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**Executive Director's Monthly Report**  
**February 2022**  
**(Statistics for January 2022)**

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# Executive Summary

The Civilian Complaint Review Board (“CCRB”) is an independent municipal Agency that investigates complaints of NYPD misconduct. Every month, the CCRB prepares an Executive Director report for its public meeting. Data for January 2022 included the following highlights:

- 1) Of the cases in the CCRB active investigations docket, 31% have been open for 4 months or fewer, and 44% have been open for 7 months or fewer (page 10). In January, the CCRB opened 255 new cases (page 4), and currently has a total open docket of 3,501 cases (page 11).
- 2) The CCRB substantiated allegations in 48% of its fully investigated cases (page 16).
- 3) The CCRB fully investigated 33% of the cases it closed in January (page 13) and resolved (fully investigated, mediated or attempted mediation) 48% of the cases it closed (page 17). The Agency was unable to investigate /withdrawn 43% of the cases received (page 13).
- 4) For January, investigations using video evidence resulted in substantiated allegations in 52% of cases - compared to 0% of cases in which video was not available (page 21-22).
- 5) The Monthly Report includes a breakdown of complaints and substantiations by NYPD precinct and borough of occurrence (pages 5-6, 25-27).
- 6) In January the Police Commissioner did not finalize any decisions against police officers in Administrative Prosecution Unit (APU) cases (page 33). The CCRB's APU prosecutes the most serious allegations of misconduct. The APU has not conducted any trials against members of the NYPD year-to-date; no trials were conducted against respondent officers in January.

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

# Glossary

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

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

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

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

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

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

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

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

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

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

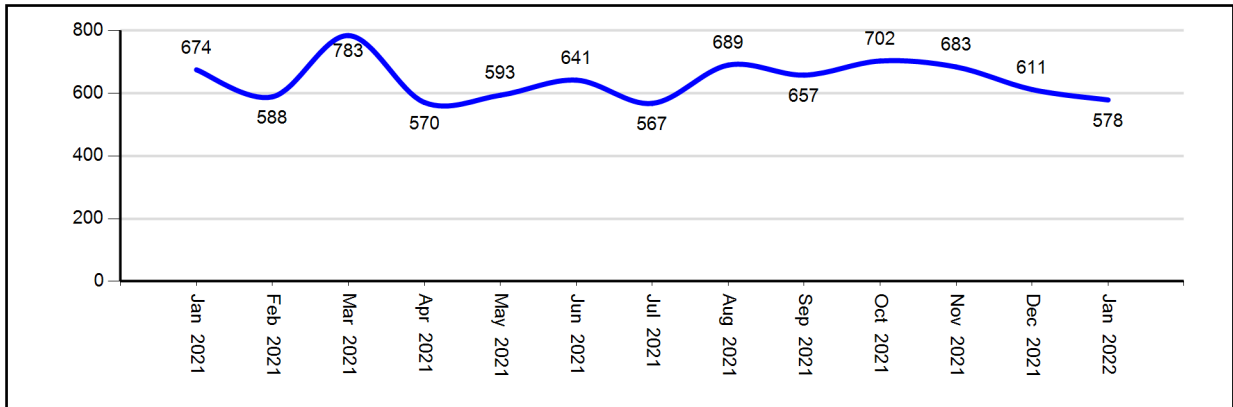
**Unable to Investigate / Withdrawn:** When the CCRB is unable to obtain a sworn statement from the complainant/alleged victim, the case is closed as unable to investigate. When the complainant/alleged victim asks that their complaint be withdrawn, the case is closed as withdrawn.

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

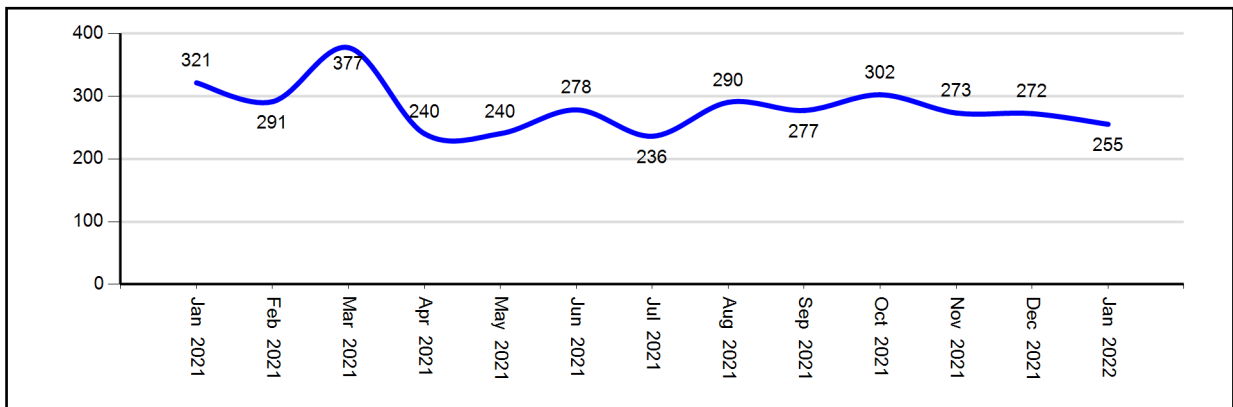
# Complaints Received

The CCRB’s Intake team processes misconduct complaints from the public and referrals from the NYPD. Under the New York City Charter, the CCRB’s jurisdiction is limited to allegations of misconduct related to Force, Abuse of Authority, Discourtesy and Offensive Language. All other complaints are referred to the appropriate agency. Figure 1 refers to all complaints that the CCRB receives and Figures 2 and 3 refer to new cases that remain with the Agency. In January 2022, the CCRB initiated 255 new complaints.

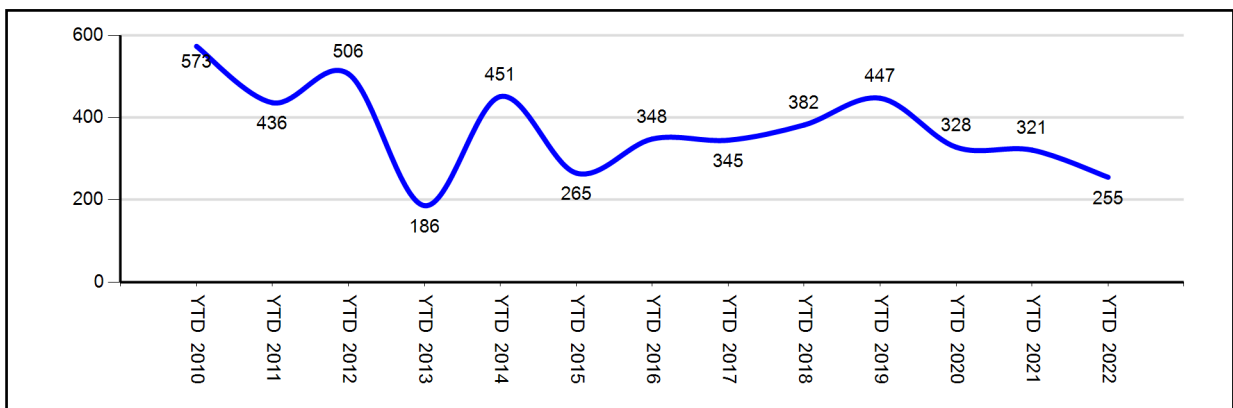
**Figure 1: Total Intake by Month (January 2021 - January 2022)**



**Figure 2: New CCRB Complaints by Month (January 2021 - January 2022)**



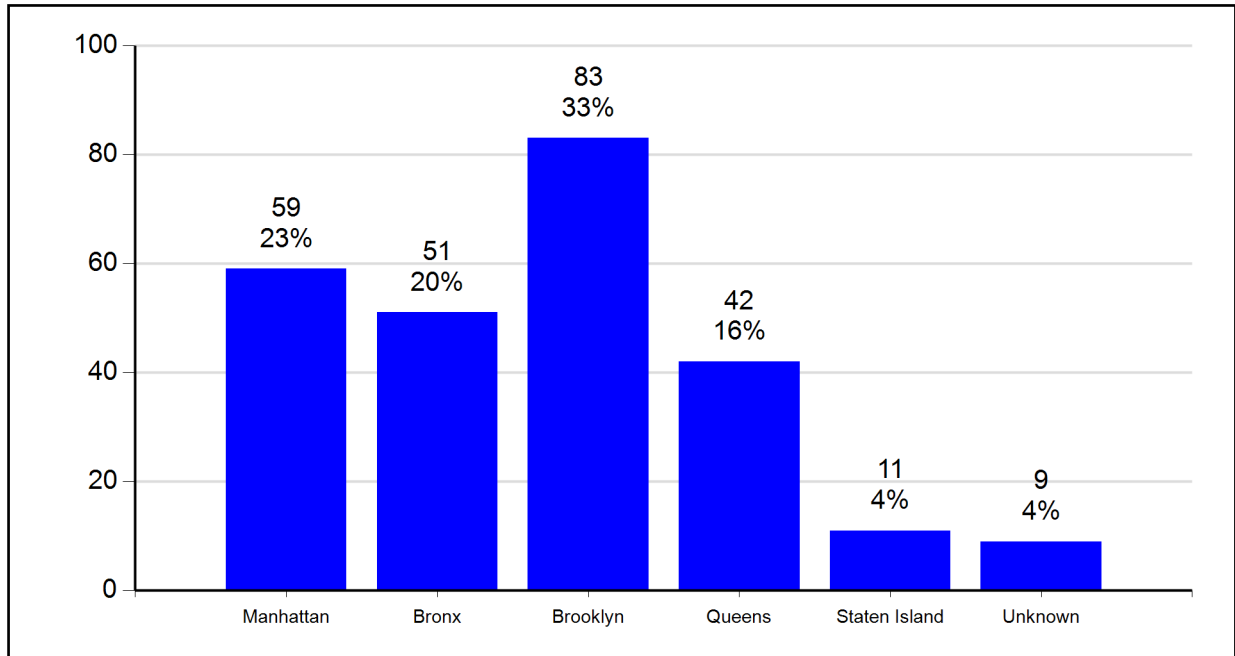
**Figure 3: New CCRB Complaints by Year (YTD 2010 - YTD 2022)**



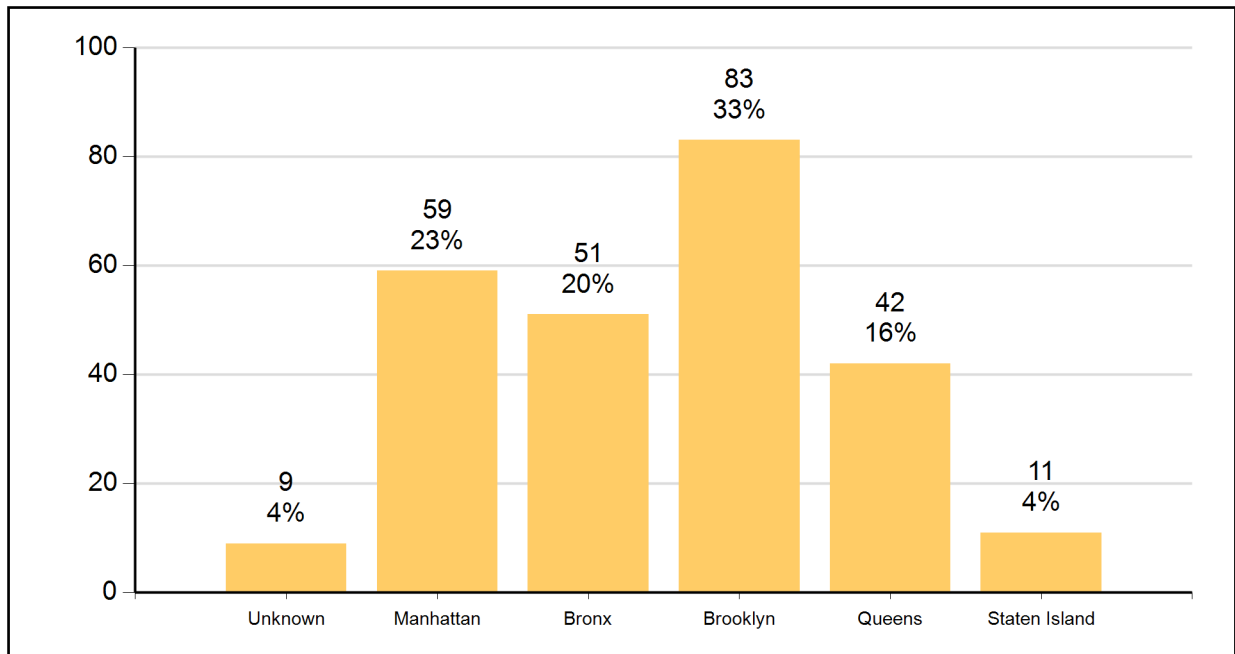
## CCRB Cases Received by Borough and Precinct

Of the five boroughs, the largest number of misconduct complaints stemmed from incidents occurring in Brooklyn, followed by Manhattan. The 81st Precinct had the highest number at 10 incidents.

