills learned in CIT training during crisis situations.
5	NYPD should revise its Patrol Guide to require that CIT-trained officers respond to all crisis incidents whenever possible.
6	NYPD should revise its Patrol Guide to allow all officers to use their discretion to refer individuals to officially approved and vetted outside community resources in appropriate incidents.
7	NYPD should either substantially revise one of its current forms or develop a new permanent form to capture more useful data on incidents involving persons in crisis.
9	NYPD should consider training more officers in CIT.
10	NYPD should begin training 911 call takers and dispatchers in at least some aspects of CIT.
11	In every CIT training, NYPD should ensure that its officers interact with people living with mental illnesses.
12	In every CIT training, NYPD should assess the retention of officers' skills.
13	NYPD should provide a manual or reference guide to officers who undergo CIT training.
AN INVESTIGATION OF NYPD'S COMPLIANCE WITH RULES GOVERNING INVESTIGATIONS OF POLITICAL ACTIVITY (AUGUST 2016 REPORT)	
1	For investigations of political activity, NYPD should use a formal mechanism for tracking investigative deadlines and should ensure that, where needed, extensions are approved prior to required deadlines.
2	NYPD should use a formal case tracking mechanism that identifies when investigations advance to the next investigative level.
3	For the use of confidential informants and undercover officers in investigations of political activity, NYPD should use a formal mechanism for tracking expiration deadlines and ensure that extensions are approved prior to the expiration of an authorization.
5	For authorizations and renewals of investigations, NYPD should create controls to ensure that authorizations to renew or extend investigations properly capture the date, signature, and approval of the authorizing officials.
8	NYPD should create controls to ensure that authorizations to use or extend the use of human sources properly capture the date, signature, and approval of the appropriate supervisor.
9	NYPD's Human Source Authorization Form should include the number of the extension request and the date of the last extension.
AN ANALYSIS OF QUALITY-OF-LIFE SUMMONSES, QUALITY-OF-LIFE MISDEMEANOR ARRESTS, AND FELONY CRIME IN NEW YORK CITY, 2010-2015 (JUNE 2016 REPORT)	
4	NYPD should release incident-level and geographically coded data on summonses and misdemeanor arrests.
5	NYPD should release historical incident-level and geographic data.

6	NYPD should ensure that data currently released in yearly formats also include more granular temporal data, including month-to-month formats and incident-level data.
7	All incident-level crime data, from felony arrests and complaints to misdemeanor arrests and summonses, should be released in the same accessible spreadsheet file format (.csv or similar file format).
POLICE USE OF FORCE IN NEW YORK CITY: FINDINGS AND RECOMMENDATIONS ON NYPD'S POLICIES AND PRACTICES (OCTOBER 2015 REPORT)	
1	The NYPD Patrol Guide should include definitional language that provides officers and the public with greater clarity regarding what is meant by “force,” “excessive force,” and “deadly physical force.”
2	NYPD should update Patrol Guide § 203-11 governing use of force and require officers to de-escalate all encounters where appropriate.
3	NYPD should create a separate, uniform use-of-force reporting form.
5	NYPD should create a database to track comprehensive Department-wide information on use of force, including data compiled from the use-of-force forms.
6	NYPD should compile data and publish, on an annual basis, a report addressing Department-wide metrics on use of force, including but not limited to information from the new use-of-force reporting form. This report would track and collect various components related to the issue of use of force, including those addressed in this Report, such as officer tenure, assignments, age, type of force used, pertinent information regarding members of the public subjected to force, as well as officer injuries, disciplinary trends and outcomes, and other data deemed necessary for a comprehensive understanding of the issue.
7	NYPD training should place a stronger and more thorough emphasis on de-escalation tactics, by adding specific Police Academy and in-service courses on de-escalation that incorporate both classroom and scenario-based training.
8	NYPD should incorporate a formal evaluation system for all scenario-based trainings concerning the use of force.
9	NYPD should increase funding and personnel at the Police Academy with respect to training for both recruits and in-service officers.
10	NYPD should implement training to instruct officers to intervene in situations where other officers escalate encounters, use excessive force, and/or commit other misconduct.
12	In disciplinary cases where there are multiple disciplinary counts, each count should have an accompanying distinct penalty, as opposed to an aggregated penalty for all counts.
14	NYPD should set forth, in writing, in its disciplinary paperwork, the extent to which an officer's placement on force monitoring has or has not impacted the penalty imposed.
BODY-WORN CAMERAS IN NEW YORK CITY: AN ASSESSMENT OF NYPD'S PILOT PROGRAM AND RECOMMENDATIONS TO PROMOTE ACCOUNTABILITY (JULY 2015 REPORT)	
1.1	NYPD should broaden and illustrate the standard for the mandatory activation of BWCs during street or investigative encounters.
1.2	NYPD should redefine the safety exception for recording.
1.3	NYPD should consider stricter limitations on recording vulnerable populations.
1.4	NYPD should expand BWC training for officers using the BWCs.

