

The City of New York

Commission to Combat Police Corruption

**THE NEW YORK CITY POLICE DEPARTMENT:
THE ROLE AND UTILIZATION OF THE
INTEGRITY CONTROL OFFICER**

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I. INTRODUCTION

In responding to the harsh criticisms of the Knapp Commission Report, the New York City Police Department ("Department") implemented a strategy in 1973 designed to reduce the opportunities for corruption and misconduct at the precinct level. As part of this strategy, an integrity control officer ("ICO") with the rank of lieutenant was designated as a key member of a commanding officer's management staff within each precinct. The Department envisioned that these officers would serve as the "eyes and ears" of the Department at the precinct level, able to detect possible integrity breaches and report their observations in appropriate circumstances to the Internal Affairs Bureau ("IAB").

There is no doubt that the ICO program can be a valuable component of the Department's overall corruption fighting mechanism. Their daily presence at the precinct level gives them the ability to observe overall conditions in the precinct, target specific officers and locations for particular attention and potentially identify either specific officers prone to corruption or generally suspicious circumstances. The resulting information can enhance the ability of both IAB and precinct commanders to do their jobs. These also are the kinds of pro-active efforts which can lead to the removal of corrupt officers from the Department before systemic corruption is permitted to flourish.

Given the potential importance of ICOs, the Commission to Combat Police Corruption ("Commission") commenced a study of the ICO program in May, 1996. The Commission set out to determine how ICOs are in practice utilized and the extent to which their potential is being realized. The study included reviewing the Department's internal guidelines, Departmental reports and strategies, and interviewing forty ICOs as well as members of IAB.

The Commission found that despite the Department's efforts, and while individual ICOs have performed well, as a general matter, ICOs are overburdened both with administrative and other responsibilities which are insufficiently related to fighting true corruption. They also, as a general matter, have been assigned too many responsibilities. This frustrates their ability to achieve the core objectives of the program. Studies conducted by the Department in 1988 and 1993, Commissioner Bratton's re-engineering study, and the Mollen Commission Report, also reached similar conclusions: ICOs are prevented from maximizing their role in integrity control due to the breadth of their administrative and/or not sufficiently corruption-related functions. Indeed, while the Commission was conducting this study, IAB conducted a survey analyzing its relationship with ICOs and the Department commenced another internal review of the ICOs' functions. The Department study seeks to determine how much time an ICO spends on administrative duties, related or unrelated to integrity issues. A questionnaire was distributed to all precinct ICOs to obtain this information.

This is not to say that these other functions are unimportant. Nearly all of them need to be performed by someone with supervisory responsibility within a precinct. The issue is whether all of them need to be performed by someone called an Integrity Control Officer, particularly if they do not appear to relate either to misconduct involving personal gain, a violation of law or similar serious wrongdoing. We think not. In addition, even when it comes to activities which may fairly be considered appropriate responsibilities of an ICO, if there are

too many such tasks, then too often the most important ones receive insufficient attention. This has also occurred. As a result ICOs generally spend inadequate time on their most important activities -- being on the street, observing officers and specific locations, and developing contacts within the community.

Indeed, most of the ICOs the Commission interviewed reported spending less than 30 hours a month outside of the station house, and that some of this time was of questionable value. This problem of insufficient time spent on patrol is compounded by the fact that although the ICOs work approximately 40 hours a week, they must adequately monitor officers working three tours of duty, 24 hours a day, seven days a week. Unfortunately, scheduling their work week often accommodates their need to complete administrative duties rather than their need to monitor officers, especially during hours when corruption prone activity is more prevalent.

This report will contain a number of specific recommendations. The core recommendations, however, will be that ICOs be required to spend a designated percentage of their time each month on activities outside the precinct house, that whenever activities appropriately can be performed by non-ICO supervisors they be assigned to these other officers, and that ICOs become more integrated into the integrity control process through more frequent interaction with IAB and borough inspection units.

II. METHODOLOGY

A. DOCUMENT REVIEW

The Commission reviewed all of the Departmental documents which relate to the ICO program. These documents included: patrol guide provisions; interim orders; policies on ICO duties and responsibilities; career enhancement considerations for ICOs who perform above standards; and all available prior reports, analyses and evaluations of the ICO program.