**Figure 4: CCRB Complaints Received By Borough of Occurrence (January 2022)**



**Figure 5: CCRB Complaints Received By Borough of Occurrence (YTD 2022)**



**Figure 6: CCRB Complaints Received By Precinct of Occurrence (January 2022)**

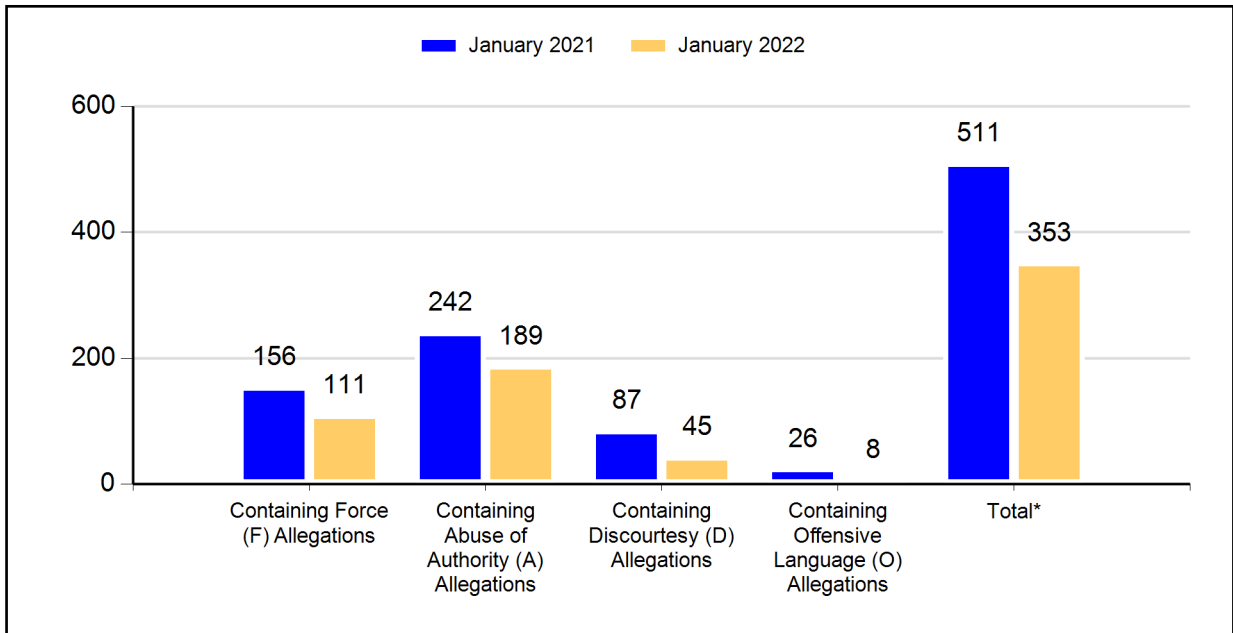
NYPD Precinct of Occurrence*	Number of Complaints	NYPD Precinct of Occurrence*	Number of Complaints
0	2	67	6
1	2	69	4
5	5	70	6
6	2	71	4
7	2	72	2
9	2	73	3
10	4	75	7
13	1	76	1
14	2	77	2
17	1	79	4
18	4	81	10
19	3	83	3
20	2	84	3
23	4	88	3
24	4	90	2
25	3	94	1
26	1	100	1
28	2	101	2
30	2	102	2
32	6	103	4
33	3	104	4
34	2	105	2
40	5	106	1
41	3	107	4
42	4	108	2
43	6	109	3
44	4	110	4
45	3	111	1
46	7	112	4
47	3	113	3
48	4	114	1
49	3	115	2
52	3	120	5
60	5	121	2
61	4	122	1
62	2	123	2
63	4	Unknown	22
66	3		

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

# Allegations Received

As described in the previous section, the CCRB has jurisdiction over four categories of NYPD misconduct. In comparing January 2021 to January 2022, the number of complaints containing an allegation of Force is down, Abuse of Authority complaints are down, Discourtesy are down and Offensive Language are down. Figures for the year-to-date comparison show that in 2022, complaints containing an allegation of Force are down, Abuse of Authority are down, Discourtesy are down and Offensive Language are down.

**Figure 7: CCRB Complaints Received By Type of Allegation (January 2021 vs. January 2022)**



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

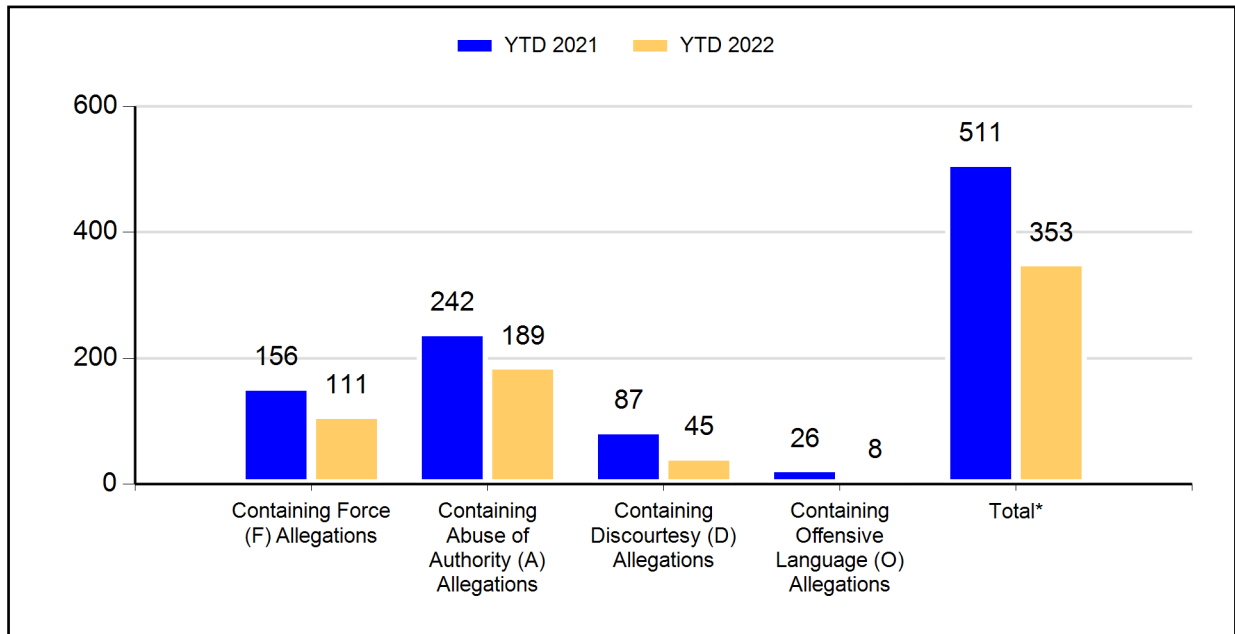
**Figure 8: CCRB Complaints Received By Type of Allegation (% of Complaints)**

	January 2021		January 2022		Change	% Change
	Count	% of Total Complaints	Count	% of Total Complaints		
Force (F)	156	49%	111	44%	-45	-29%
Abuse of Authority (A)	242	75%	189	74%	-53	-22%
Discourtesy (D)	87	27%	45	18%	-42	-48%
Offensive Language (O)	26	8%	8	3%	-18	-69%
Total FADO Allegations	511		353		-158	-31%
Total Complaints	321		255		-66	-21%

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



**Figure 9: CCRB Complaints Received By Type of Allegation (YTD 2021 vs. YTD 2022)**



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

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

	YTD 2021		YTD 2022		Change	% Change
	Count	% of Total Complaints	Count	% of Total Complaints		
Force (F)	156	49%	111	44%	-45	-29%
Abuse of Authority (A)	242	75%	189	74%	-53	-22%
Discourtesy (D)	87	27%	45	18%	-42	-48%
Offensive Language (O)	26	8%	8	3%	-18	-69%
Total FADO Allegations	511		353		-158	-31%
Total Complaints	321		255		-66	-21%

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

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

	January 2021		January 2022		Change	% Change
	Count	% of Total Allegations	Count	% of Total Allegations		
Force (F)	391	26%	210	28%	-181	-46%
Abuse of Authority (A)	913	62%	467	63%	-446	-49%
Discourtesy (D)	138	9%	56	8%	-82	-59%
Offensive Language (O)	37	3%	9	1%	-28	-76%
Total Allegations	1479		742		-737	-50%
Total Complaints	321		255		-66	-21%

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

	YTD 2021		YTD 2022		Change	% Change
	Count	% of Total Allegations	Count	% of Total Allegations		
Force (F)	391	26%	210	28%	-181	-46%
Abuse of Authority (A)	913	62%	467	63%	-446	-49%
Discourtesy (D)	138	9%	56	8%	-82	-59%
Offensive Language (O)	37	3%	9	1%	-28	-76%
Total Allegations	1479		742		-737	-50%
Total Complaints	321		255		-66	-21%

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

# CCRB Docket

As of the end of January 2022, 31% of active CCRB cases are fewer than five months old, and 44% active cases have been open for fewer than eight months.

**Figure 13: Age of Active Cases Based on Received Date (January 2022)**

Case Age Group	Count	% of Total
Cases 0-4 Months	1081	31.2%
Cases 5-7 Months	439	12.7%
Cases 8-11 Months	595	17.2%
Cases 12-18 Months*	742	21.4%
Cases Over 18 Months**	607	17.5%
<b>Total</b>	<b>3464</b>	<b>100%</b>

\*12-18 Months: 13 cases that were reopened; 3 cases that were on DA Hold.

\*\*Over18 Months: 31 cases that were reopened; 7 cases that were on DA Hold.