2.1	NYPD should provide an example notification phrase to advise members of the public that they are being recorded.
2.2	NYPD should redefine the safety exception for notifications.
3.1	NYPD should require supervisors to review footage related to documented incidents.
3.2	NYPD should address discipline when the BWC program is more established and formalized.
3.3	NYPD should computerize the random selection of officers for review.
3.4	NYPD should establish a system for high-level and periodic review.
4.1	NYPD should grant supervisors general access to BWC footage with restrictions on arbitrary review.
4.3	NYPD should solicit feedback and suggestions for improvement from supervisors performing quality assurance reviews and officers participating in the Volunteer BWC Pilot Program.
5.1	NYPD should develop policies to guide supervisors when officer infractions are observed on BWC footage.
5.2	NYPD should institute mandatory reporting procedures.
5.3	NYPD should integrate BWC recordings into NYPD's existing force monitoring programs.
6.2	In all other instances, access to recordings prior to making statements should be noted in those statements.
7.1	If and when disclosing BWC video, NYPD should provide privacy and safety protections for vulnerable populations.
8.1	NYPD should establish a minimum retention period of at least 18 months.
8.2	NYPD should ensure expeditious purging of archived BWC footage that no longer holds evidentiary value.
9	NYPD should incorporate government and public input in continuing to develop the BWC program.
USING DATA FROM LAWSUITS AND LEGAL CLAIMS INVOLVING NYPD TO IMPROVE POLICING (APRIL 2015 REPORT)	
1.1	NYPD should perform a qualitative review of the most relevant data contained within legal claims and lawsuits against NYPD. Specifically: Nature of the claims/core allegations.
1.2	NYPD should perform a qualitative review of the most relevant data contained within legal claims and lawsuits against NYPD. Specifically: Information about the subject police officer(s).
2	NYPD should create an interagency working group between NYPD, the Comptroller's Office, and the Law Department to improve their police-involved litigation data collection, coordination, and exchange.
OBSERVATIONS ON ACCOUNTABILITY AND TRANSPARENCY IN TEN NYPD CHOKEHOLD CASES (JANUARY 2015 REPORT)	
1	NYPD should increase coordination and collaboration with CCRB to refine the disciplinary system for improper use of force.
2	NYPD should provide transparency with respect to the Police Commissioner's Disciplinary decisions.

3	NYPD should expand IAB’s access to newly-filed complaints and substantive information on Use-of-Force cases filed with CCRB.
4	NYPD should improve information sharing and case tracking for cases that are outsourced to Borough and Precinct Investigators via the Office of the Chief of Department and the Investigative Review Section.

The following recommendations are **NO LONGER APPLICABLE** to NYPD due to a Department technology or procedure change prior to the April 2022 Annual Report.

AN INVESTIGATION OF NYPD’S NEW FORCE REPORTING SYSTEM (FEBRUARY 2018 REPORT)	
OIG-NYPD RECOMMENDATION	REASON NO LONGER APPLICABLE
20 NYPD should standardize the quarterly reporting mechanism for bureau and patrol borough commanders and ensure that their quarterly T.R.I. reports are submitted to the First Deputy Commissioner in a timely fashion.	The Department has repealed the underlying policy for this recommendation and replaced it with T.R.I 2.0, a system that can aggregate reports for any time period based on the ForceStat Process.