B. ICO INTERVIEWS

New York City is currently divided into seventy-six police precincts and an ICO is assigned to each precinct. To evaluate the ICO program, the Commission interviewed forty precinct ICOs, over half of the total number within the Department. In choosing which ICOs to interview, the Commission sought to achieve a broad geographic sampling and to ensure that those areas which generated a comparatively high number of corruption allegations were included in the survey. Therefore, over half of the precinct ICOs in each borough were interviewed, and the precincts in each borough with the highest number of corruption allegations in relation to the number of officers in the command were included in the survey.¹ The Commission met the ICOs on site in each precinct over a five month time period. These

¹ Corruption statistics obtained for this purpose came from the *New York Police Department Internal Affairs Bureau Annual Report 1995*.

interviews were one-on-one confidential meetings.²

C. IAB INTERVIEWS

Four IAB commanders, with oversight of IAB's functions in all five boroughs, also were interviewed for this study. The commanders described their perception of the ICO program, the extent to which investigators at IAB utilize ICOs, and the perceived benefits of the policy of inclusion. The commanders also were asked to comment on the training, background, and activities necessary to enable ICOs to play a positive role in their investigations.

D. BOROUGH INSPECTION UNIT INTERVIEWS

The commanders of the eight borough inspection units who oversee misconduct investigations were also interviewed for this study.³ The commanders were asked to describe their regular meetings with ICOs and their combined efforts to monitor problem officers.

E. IAB TRAINING FOR INTEGRITY CONTROL OFFICERS

Members of the Commission staff attended sessions of the IAB training course provided to ICOs. The two week course included much of the training IAB presents to its own investigative staff.

III. HISTORICAL OVERVIEW: THE CREATION AND DEVELOPMENT OF THE INTEGRITY CONTROL OFFICER IN THE NEW YORK CITY POLICE DEPARTMENT

The position of precinct ICO was created in 1973 by the Department in response to the Knapp Commission's Report finding systemic police corruption throughout the Department. The Department authorized precinct commanders to select a superior officer within the precinct to assist the commanding officer in enhancing the overall integrity of the command. This officer, the ICO, was responsible for the detection and prevention of corruption. The expressed function of the ICO was to focus on precinct inspections, field observations, and the establishment of integrity programs, all designed to foster attitudinal changes within the Department regarding

² The identities of the ICOs interviewed for this report are known to the Department. However, the information provided individually by each ICO is not. In order to honor the confidentiality of the discussions the ICOs referred to in this report are not named individually.

³ When IAB receives allegations of police misconduct not deemed sufficiently serious to be classified as corruption, it sends these cases to borough inspection units for investigation. These units, which include Manhattan North, Manhattan South, Queens North, Queens South, Brooklyn North, Brooklyn South, Bronx, Staten Island, also conduct regular field observations.

integrity issues.⁴

The Department, in a 1973 interim order, established the position of integrity control officer and outlined their proposed duties (see Appendix I). Thirteen duties were incorporated into the New York City Police Department Patrol Guide ("Patrol Guide" or "P.G.") in 1979 (see Appendix II). These duties focused on the ICOs' role in developing sources of information within the command, creating self initiated anti-corruption programs, conducting field observations of the precinct, making recommendations to the commanding officer regarding integrity control, and conducting investigations.

1988 Departmental Study Of Integrity Control Officers

In 1988, a study was conducted by the Department's Inspections Division⁵ which found the average ICO spent only 24% of his or her time on their most important function, field observations, with the remainder spent on administrative duties which may or may not be related to integrity matters. This meant that less than ten hours of an ICO's work week involved field observations. While the Department's stated objectives focused on the ICOs' pro-active role in fighting corruption, the reality of the position thus had evolved in a very different fashion. The ICOs' functions had become a largely reactive one involving many administrative responsibilities. Despite the results of the 1988 survey by the Inspections Division, the duties of the precinct ICO in the Department's Patrol Guide were increased from thirteen defined responsibilities in 1979 to twenty-seven functions in 1989, many of which included additional administrative duties not sufficiently related to integrity such as: annual inspection of civilian time records⁶; the coordination of the Early Intervention Monitoring System⁷; and supervision of the issuance of private vehicle plate permits to officers in the command⁸ (see Appendix III).