**Figure 14: Age of Active Cases Based on Incident Date (January 2022)**

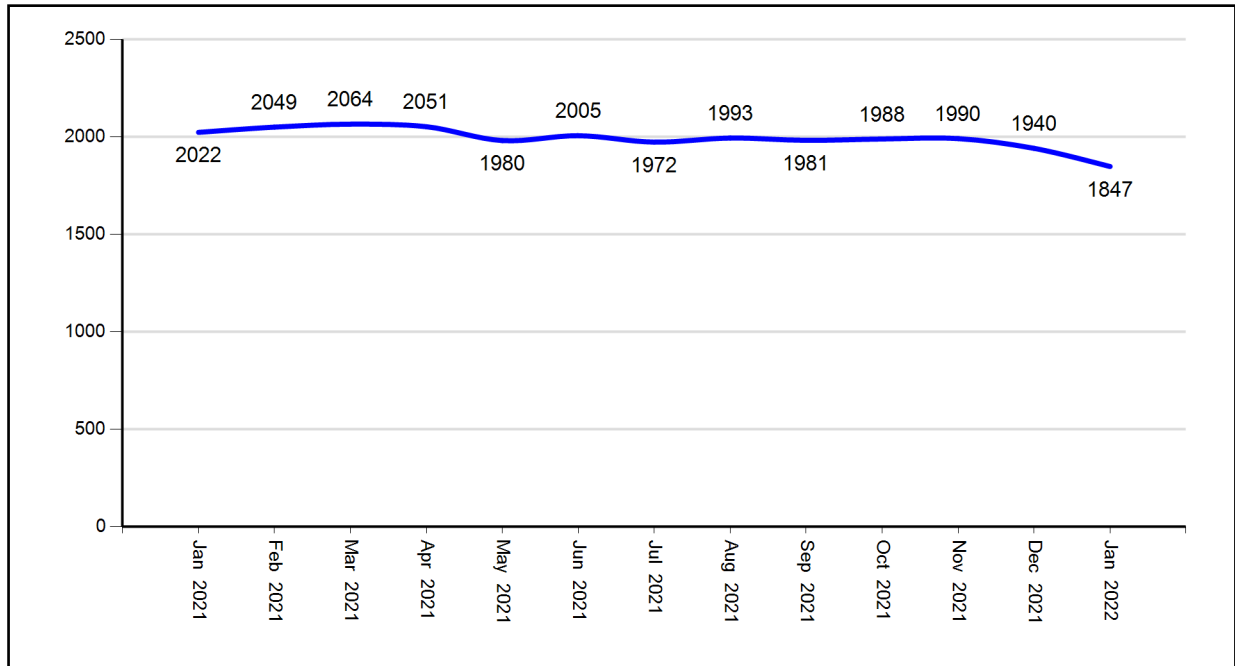
	Count	% of Total
Cases 0-4 Months	948	27.4%
Cases 5-7 Months	402	11.6%
Cases 8-11 Months	589	17.0%
Cases 12-18 Months*	781	22.5%
Cases Over 18 Months**	744	21.5%
<b>Total</b>	<b>3464</b>	<b>100%</b>

\*12-18 Months: 10 cases that were reopened; 3 cases that were on DA Hold.

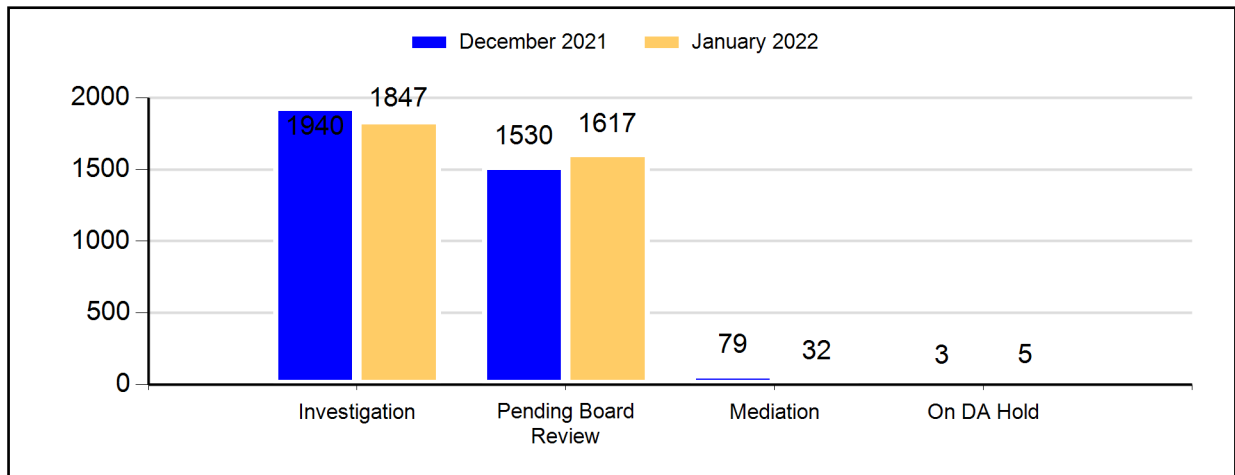
\*\*Over18 Months: 38 cases that were reopened; 8 cases that were on DA Hold.

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

**Figure 15: Number of Active Investigations (January 2021 - January 2022)**



**Figure 16: Open Docket Analysis**



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

	December 2021		January 2022		Change	% Change
	Count	% of Total	Count	% of Total		
Investigations	1940	55%	1847	53%	-93	-5%
Pending Board Review	1530	43%	1617	46%	87	6%
Mediation	79	2%	32	1%	-47	-59%
On DA Hold	3	0%	5	0%	2	67%
<b>Total</b>	<b>3552</b>		<b>3501</b>		<b>-51</b>	<b>-1%</b>

# Body Worn Camera Footage Requests

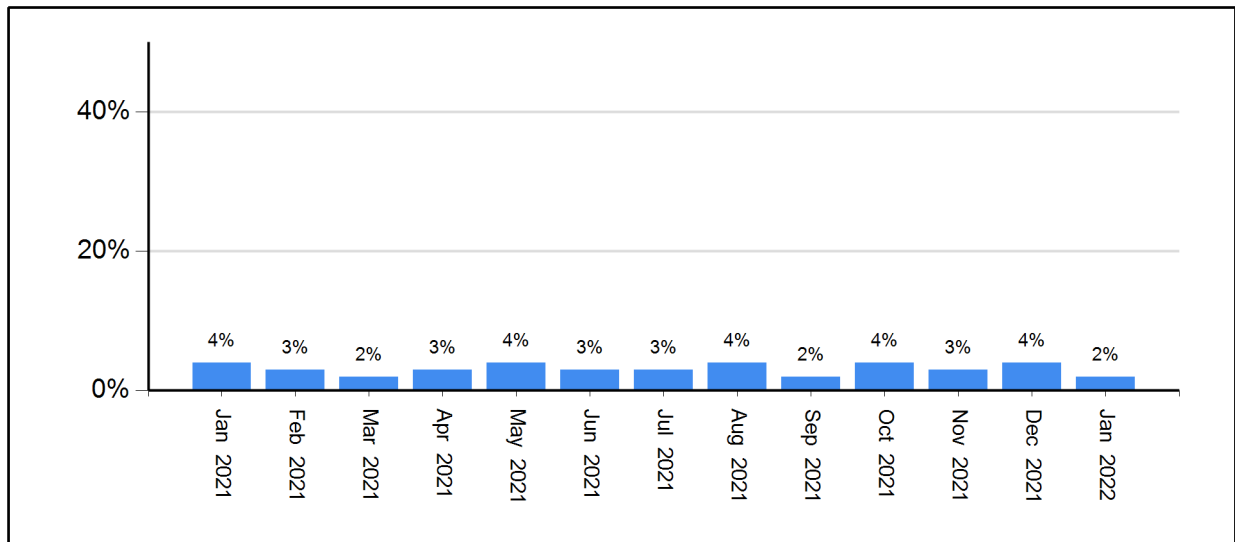
Since the widespread roll out of body worn cameras in 2018, the collection of footage from these cameras has become an integral part of CCRB investigations.

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

**Figure 18: Pending Requests for BWC Footage**

Days Pending	BWC Requests	% of Total
00 <= Days < 30	45	43.7%
30 <= Days < 60	8	7.8%
60 <= Days < 90	12	11.7%
90 >= Days	38	36.9%
<b>Total</b>	<b>103</b>	<b>100%</b>

**Figure 19: Percentage of Open Investigations Docket with Pending BWC Requests (January 2021 - January 2022)**

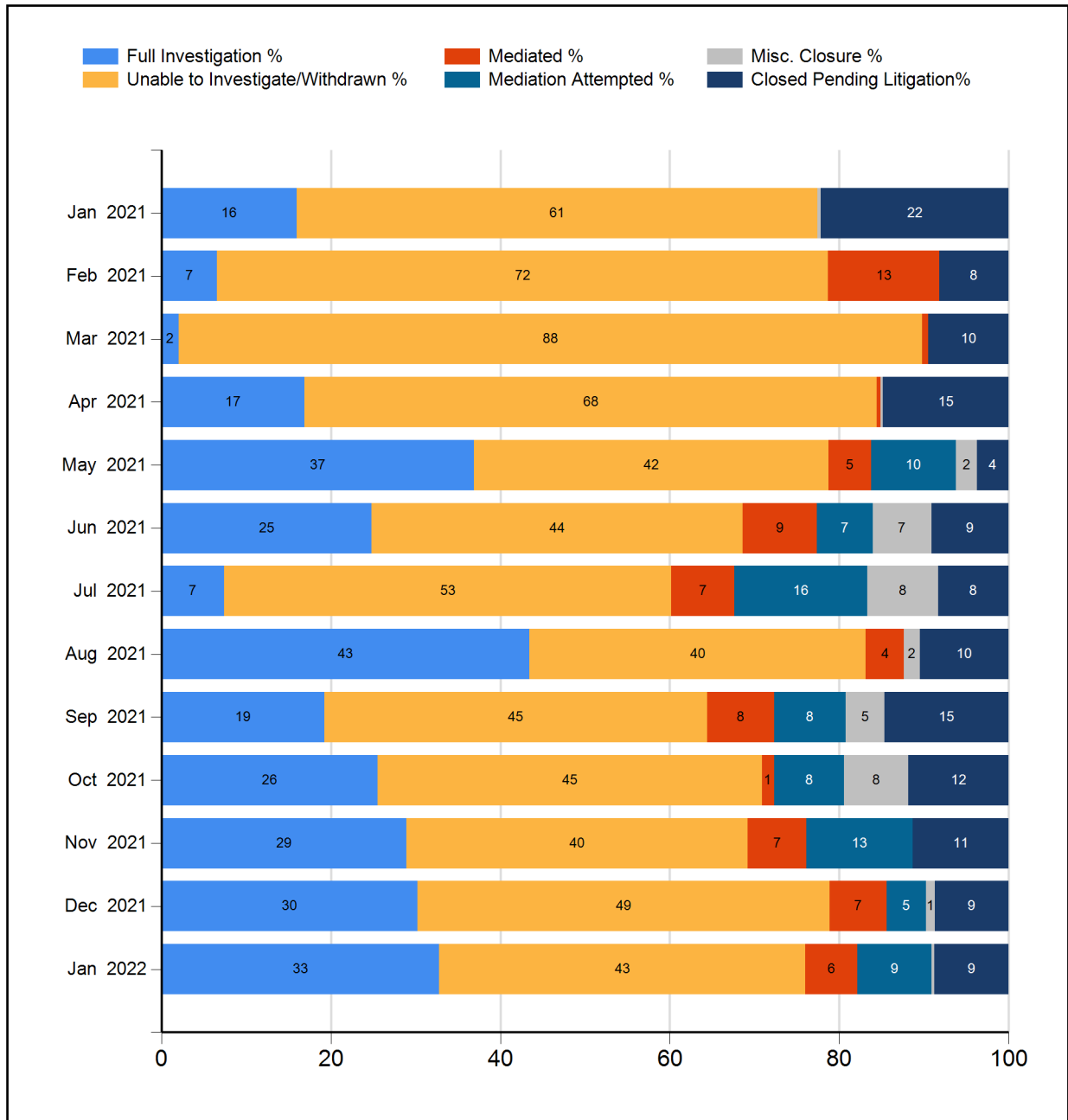


# Closed Cases

## Resolving Cases

In January 2022, the CCRB fully investigated 33% of the cases it closed, and resolved (fully investigated, mediated or mediation attempted) 48% of the cases it closed.

**Figure 20: Case Resolutions (January 2021 - January 2022) (%)**



## Dispositions

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

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

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

## Case Abstracts

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

### 1. Substantiated

An individual and several others were participating in a protest on the Brooklyn Bridge. The individual sat down with others on the roadway and interlocked arms. Officers approached the protestors and began to arrest them. The individual and others stood up and began to retreat. As they retreated the individual was approached by the subject officer who grabbed onto her hair and dragged her down to the ground, the subject officer holding onto to her hair as other officers got on top of the individual and arrested her.

The subject officer was captured on BWC footage – it showed the subject officer grabbing the individual by her hair and separating her from the group of protestors. The subject officer and the individual fall to the ground and the subject officer continues to hold onto the individual's hair while on the ground. Other officers move in and handcuff her, and the subject officer continues to pull the individual's head down by her hair.

The individual offers no physical resistance the entire time.

The investigation determined that it was undisputed that the subject officer grabbed and pulled the individual by her hair and that the subject officer's statement that the individual was "jumping" around while they were on the ground was not supported by the video evidence. The investigation determined that the use of force was unnecessary under the circumstances. The Board substantiated the Use of Force allegations.

### 2. Unable to Determine

The individual stated that she received multiple calls from the subject officer where he threatened the individual with the arrest of her daughter and to call ACS. The individual also stated that during one of the calls with the subject officer, he stated "I have kids and I can't believe you, a fucking Latina, are supporting this." The individual recorded one of the calls. The investigation found that both the subject officer and the individual knew that the individual's daughter was involved in a physical altercation at her school. The subject officer had gathered several statements that incriminated the individual's daughter as being a participant the altercation – an altercation that was classified as a crime. The recorded call captured the subject officer informing the individual to make her daughter available at the precinct or he would have to

look for her and arrest her – the subject officer’s statement was one of fact as he had probable cause to arrest the individual’s daughter and by informing the individual about it was not a threat. The recording did not capture the subject officer stating that he would contact ACS or arrest the individual. The subject officer admitted that he made a comment to the individual about her parenting but that he did not use any profanity or mention the individual’s ethnicity. Without further independent evidence, the investigation could not determine if the subject officer referred to the individual’s ethnicity or used profanity. The Board closed the Discourteous, Offensive, and Abuse of Authority allegations as Unable to Determine.

### **3. Unfounded**

An individual alleged that after he had been stopped in his vehicle, and before his license and registration was taken, the subject officer searched the back seat of his vehicle. The incident was captured on BWC. BWC footage showed that the subject officer was standing by the rear passenger-side of the vehicle while the individual’s license and registration were taken by another officer. Once those documents were retrieved, the subject officer went back to the police vehicle. The Board closed the Abuse of Authority allegation as Unfounded.

### **4. Within NYPD Guidelines**

An individual stated that he was smoking a cigarette outside his building when he saw subject officers 1, 2, and 3 arrive. He heard one officer tell him that he was under arrest and the individual ran into the building. The individual’s mother saw subject officer 4 bring the individual to the ground. She stated that she tried to apprise the officers of the individual’s medical condition and one of the officers handcuffed him. The individual remained on the floor for a few minutes when subject officer 5 entered the building and tasered the individual from approximately a few feet away from the individual. There was no BWC footage of the incident. Subject officers 1, 2, and 3 stated at their interviews stated that they saw the individual outside his home, and he noticed them. They stated that the individual immediately ran towards the building and they chased after him. They caught up to him and tried to put the individual’s arms around his back, but he kept flailing his arms. They called for assistance from subject officers 4 and 5. Subject officer 4 stated that he tried to help control the individual to handcuff him and subject officer 5 stated that the individual was kicking and pushing at the other officers. He stated that he could smell a strong odor of alcohol coming from the individual and that his eyes were bloodshot. Subject officer 5 stated that he yelled taser several times before he deployed it, striking the individual and causing him to fall to the ground. The investigation determined that the statements of the officers and the individual’s mother showed that the individual was engaged in a physical struggle with the officers as they attempted to arrest him and that the force used was used to overcome his resistance to being arrested. The Board found the subject officers conduct to be within the Department’s guidelines and closed the Use of Force allegations as being Within NYPD Guidelines.

### **5. Officer Unidentified**

An individual stated that he was home when three unidentified officers knocked on his door. They stated that they were looking for his son and he told them that his son wasn’t home. The officers asked the individual if his son was in a gang and the individual replied that his son was not in a gang. The officers then left the individual’s home. The individual was able to give a physical description of the officers – that they were all white males in plainclothes. The individual stated that the officer whom he spoke with had a Slavic accent. He believed that they were all from the same precinct. The investigation checked police documents including rooster sheets, warrants, event sheet and gang unit activities. There were no records of warrants issued for the individual’s address. There were searches of the son’s name in police databases. Officers that matched the individual’s description did not have memo book entries containing the individual’s name nor address. The investigation was unable to determine to identify the officers that spoke to the individual. The Board closed the Abuse of Authority allegation as Officer Unidentified.

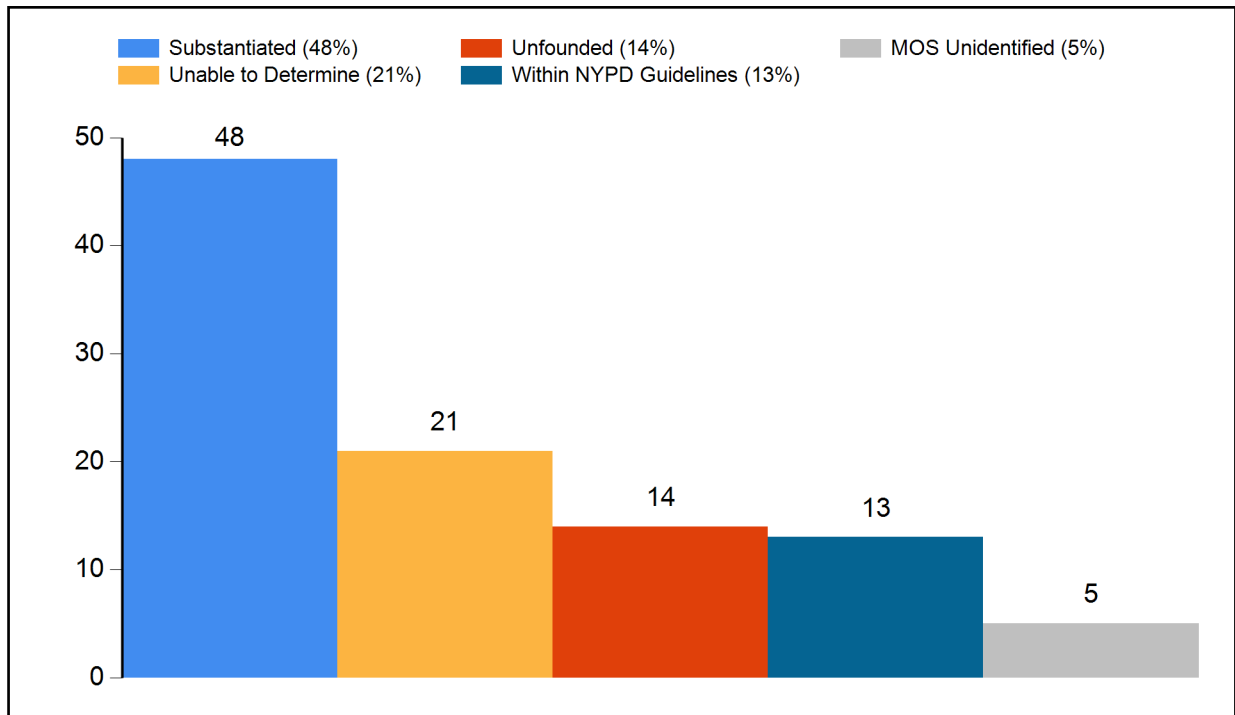
\* Unable to determine is reported to the Commissioner as Unsubstantiated, meaning that there was insufficient evidence to establish whether or not there was an act of misconduct.

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



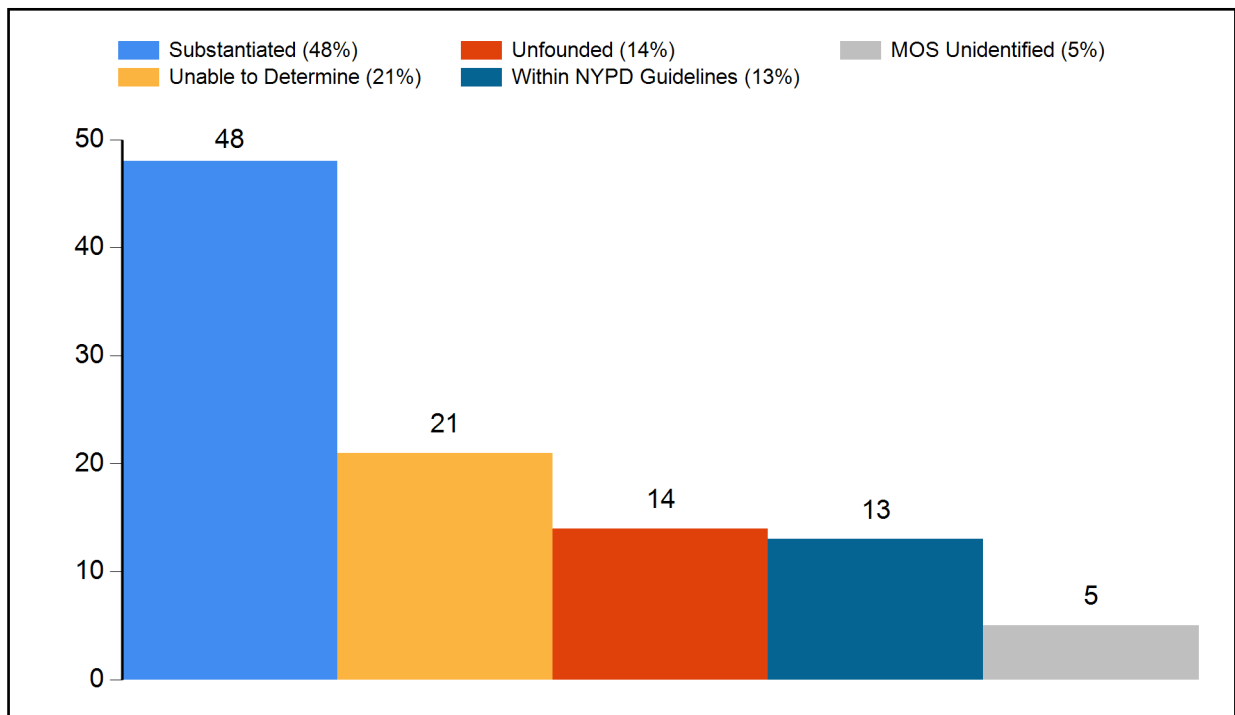
## Dispositions - Full Investigations

Figure 21: Disposition Counts of Full Investigations (January 2022)



Due to the reconsideration process, counts are subject to change.

Figure 22: Disposition Counts of Full Investigations (YTD 2022)



Due to the reconsideration process, counts are subject to change.

## Dispositions - All CCRB Cases

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

**Figure 23: Disposition of Cases (2021 vs 2022)**

	Jan 2021		Jan 2022		YTD 2021		YTD 2022	
	Count	% of Total	Count	% of Total	Count	% of Total	Count	% of Total
<b>Full Investigations</b>								
Substantiated	15	37%	48	48%	15	37%	48	48%
Within NYPD Guidelines	5	12%	13	13%	5	12%	13	13%
Unfounded	4	10%	14	14%	4	10%	14	14%
Unable to Determine	11	27%	21	21%	11	27%	21	21%
MOS Unidentified	6	15%	5	5%	6	15%	5	5%
<b>Total - Full Investigations</b>	<b>41</b>		<b>101</b>		<b>41</b>		<b>101</b>	
<b>Mediation Closures</b>	Count	% of Total	Count	% of Total	Count	% of Total	Count	% of Total
Mediated	0	0%	19	41%	0	0%	19	41%
Mediation Attempted	0	0%	27	59%	0	0%	27	59%
<b>Total - ADR Closures</b>	<b>0</b>		<b>46</b>		<b>0</b>		<b>46</b>	
<b>Resolved Case Total</b>	<b>41</b>	<b>16%</b>	<b>147</b>	<b>48%</b>	<b>41</b>	<b>16%</b>	<b>147</b>	<b>48%</b>
<b>Unable to Investigate / Other Closures</b>	Count	% of Total	Count	% of Total	Count	% of Total	Count	% of Total
Complaint withdrawn	39	18%	28	17%	39	18%	28	17%
Unable to Investigate	119	55%	105	65%	119	55%	105	65%
Closed - Pending Litigation	57	26%	27	17%	57	26%	27	17%
Miscellaneous	0	0%	1	1%	0	0%	1	1%
Administrative closure*	1	0%	0	0%	1	0%	0	0%
<b>Total - Other Case Dispositions</b>	<b>216</b>		<b>161</b>		<b>216</b>		<b>161</b>	
<b>Total - Closed Cases</b>	<b>257</b>		<b>308</b>		<b>257</b>		<b>308</b>	

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

## Dispositions - FADO Allegations

“Allegations” are different than “cases.” A case or complaint is based on an incident and may contain one or more allegations of police misconduct. The allegation substantiation rate is 20% for the month of January 2022, and the allegation substantiation rate is 20% year-to-date.