1993 Departmental Study Of Integrity Control Officers

Another Department evaluation of the ICO program, conducted in 1993 by the Chief of

⁴ Analysis of the Functioning and Effectiveness of Integrity Control Officers, prepared by the Chief of Department, QCS#630-1 s.93 ("1993 Report").

⁵ The New York City Police Department's Inspections Division conducts studies and regular inspections of precinct records to ensure the proper functioning of Departmental systems and personnel.

⁶ Patrol Guide 103-02(23), 1989.

⁷ Patrol Guide 103-02(24), 1989.

⁸ Patrol Guide 103-02(26), 1989.

Department⁹, studied the "functioning and effectiveness" of ICOs.¹⁰ This report also reported that ICOs were becoming estranged from their role as corruption fighters as they became more heavily burdened with administrative duties. The report offered several recommendations which ranged from eliminating duties, such as inspecting the precinct club's financial records¹¹, to shifting responsibilities to platoon commanders for minor departmental violations. The report suggested that by having ICOs investigate the least serious violations, ICOs had often become branded as the "precinct disciplinarians", thus straining their relationships with officers who could potentially be developed as sources of information in the command.¹² The report also recommended that the Department issue a policy statement reiterating the mission of the ICOs. The report recommended "the removal of administrative procedures which detract from the primary mission of the Integrity Control Officer."¹³ In the report, the Chief of Department also found "no standard format for evaluating ICOs in general and specifically their effectiveness in identifying and rooting out corrupt acts or acts of misconduct."¹⁴ After contacting the Department Advocates Office ("DAO")¹⁵ and IAB, the Chief of Department also concluded that there was no system in place to track how many investigations were initiated by ICOs.

Inadequacies in training of the ICOs were also identified in the Chief of Department's report. At the time of the report the Department was in the process of developing a new training curriculum. Recommendations in the report included establishing a training unit to emphasize "successful techniques for identifying corruption hazards, developing anti-corruption programs and coordinating subsequent corruption investigations"¹⁶ as well as establishing annual seminars conducted by IAB.

The selection of ICOs was also addressed in the report. The report indicated ICOs were often drafted for the position by commanding officers from a pool of candidates often too small to provide much choice. The report also described insufficient incentives and rewards for ICOs

⁹ Chief David W. Scott.

¹⁰ 1993 Report.

¹¹ Each precinct raises money for its social club through the sale of items in the precinct vending machines. These financial records are inspected by the ICO.

¹² 1993 Report, p.3.

¹³ Ibid., p.20.

¹⁴ Ibid., p.7.

¹⁵ The DAO handles the prosecution of all disciplinary charges brought against officers which are not resolved at the command level.

¹⁶ 1993 Report, p.18.

who performed their duties above standards.¹⁷

1994: Police Commissioner Bratton's Re-Engineering Team Report On: Integrity

In July, 1994, then Police Commissioner William Bratton assembled a re-engineering team to overhaul the Department's integrity strategies. The re-engineering team endorsed a proposed Interim Order which outlined a plan to reverse the accumulation of administrative tasks regularly assigned to an ICO. The team stated that the ICO's duties had grown "to the detriment of the ICO's ability to focus on the integrity mission."¹⁸

1994: Commission To Investigate Allegations Of Police Corruption And The Anti-Corruption Procedures Of The Police Department

In the same month, July, 1994, the Commission to Investigate Allegations of Police Corruption and the Anti-Corruption Procedures of the Police Department ("Mollen Commission") released a report which, among other things, found that ICOs spent a majority of their time performing administrative duties and little time controlling corruption, and received minimal support from the Department.¹⁹ "What began as a sensible program to minimize corruption has become an administrative failure."²⁰ The Mollen Commission further found the job of ICO was "one of the least desirable and rewarding positions in the precinct."²¹ Most troubling was the Mollen Commission's finding that the ICOs were rarely consulted about internal investigations, as the former Internal Affairs Division never perceived them as being an integral part of the anti-corruption process. Because they were not integrated into the corruption fighting mechanisms within the Department, little value was placed on providing them with training and resources to prevent and detect corruption. Some of the recommendations included in the Mollen Commission Report include:

The Department should examine whether certain administrative tasks ... of ICOs can be eliminated or curtailed to allow them to devote more time to field supervision;

¹⁷ Ibid., p.11.

¹⁸ Re-Engineering Team Report On: Integrity, p.21.