**Figure 24: Disposition of Allegations (2021 vs 2022)**

	Jan 2021		Jan 2022		YTD 2021		YTD 2022	
	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
<b>Fully Investigated Allegations</b>								
Substantiated	40	26%	124	20%	40	26%	124	20%
Unable to Determine	33	22%	147	24%	33	22%	147	24%
Unfounded	13	9%	82	14%	13	9%	82	14%
Within NYPD Guidelines	49	32%	209	34%	49	32%	209	34%
MOS Unidentified	17	11%	44	7%	17	11%	44	7%
<b>Total - Full Investigations</b>	<b>152</b>		<b>606</b>		<b>152</b>		<b>606</b>	
<b>Mediation Closures</b>	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Mediated	0	0%	60	42%	0	0%	60	42%
Mediation Attempted	0	0%	82	58%	0	0%	82	58%
<b>Total - ADR Closures</b>	<b>0</b>		<b>142</b>		<b>0</b>		<b>142</b>	
<b>Unable to Investigate / Other Closures</b>	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Complaint withdrawn	82	14%	53	12%	82	14%	53	12%
Unable to Investigate	294	50%	271	64%	294	50%	271	64%
Closed - Pending Litigation	200	34%	87	20%	200	34%	87	20%
Miscellaneous	12	2%	15	4%	12	2%	15	4%
Administrative closure	3	1%	0	0%	3	1%	0	0%
<b>Total - Other Case Dispositions</b>	<b>591</b>		<b>426</b>		<b>591</b>		<b>426</b>	
<b>Total - Closed Allegations</b>	<b>743</b>		<b>1223</b>		<b>743</b>		<b>1223</b>	

**Figure 25: Disposition of Allegations By FADO Category (January 2022)**

	Substantiated	Unable to Determine	Within NYPD Guidelines	Unfounded	Officers Unidentified	Total
Force	16 11%	19 13%	57 40%	36 25%	15 10%	143 100%
Abuse of Authority	60 16%	116 31%	143 38%	36 10%	20 5%	375 100%
Discourtesy	37 49%	10 13%	9 12%	10 13%	9 12%	75 100%
Offensive Language	8 80%	2 20%	0 0%	0 0%	0 0%	10 100%
Total	121 20%	147 24%	209 35%	82 14%	44 7%	603 100%

**Figure 26: Disposition of Allegations By FADO Category (YTD 2022)**

	Substantiated	Unable to Determine	Within NYPD Guidelines	Unfounded	Officers Unidentified	Total
Force	16 11%	19 13%	57 40%	36 25%	15 10%	143 100%
Abuse of Authority	60 16%	116 31%	143 38%	36 10%	20 5%	375 100%
Discourtesy	37 49%	10 13%	9 12%	10 13%	9 12%	75 100%
Offensive Language	8 80%	2 20%	0 0%	0 0%	0 0%	10 100%
Total	121 20%	147 24%	209 35%	82 14%	44 7%	603 100%

## Dispositions - Untruthful Statement Allegations

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

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

**Figure 27: Disposition of Untruthful Statement Allegations (January 2022)**

Untruthful Statement Allegation	Substantiated		Within NYPD Guidelines		Unable to Determine		Unfounded		Administrative Closure		Other	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
False official statement	2	100%	0	0%	0	0%	0	0%	0	0%	0	0%
Misleading official statement	1	100%	0	0%	0	0%	0	0%	0	0%	0	0%
Inaccurate official statement	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Impeding an investigation	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Total</b>	<b>3</b>	<b>100%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>

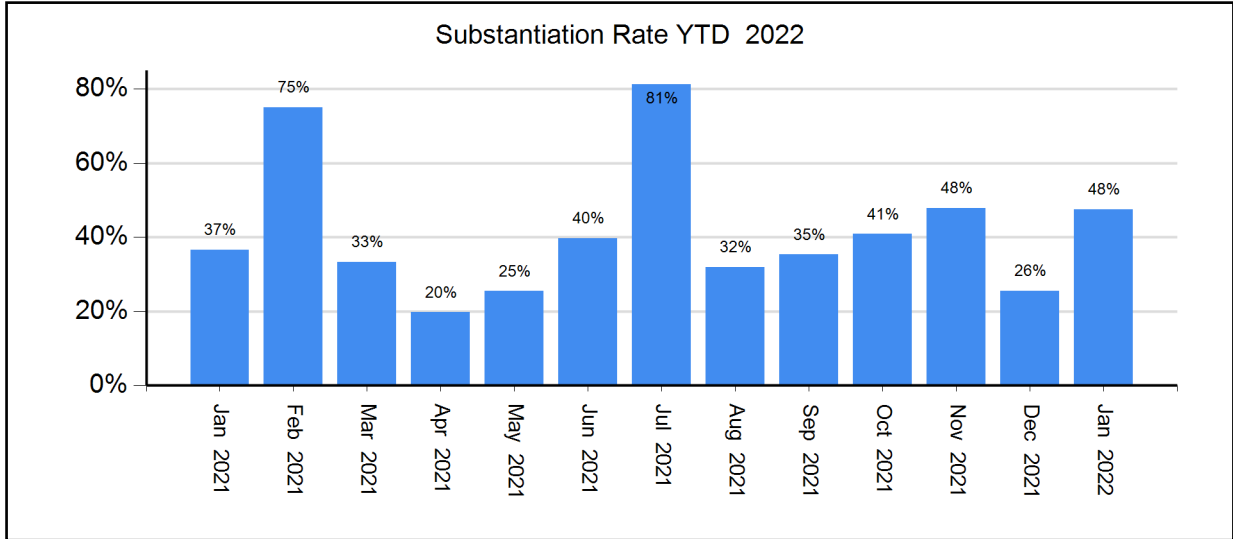
**Figure 28: Disposition of Untruthful Statement Allegations (YTD 2022)**

Untruthful Statement Allegation	Substantiated		Within NYPD Guidelines		Unable to Determine		Unfounded		Administrative Closure		Other	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
False official statement	2	100%	0	0%	0	0%	0	0%	0	0%	0	0%
Misleading official statement	1	100%	0	0%	0	0%	0	0%	0	0%	0	0%
Inaccurate official statement	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Impeding an investigation	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
<b>Total</b>	<b>3</b>	<b>100%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>

## Substantiation Rates

The January 2022 case substantiation rate was 48%.

**Figure 29: Percentage of Cases Substantiated (January 2021 - January 2022)**

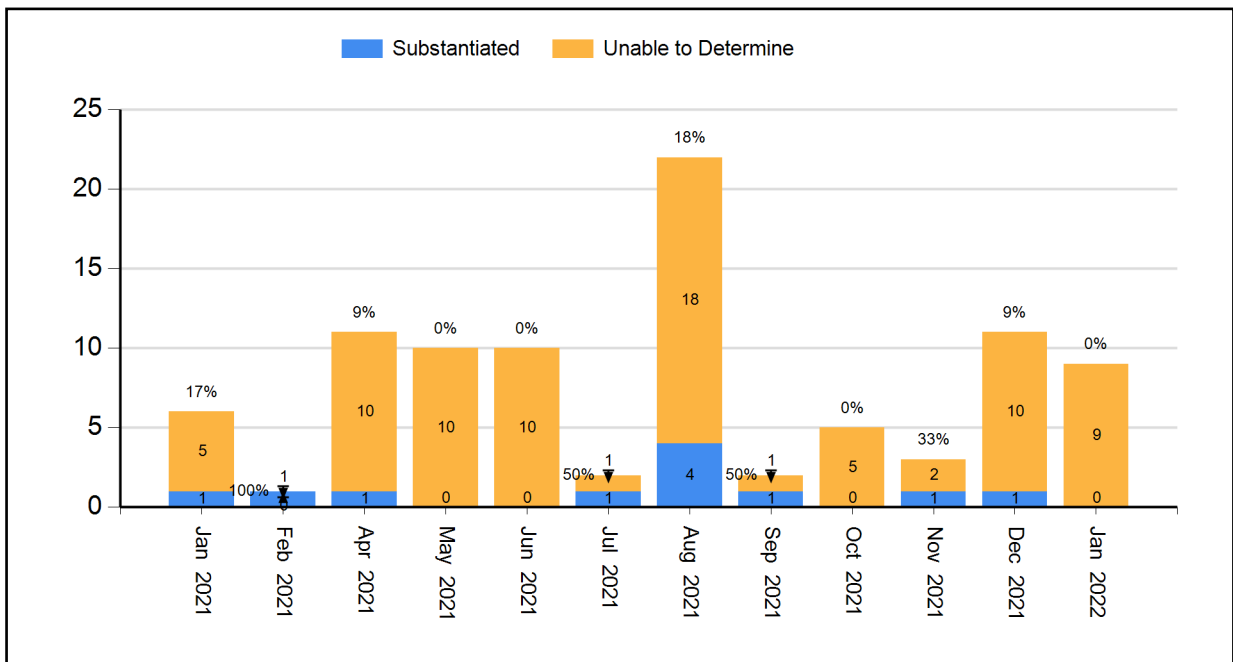


Due to the reconsideration process, counts are subject to change.

## Substantiation Rates and Video

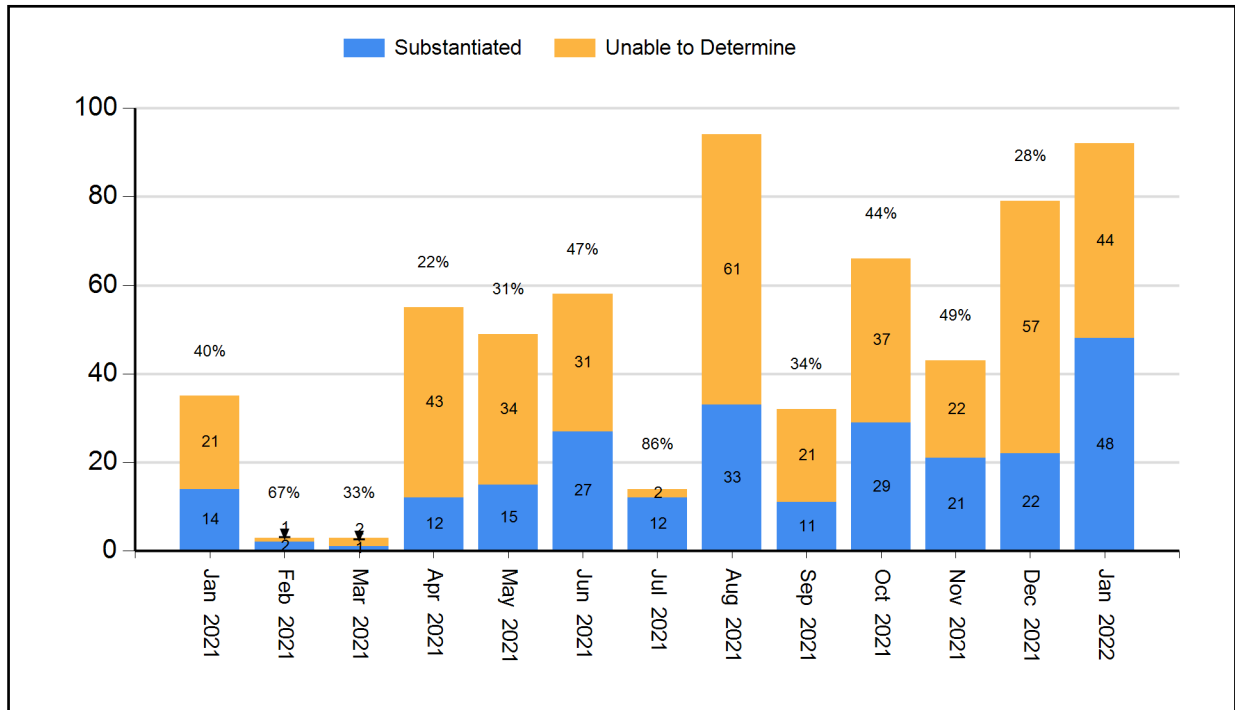
In general, investigations relying on video evidence from security cameras or personal devices result in much higher substantiation rates.

**Figure 30: Substantiation Rates for Full Investigations without Video (Jan 2022 - Jan 2022) (% substantiated shown)**



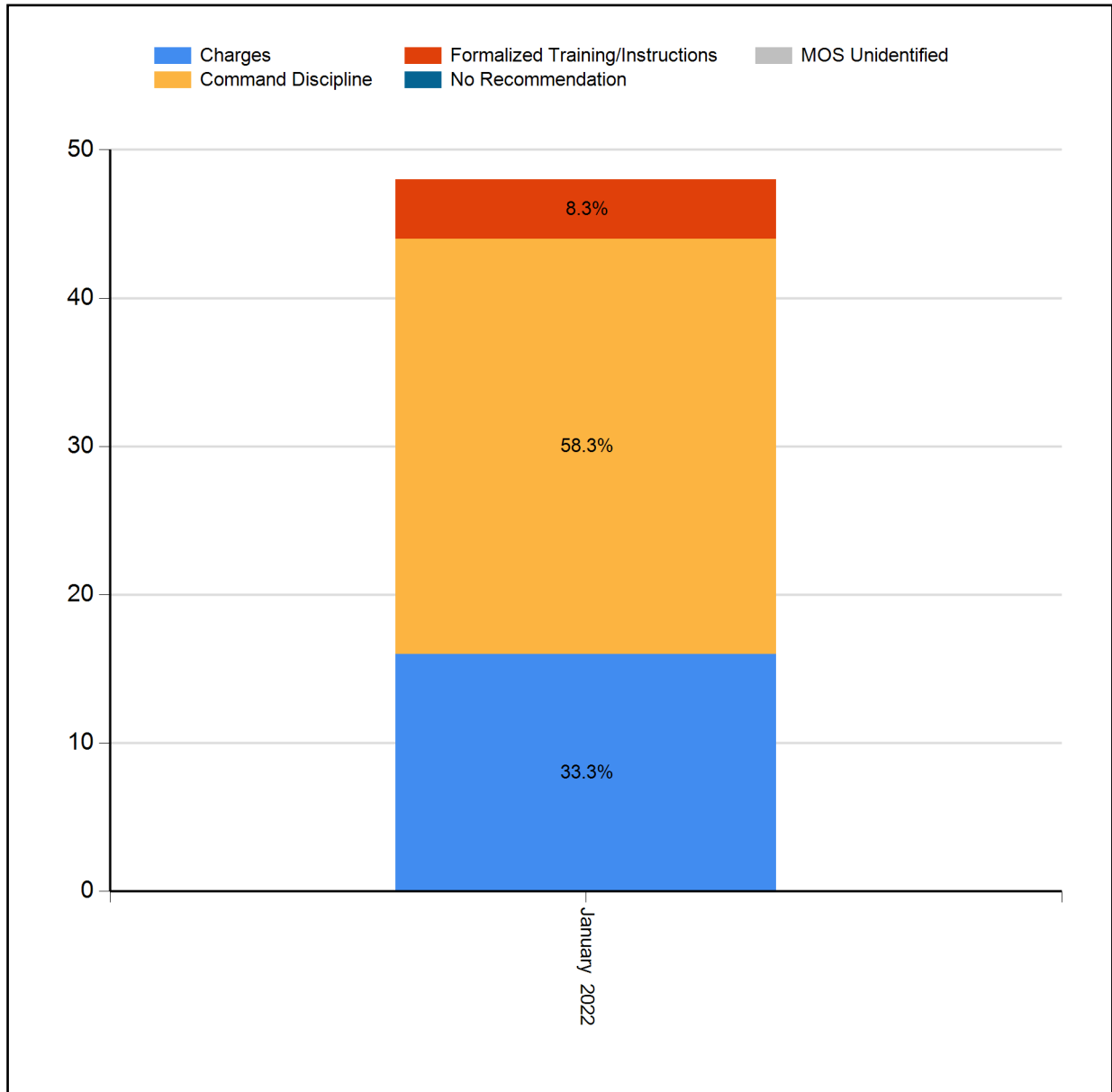
Due to the reconsideration process, counts are subject to change.

**Figure 31: Substantiation Rates for Full Investigations with Video (Jan 2022 - Jan 2022)**  
 (% substantiated shown)



Due to the reconsideration process, counts are subject to change.

**Figure 32: Disposition of Substantiated Complaints\* (2022)**



Due to the reconsideration process, counts are subject to change.

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



## Board Discipline Recommendations for Substantiated Officers

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

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

**Figure 33: Board Discipline Recommendations for Officers with Substantiated Allegations\*\*  
(Jan 2021, Jan 2022, YTD 2021, YTD 2022)**

Disposition	January 2021		January 2022		YTD 2021		YTD 2022	
	Count	%	Count	%	Count	%	Count	%
Charges	1	5%	18	26%	1	5%	18	26%
Command Discipline B	2	10%	13	19%	2	10%	13	19%
Command Discipline A	7	33%	32	47%	7	33%	32	47%
Formalized Training	6	29%	5	7%	6	29%	5	7%
Instructions	5	24%	0	0%	5	24%	0	0%
Total	21		68		21		68	

Due to the reconsideration process, counts are subject to change.

\*With the adoption of the NYPD Disciplinary Matrix on 03/15/2021, the CCRB no longer issues Instructions as a Board Discipline Recommendation.

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

Prior to the CCRB's adoption of the NYPD's Disciplinary Matrix on 03/15/2021, the Board Discipline Recommendation for each officer was determined by the most severe disposition of the allegation(s) substantiated against the officer, with the order of severity as follows: 1. Charges 2. Command Discipline B 3. Command Discipline A 4. Formalized Training 5. Instructions.

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

**Figure 34: Substantiated Allegations By Borough and NYPD Precinct (January 2022)**

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

Board Disposition	FADO Category	Allegation	Precinct of Occurrence	Borough of Occurrence
Substantiated (Command Discipline A)	Abuse of Authority	Failure to provide RTKA card	7	Manhattan
Substantiated (Command Discipline A)	Abuse of Authority	Failure to provide RTKA card	7	Manhattan
Substantiated (Command Discipline A)	Discourtesy	Word	10	Manhattan
Substantiated (Charges)	Abuse of Authority	Threat of arrest	13	Manhattan
Substantiated (Charges)	Abuse of Authority	Interference with recording	13	Manhattan
Substantiated (Command Discipline A)	Discourtesy	Word	13	Manhattan
Substantiated (Command Discipline A)	Discourtesy	Word	14	Manhattan
Substantiated (Command Discipline B)	Discourtesy	Word	14	Manhattan
Substantiated (Command Discipline B)	Force	Physical force	14	Manhattan
Substantiated (Command Discipline B)	Discourtesy	Word	17	Manhattan
Substantiated (Command Discipline B)	Discourtesy	Word	17	Manhattan
Substantiated (Charges)	Abuse of Authority	Threat of force (verbal or physical)	18	Manhattan
Substantiated (Charges)	Abuse of Authority	Interference with recording	18	Manhattan
Substantiated (Charges)	Abuse of Authority	Failed to Obtain Language Interpretation	18	Manhattan
Substantiated (Charges)	Discourtesy	Word	18	Manhattan
Substantiated (Charges)	Force	Physical force	18	Manhattan
Substantiated (Charges)	Force	Physical force	18	Manhattan
Substantiated (Charges)	Abuse of Authority	Threat of arrest	20	Manhattan
Substantiated (Charges)	Abuse of Authority	Threat of force (verbal or physical)	20	Manhattan
Substantiated (Charges)	Discourtesy	Word	20	Manhattan
Substantiated (Charges)	Discourtesy	Word	20	Manhattan
Substantiated (Charges)	Discourtesy	Word	20	Manhattan
Substantiated (Charges)	Discourtesy	Word	20	Manhattan
Substantiated (Charges)	Discourtesy	Word	20	Manhattan
Substantiated (Charges)	Discourtesy	Action	20	Manhattan
Substantiated (Charges)	Discourtesy	Action	20	Manhattan
Substantiated (Charges)	Offensive Language	Other	20	Manhattan
Substantiated (Charges)	Offensive Language	Other	20	Manhattan
Substantiated (Command Discipline B)	Abuse of Authority	Vehicle search	25	Manhattan
Substantiated (Command Discipline B)	Abuse of Authority	Frisk	25	Manhattan
Substantiated (Command Discipline B)	Abuse of Authority	Question	25	Manhattan
Substantiated (Formalized Training)	Abuse of Authority	Failure to provide RTKA card	26	Manhattan
Substantiated (Charges)	Discourtesy	Word	32	Manhattan
Substantiated (Charges)	Discourtesy	Word	32	Manhattan
Substantiated (Charges)	Offensive Language	Race	32	Manhattan
Substantiated (Charges)	Offensive Language	Sexual orientation	32	Manhattan
Substantiated (Charges)	Offensive Language	Gender	32	Manhattan
Substantiated (Charges)	Abuse of Authority	Vehicle search	33	Manhattan
Substantiated (Charges)	Abuse of Authority	Vehicle search	33	Manhattan
Substantiated (Charges)	Abuse of Authority	Threat of arrest	33	Manhattan
Substantiated (Charges)	Abuse of Authority	Threat to damage/seize property	33	Manhattan
Substantiated (Charges)	Abuse of Authority	Threat to damage/seize property	33	Manhattan
Substantiated (Charges)	Discourtesy	Word	33	Manhattan
Substantiated (Charges)	Force	Gun Pointed	33	Manhattan
Substantiated (Charges)	Discourtesy	Word	34	Manhattan
Substantiated (Command Discipline A)	Force	Physical force	34	Manhattan
Substantiated (Charges)	Offensive Language	Ethnicity	34	Manhattan
Substantiated (Formalized Training)	Abuse of Authority	Forcible Removal to Hospital	41	Bronx
Substantiated (Formalized Training)	Abuse of Authority	Forcible Removal to Hospital	41	Bronx

<b>Board Disposition</b>	<b>FADO Category</b>	<b>Allegation</b>	<b>Precinct of Occurrence</b>	<b>Borough of Occurrence</b>
Substantiated (Formalized Training)	Abuse of Authority	Failure to provide RTKA card	44	Bronx
Substantiated (Charges)	Discourtesy	Action	44	Bronx
Substantiated (Charges)	Untruthful Statement	False official statement	44	Bronx
Substantiated (Charges)	Abuse of Authority	Threat of force (verbal or physical)	45	Bronx
Substantiated (Charges)	Discourtesy	Word	45	Bronx
Substantiated (Charges)	Discourtesy	Word	45	Bronx
Substantiated (Charges)	Force	Pepper spray	45	Bronx
Substantiated (Charges)	Force	Physical force	45	Bronx
Substantiated (Charges)	Offensive Language	Other	45	Bronx
Substantiated (Command Discipline A)	Discourtesy	Word	46	Bronx
Substantiated (Command Discipline A)	Discourtesy	Word	47	Bronx
Substantiated (Command Discipline A)	Abuse of Authority	Failure to provide RTKA card	48	Bronx
Substantiated (Charges)	Abuse of Authority	Photography/Videography	60	Brooklyn
Substantiated (Command Discipline A)	Abuse of Authority	Failure to provide RTKA card	70	Brooklyn
Substantiated (Command Discipline A)	Abuse of Authority	Failure to provide RTKA card	70	Brooklyn
Substantiated (Command Discipline A)	Discourtesy	Word	70	Brooklyn
Substantiated (Command Discipline A)	Discourtesy	Word	70	Brooklyn
Substantiated (Charges)	Untruthful Statement	False official statement	71	Brooklyn
Substantiated (Command Discipline A)	Abuse of Authority	Vehicle stop	73	Brooklyn
Substantiated (Command Discipline B)	Abuse of Authority	Threat of force (verbal or physical)	73	Brooklyn
Substantiated (Formalized Training)	Abuse of Authority	Search (of person)	73	Brooklyn
Substantiated (Charges)	Abuse of Authority	Forcible Removal to Hospital	73	Brooklyn
Substantiated (Charges)	Abuse of Authority	Forcible Removal to Hospital	73	Brooklyn
Substantiated (Command Discipline A)	Abuse of Authority	Failure to provide RTKA card	73	Brooklyn
Substantiated (Command Discipline A)	Abuse of Authority	Failure to provide RTKA card	73	Brooklyn
Substantiated (Command Discipline A)	Abuse of Authority	Failure to provide RTKA card	73	Brooklyn
Substantiated (Command Discipline A)	Abuse of Authority	Failure to provide RTKA card	73	Brooklyn
Substantiated (Command Discipline A)	Discourtesy	Word	73	Brooklyn
Substantiated (Command Discipline B)	Discourtesy	Word	73	Brooklyn
Substantiated (Charges)	Discourtesy	Word	73	Brooklyn
Substantiated (Charges)	Discourtesy	Word	73	Brooklyn
Substantiated (Command Discipline A)	Discourtesy	Word	73	Brooklyn
Substantiated (Charges)	Discourtesy	Word	73	Brooklyn
Substantiated (Command Discipline A)	Discourtesy	Word	73	Brooklyn
Substantiated (Charges)	Discourtesy	Action	73	Brooklyn
Substantiated (Charges)	Force	Physical force	73	Brooklyn
Substantiated (Charges)	Force	Physical force	73	Brooklyn
Substantiated (Charges)	Offensive Language	Race	73	Brooklyn
Substantiated (Charges)	Untruthful Statement	Misleading official statement	73	Brooklyn
Substantiated (Command Discipline B)	Abuse of Authority	Vehicle search	75	Brooklyn
Substantiated (Command Discipline B)	Abuse of Authority	Vehicle search	75	Brooklyn
Substantiated (Charges)	Abuse of Authority	Frisk	75	Brooklyn
Substantiated (Charges)	Abuse of Authority	Search (of person)	75	Brooklyn
Substantiated (Charges)	Abuse of Authority	Stop	75	Brooklyn
Substantiated (Charges)	Abuse of Authority	Stop	75	Brooklyn
Substantiated (Charges)	Abuse of Authority	Stop	75	Brooklyn
Substantiated (Command Discipline B)	Abuse of Authority	Stop	75	Brooklyn
Substantiated (Command Discipline B)	Abuse of Authority	Stop	75	Brooklyn
Substantiated (Command Discipline B)	Abuse of Authority	Failure to provide RTKA card	75	Brooklyn
Substantiated (Command Discipline B)	Force	Physical force	75	Brooklyn
Substantiated (Charges)	Force	Physical force	75	Brooklyn

<b>Board Disposition</b>	<b>FADO Category</b>	<b>Allegation</b>	<b>Precinct of Occurrence</b>	<b>Borough of Occurrence</b>
Substantiated (Charges)	Force	Physical force	75	Brooklyn
Substantiated (Command Discipline A)	Abuse of Authority	Refusal to process civilian complaint	78	Brooklyn
Substantiated (Command Discipline A)	Abuse of Authority	Refusal to process civilian complaint	78	Brooklyn
Substantiated (Charges)	Force	Physical force	81	Brooklyn
Substantiated (Charges)	Force	Physical force	81	Brooklyn
Substantiated (Command Discipline A)	Abuse of Authority	Failure to provide RTKA card	83	Brooklyn
Substantiated (Command Discipline A)	Abuse of Authority	Failure to provide RTKA card	83	Brooklyn
Substantiated (Command Discipline B)	Force	Physical force	84	Brooklyn
Substantiated (Command Discipline A)	Discourtesy	Word	90	Brooklyn
Substantiated (Command Discipline A)	Discourtesy	Word	90	Brooklyn
Substantiated (Command Discipline A)	Abuse of Authority	Seizure of property	103	Queens
Substantiated (Command Discipline A)	Discourtesy	Word	105	Queens
Substantiated (Charges)	Abuse of Authority	Threat of force (verbal or physical)	108	Queens
Substantiated (Charges)	Discourtesy	Word	108	Queens
Substantiated (Charges)	Force	Physical force	108	Queens
Substantiated (Command Discipline B)	Abuse of Authority	Frisk	114	Queens
Substantiated (Command Discipline B)	Abuse of Authority	Frisk	114	Queens
Substantiated (Command Discipline B)	Abuse of Authority	Search (of person)	114	Queens
Substantiated (Command Discipline B)	Abuse of Authority	Search (of person)	114	Queens
Substantiated (Command Discipline B)	Abuse of Authority	Failure to provide RTKA card	114	Queens
Substantiated (Command Discipline B)	Discourtesy	Word	114	Queens
Substantiated (Charges)	Abuse of Authority	Threat of arrest	120	Staten Island
Substantiated (Charges)	Abuse of Authority	Threat of arrest	120	Staten Island
Substantiated (Charges)	Abuse of Authority	Threat to damage/seize property	120	Staten Island
Substantiated (Charges)	Abuse of Authority	Threat to damage/seize property	120	Staten Island

## Unable to Investigate and Withdrawn Complaints

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

**Figure 35: Unable to Investigate and Withdrawn Allegations (January 2022)**

	Withdrawn	Unable to Investigate	Total
OPMN	0	0	0
Untruthful Statement	0	0	0
Force	18	74	92
Abuse of Authority	25	156	181
Discourtesy	9	32	41
Offensive Language	1	9	10
<b>Total</b>	<b>53</b>	<b>271</b>	<b>324</b>

**Figure 36: Unable to Investigate and Withdrawn CCRB Complaints (January 2022)**

	Withdrawn	Unable to Investigate	Total
<b>Total</b>	<b>28</b>	<b>105</b>	<b>133</b>

**Figure 37: Unable to Investigate and Withdrawn Allegations (YTD 2022)**

	Withdrawn	Unable to Investigate	Total
OPMN	0	0	0
Untruthful Statement	0	0	0
Force	18	74	92
Abuse of Authority	25	156	181
Discourtesy	9	32	41
Offensive Language	1	9	10
<b>Total</b>	<b>53</b>	<b>271</b>	<b>324</b>

**Figure 38: Unable to Investigate and Withdrawn CCRB Complaints (YTD 2022)**

	Withdrawn	Unable to Investigate	Total
<b>Total</b>	<b>28</b>	<b>105</b>	<b>133</b>

## Complaints Against Officers Assigned to Police Service Areas

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

**Figure 39: PSA Complaints Closed as % of Total Complaints Closed**

	Jan 2021	Jan 2022	YTD 2021	YTD 2022
PSA Complaints	9	16	9	16
Total Complaints	257	308	257	308
PSA Complaints as % of Total	3.5%	5.2%	3.5%	5.2%

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

**Figure 40: Closed Complaints Against Officers Assigned to a PSA**

	Jan 2021	Jan 2022	YTD 2021	YTD 2022
PSA 1	0	3	0	3
PSA 2	6	3	6	3
PSA 3	2	5	2	5
PSA 4	0	1	0	1
PSA 5	0	4	0	4
PSA 6	0	1	0	1
PSA 7	8	0	8	0
PSA 8	0	3	0	3
PSA 9	0	7	0	7
Total	16	27	16	27

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

**Figure 41: Closed Allegations Against Officers Assigned to a PSA by FADO Type**

	Jan 2021		Jan 2022		YTD 2021		YTD 2022	
	Count	% of Total	Count	% of Total	Count	% of Total	Count	% of Total
Untruthful Statement (U)	0	0%	1	3%	0	0%	1	3%
Force (F)	10	48%	11	32%	10	48%	11	32%
Abuse of Authority (A)	10	48%	17	50%	10	48%	17	50%
Discourtesy (D)	1	5%	3	9%	1	5%	3	9%
Offensive Language (O)	0	0%	2	6%	0	0%	2	6%
Total	21	101%	34	100%	21	101%	34	100%

## Dispositions of Officers Assigned to PSAs

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

**Figure 42: Disposition of PSA Officers (2021 vs 2022)**

	Jan 2021		Jan 2022		YTD 2021		YTD 2022	
	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
<b>Full Investigations</b>								
Substantiated	0	0%	4	33%	0	0%	4	33%
Within NYPD Guidelines	3	75%	6	50%	3	75%	6	50%
Unfounded	0	0%	2	17%	0	0%	2	17%
Unable to Determine	1	25%	0	0%	1	25%	0	0%
MOS Unidentified	0	0%	0	0%	0	0%	0	0%
<b>Total - Full Investigations</b>	<b>4</b>		<b>12</b>		<b>4</b>		<b>12</b>	
<b>Mediation Closures</b>	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Mediated	0	0%	2	22%	0	0%	2	22%
Mediation Attempted	0	0%	7	78%	0	0%	7	78%
<b>Total - ADR Closures</b>	<b>0</b>		<b>9</b>		<b>0</b>		<b>9</b>	
<b>Resolved Case Total</b>	<b>4</b>	<b>25%</b>	<b>21</b>	<b>78%</b>	<b>4</b>	<b>25%</b>	<b>21</b>	<b>78%</b>
<b>Unable to Investigate / Other Closures</b>	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Complaint withdrawn	0	0%	1	17%	0	0%	1	17%
Unable to Investigate	5	42%	4	67%	5	42%	4	67%
Closed - Pending Litigation	7	58%	0	0%	7	58%	0	0%
Miscellaneous	0	0%	1	17%	0	0%	1	17%
Administrative closure*	0	0%	0	0%	0	0%	0	0%
<b>Total - Other Case Dispositions</b>	<b>12</b>		<b>6</b>		<b>12</b>		<b>6</b>	
<b>Total - Closed Cases</b>	<b>16</b>		<b>27</b>		<b>16</b>		<b>27</b>	

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

# Mediation Unit

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

**Figure 43: Mediated Complaints Closed**

	January 2022			YTD 2022		
	Mediated	Mediation Attempted	Total	Mediated	Mediation Attempted	Total
Mediated Complaints	19	27	46	19	27	46

**Figure 44: Mediated FADO Allegations Closed**

	January 2022			YTD 2022		
	Mediated	Mediation Attempted	Total	Mediated	Mediation Attempted	Total
Force	1	15	16	1	15	16
Abuse of Authority	50	60	110	50	60	110
Discourtesy	9	5	14	9	5	14
Offensive Language	0	2	2	0	2	2
Untruthful Statement	0	0	0	0	0	0
OPMN	0	0	0	0	0	0
Total	60	82	142	60	82	142

**Figure 45: Mediated Complaints By Borough (January 2022)**

	Mediations
	0
Bronx	7
Brooklyn	6
Manhattan	2
Queens	4
Staten Island	0

**Figure 46: Mediated Allegations By Borough (January 2022)**

	Mediations
	0
Bronx	23
Brooklyn	17
Manhattan	11
Queens	9
Staten Island	0



**Figure 47: Mediated Complaints By Precinct  
(Jan 2022 - YTD 2022)**

Precinct	Jan 2022	YTD 2022
9	1	1
25	1	1
40	1	1
42	1	1
43	1	1
47	1	1
49	2	2
52	1	1

Precinct	Jan 2022	YTD 2022
67	1	1
68	1	1
69	1	1
71	1	1
84	1	1
90	1	1
103	1	1
109	2	2
113	1	1

**Figure 48: Mediated Allegations By Precinct  
(Jan 2022 - YTD 2022)**

Precinct	Jan 2022	YTD 2022
9	2	2
25	9	9
40	2	2
42	1	1
43	3	3
47	3	3
49	12	12
52	2	2

Precinct	Jan 2022	YTD 2022
67	3	3
68	3	3
69	5	5
71	1	1
84	3	3
90	2	2
103	1	1
109	7	7
113	1	1

# Administrative Prosecution Unit

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

**Figure 49: Administrative Prosecution Unit Case Closures**

Disposition Category	Prosecution Disposition	Jan 2022	YTD 2022
Disciplinary Action	Not guilty after trial but Discipline Imposed	0	0
	Guilty after trial	0	0
	Trial verdict dismissed by PC, Comm. Disc. A imposed	0	0
	Trial verdict dismissed by PC, Comm. Disc. B imposed	0	0
	Trial verdict dismissed by PC, Formalized Training imposed	0	0
	Trial verdict dismissed by PC, Instructions imposed	0	0
	Trial verdict reversed by PC, Final verdict Guilty	0	0
	Resolved by plea	0	0
	Plea set aside, Comm. Disc. B	0	0
	Plea set aside, Comm. Disc. A	0	0
	Plea set aside, Formalized Training	0	0
	Plea set aside, Instructions	0	0
	*Retained, with discipline	0	0
	<b>Disciplinary Action Total</b>		<b>0</b>
No Disciplinary Action	Not guilty after trial	0	0
	Trial verdict reversed by PC, Final verdict Not Guilty	0	0
	Plea set aside, Without discipline	0	0
	**Retained, without discipline	0	0
	Dismissed by APU	0	0
	SOL Expired in APU	0	0
	<b>No Disciplinary Action Total</b>		<b>0</b>
Not Adjudicated	Charges not served	0	0
	Deceased	0	0
	Other	0	0
	***Previously adjudicated, with discipline	0	0
	***Previously adjudicated, without discipline	0	0
	†Reconsidered by CCRB Board	0	0
	Retired	0	0
	SOL Expired prior to APU	0	0
	<b>Not Adjudicated Total</b>		<b>0</b>
	<b>Total Closures</b>	<b>0</b>	<b>0</b>

\*Retained cases are those in which the Department kept jurisdiction pursuant to Section 2 of the April 2, 2012 Memorandum of Understanding between the NYPD and the CCRB.

\*\* When the Department keeps jurisdiction pursuant to Section 2 and does not impose any discipline on the officer, it is the equivalent of a category referred to as "Department Unable to Prosecute" (DUP). Cases are referred to as DUP when the department decides that it will not discipline an officer against whom the Board recommended discipline other than charges.

\*\*\* In some cases, the Department conducts its own investigation and prosecution prior to the completion of the CCRB's investigation. In those cases, the APU does not conduct a second prosecution.

† Under the Board's reconsideration process, an officer who has charges recommended as the penalty for a substantiated allegation may have the recommended penalty changed to something other than charges or have the disposition changed to something other than substantiated. In those cases, the APU ceases its prosecution.

# NYPD Discipline

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

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

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

**Figure 50: NYPD Discipline Imposed for Adjudicated APU Cases**

Discipline*	January 2022	YTD 2022
Terminated	0	0
Suspension for or loss of vacation time of 31 or more days and/or Dismissal Probation	0	0
Suspension for or loss of vacation time of 21 to 30 days	0	0
Suspension for or loss of vacation time of 11 to 20 days	0	0
Suspension for or loss of vacation time of 1 to 10 days	0	0
Command Discipline B	0	0
Command Discipline A	0	0
Formalized Training**	0	0
Instructions***	0	0
Warned & Admonished/Reprimanded	0	0
<b>Disciplinary Action† Total</b>	<b>0</b>	<b>0</b>
No Disciplinary Action†	0	0
<b>Adjudicated Total</b>	<b>0</b>	<b>0</b>
<b>Discipline Rate</b>	<b>0%</b>	<b>0%</b>
Not Adjudicated† Total	0	0
<b>Total Closures</b>	<b>0</b>	<b>0</b>

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

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

\*\*\* Instructions are conducted at the command level.

† The case closure types that define the "Disciplinary Action", "No Disciplinary Action" and "Not Adjudicated" categories are listed in Figure 49 on the previous page.

**Figure 51: NYPD Discipline Imposed for Non-APU Cases**

<b>Disposition</b>	<b>Disposition Type*</b>	<b>December 2021</b>	<b>YTD 2021</b>
Disciplinary Action	Terminated	0	0
	Suspension for or loss of vacation time of 31 or more days and/or Dismissal Probation	0	0
	Suspension for or loss of vacation time of 21 to 30 days	0	1
	Suspension for or loss of vacation time of 11 to 20 days	0	0
	Suspension for or loss of vacation time of 1 to 10 days	4	22
	Command Discipline B	2	17
	Command Discipline A	11	77
	Formalized Training**	4	83
	Instructions***	0	42
	Warned & admonished/Reprimanded	0	0
	<b>Total</b>	<b>21</b>	<b>242</b>
No Disciplinary Action	Dismissed †	1	1
	Filed ††	1	11
	SOL Expired	0	1
	Department Unable to Prosecute†††	15	43
	No Finding ††††	0	14
	<b>Total</b>	<b>17</b>	<b>70</b>
	<b>Discipline Rate</b>	<b>55%</b>	<b>78%</b>
	<b>DUP Rate</b>	<b>39%</b>	<b>14%</b>

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

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

\*\*\* Instructions are conducted at the command level.

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

†† "Filed" is a term used when the police department is not required to take action against the subject officer because the officer has resigned or retired from the department, or has been terminated.

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

†††† "No Finding" refers to cases which the department reports as "Administratively Closed."

**Figure 52: NYPD Discipline Imposed for Allegations - Non-APU Cases (December 2021)**

Board Disposition	FADO Type	Allegation	Precinct	Borough	NYPD Discipline
Substantiated (Command Discipline B)	F	Pepper spray	6	Manhattan	No Discipline
Substantiated (Command Discipline B)	F	Other	6	Manhattan	No Discipline
Substantiated (Formalized Training)	F	Nonlethal restraining device	9	Manhattan	Formalized Training
Substantiated (Formalized Training)	A	Entry of Premises	13	Manhattan	Command Discipline A
Substantiated (Command Discipline B)	F	Nightstick as club (incl asp & baton)	13	Manhattan	No Discipline
Substantiated (Command Discipline B)	F	Nightstick as club (incl asp & baton)	13	Manhattan	No Discipline
Substantiated (Command Discipline A)	A	Seizure of property	13	Manhattan	Formalized Training
Substantiated (Command Discipline A)	A	Search of Premises	13	Manhattan	Command Discipline A
Substantiated (Command Discipline B)	U	Misleading official statement	13	Manhattan	No Discipline
Substantiated (Command Discipline B)	F	Physical force	19	Manhattan	No Discipline
Substantiated (Command Discipline A)	A	Search of Premises	32	Manhattan	Formalized Training
Substantiated (Command Discipline A)	A	Refusal to process civilian complaint	33	Manhattan	Command Discipline A
Substantiated (Formalized Training)	A	Entry of Premises	34	Manhattan	No Discipline
Substantiated (Formalized Training)	A	Entry of Premises	34	Manhattan	No Discipline
Substantiated (Command Discipline A)	A	Threat of arrest	34	Manhattan	No Discipline
Substantiated (Command Discipline B)	A	Frisk	40	Bronx	Forfeit vacation
Substantiated (Command Discipline B)	A	Frisk	40	Bronx	Forfeit vacation
Substantiated (Command Discipline B)	A	Frisk	40	Bronx	Forfeit vacation
Substantiated (Command Discipline B)	A	Stop	40	Bronx	Forfeit vacation
Substantiated (Command Discipline B)	A	Stop	40	Bronx	Forfeit vacation
Substantiated (Command Discipline B)	O	Improper use of body-worn camera	40	Bronx	Forfeit vacation
Substantiated (Command Discipline B)	A	Failure to provide RTKA card	40	Bronx	Forfeit vacation
Substantiated (Command Discipline B)	A	Failure to provide RTKA card	40	Bronx	Forfeit vacation
Substantiated (Command Discipline B)	A	Failure to provide RTKA card	40	Bronx	Forfeit vacation
Substantiated (Command Discipline A)	A	Entry of Premises	42	Bronx	Command Discipline A
Substantiated (Command Discipline A)	A	Entry of Premises	42	Bronx	No Discipline
Substantiated (Formalized Training)	A	Search of Premises	42	Bronx	Command Discipline A
Substantiated (Command Discipline A)	A	Vehicle search	48	Bronx	Command Discipline A
Substantiated (Command Discipline B)	D	Word	48	Bronx	No Discipline
Substantiated (Formalized Training)	A	Entry of Premises	50	Bronx	Formalized Training
Substantiated (Command Discipline B)	D	Word	52	Bronx	Command Discipline B
Substantiated (Command Discipline B)	A	Frisk	52	Bronx	Command Discipline B

<b>Board Disposition</b>	<b>FADO Type</b>	<b>Allegation</b>	<b>Precinct</b>	<b>Borough</b>	<b>NYPD Discipline</b>
Substantiated (Command Discipline B)	A	Search (of person)	52	Bronx	Command Discipline B
Substantiated (Command Discipline B)	A	Stop	52	Bronx	Command Discipline B
Substantiated (Command Discipline A)	A	Stop	52	Bronx	No Discipline
Substantiated (Command Discipline A)	A	Stop	52	Bronx	Command Discipline A
Substantiated (Command Discipline A)	A	Failure to provide RTKA card	52	Bronx	Command Discipline A
Substantiated (Command Discipline A)	A	Failure to provide RTKA card	52	Bronx	No Discipline
Substantiated (Command Discipline B)	A	Failure to provide RTKA card	52	Bronx	Command Discipline B
Substantiated (Command Discipline B)	A	Threat of force (verbal or physical)	62	Brooklyn	No Discipline
Substantiated (Command Discipline B)	A	Threat of force (verbal or physical)	62	Brooklyn	No Discipline
Substantiated (Command Discipline A)	A	Threat of arrest	68	Brooklyn	Command Discipline A
Substantiated (Command Discipline A)	A	Stop	68	Brooklyn	Command Discipline A
Substantiated (Command Discipline A)	A	Entry of Premises	72	Brooklyn	Command Discipline B
Substantiated (Command Discipline A)	A	Entry of Premises	72	Brooklyn	Command Discipline A
Substantiated (Command Discipline A)	D	Word	72	Brooklyn	Command Discipline B
Substantiated (Command Discipline B)	F	Physical force	75	Brooklyn	No Discipline
Substantiated (Command Discipline B)	F	Physical force	75	Brooklyn	No Discipline
Substantiated (Command Discipline A)	A	Threat of summons	75	Brooklyn	No Discipline
Substantiated (Command Discipline A)	D	Word	75	Brooklyn	No Discipline
Substantiated (Command Discipline A)	D	Word	75	Brooklyn	No Discipline
Substantiated (Command Discipline A)	A	Failure to provide RTKA card	75	Brooklyn	No Discipline
Substantiated (Command Discipline A)	F	Physical force	79	Brooklyn	Command Discipline A
Substantiated (Command Discipline A)	A	Refusal to provide shield number	84	Brooklyn	No Discipline
Substantiated (Command Discipline A)	A	Search (of person)	90	Brooklyn	Command Discipline A
Substantiated (Command Discipline A)	A	Search (of person)	90	Brooklyn	Command Discipline A
Substantiated (Command Discipline A)	A	Entry of Premises	105	Queens	Command Discipline A
Substantiated (Command Discipline B)	A	Refusal to process civilian complaint	120	Staten Island	Forfeit vacation

**Figure 53: NYPD Discipline Imposed for Allegations - APU Adjudicated Cases (January 2022)**

Board Disposition	FADO Type	Allegation	Precinct	Borough	NYPD Discipline
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