¹⁹ The City of New York Commission to Investigate Allegations of Police Misconduct and the Anti-Corruption Procedures of the Police Department, Commission Report, p.84.

²⁰ Ibid.

²¹ Ibid.

The Department should promulgate a clear policy on the duties and responsibilities of ICOs; and

ICOs should receive specialized integrity control training and the resources necessary to perform an active anti-corruption role in their commands by gathering intelligence, monitoring precinct corruption hazards, monitoring the precinct radio, spot monitoring arrest scenes, communicating with Internal Affairs, and investigating allegations of misconduct.²²

1995: Police Strategy No.7: Rooting Out Corruption; Building Organizational Integrity In The New York Police Department

Police Strategy No.7, released in June of 1995, outlined an overall program for the Department's corruption fighting mechanisms which placed a premium on the integrity of its members. One of the core principles of the strategy was a new "policy of inclusion"²³ whereby precinct commanders and ICOs would be more widely included in the integrity-control process.

This policy has led to some positive changes in the ICOs' functions as IAB and ICOs have begun to strengthen their relationship. Thus, ICOs currently participate in precinct briefings that commanding officers receive from IAB group captains regarding IAB's closed cases within the precinct. IAB has, in some cases, also begun to utilize ICOs in their integrity testing program by using intelligence provided by ICOs to target officers and develop credible and effective tests. Some IAB captains also have conducted meetings with ICOs in their geographic groups to discuss what type of information ICOs can provide to IAB's investigations.

IV. RECENT CHANGES TO THE PATROL GUIDE

Near the end of the Commission's study, on September 13, 1996, the Department issued a new interim order defining the duties of the ICOs. This order both eliminated and added responsibilities. While the previous March 23, 1995 order contained a list of twenty-nine responsibilities (see Appendix IV), the current list contains twenty-two duties (see Appendix V).

In the interim order, the Department recognized the need to reduce the ICOs' administrative burden by eliminating certain duties not fundamental to the ICOs' primary mission.

²² *Ibid.*, p.135.

²³ Police Strategy No.7: Rooting Out Corruption; Building Organizational Integrity in the New York Police Department (1995), p.6.

The duties and responsibilities of the patrol precinct/transit district/police service area integrity control officer have gradually grown to encompass tasks which do not directly bear on the integrity function. Any further expansion of the responsibilities of the patrol precinct/transit district/police service area integrity control officer may lead to an erosion of meaningful corruption detection abilities.²⁴

In this order, the Department also appropriately added certain responsibilities which are central to the ICOs' corruption fighting mission.²⁵

Despite these positive steps, the new interim order also added three duties not central to the ICOs' mission which contributes to their administrative burden. These include the responsibility to update the Personnel Data Disk to reflect sick and emergency day usage, inventory control and computer security.²⁶ While the Commission agrees that each of these responsibilities is important to ensure the efficient operation of the Department, each represents the kind of duty which detracts from the ability of ICOs to be more pro-active in corruption identification and prevention. The Department should consider assigning these responsibilities to another competent supervisor.²⁷

The following are the principal changes made by the 1996 interim order:

A. DELETION OF SOME OF THE ICOS' RESPONSIBILITIES

The 1996 changes appropriately removed several responsibilities not essential to the ICOs' mission. For example, the 1995 Patrol Guide mandated the ICO to:

1. *Visit courts to observe performance and conduct of members of the command, including signing in and out of court and prompt return to command.*²⁸

Under the revised order ICOs are no longer required to visit the court houses to check officers' appearance and testimony. While in theory there might be value in such an activity, in practice performing this function proved to be of little value. It wasted portions of the ICOs' workday in travel time to court, the ICO often was unable to anticipate when the police officer

²⁴ Interim Order No. 61, September 13, 1996, p. 1.

²⁵ P.G. 103-02(11) and (18) of 1996, discussed on p. 11-12.

²⁶ P.G. 103-02 (21), (22), and (23) of 1996.

²⁷ See discussion below, pp. 12-13.

²⁸ Patrol Guide 103-02(16), 1995.

would testify, and the effort usually produced no results. In addition, if more information is wanted about officers' performance in court a more systematic reporting system with prosecutors' offices can be developed.

2. *Coordinate the Early Intervention Monitoring System.*²⁹

Previously, the ICO was responsible for the evaluations of officers in the Early Intervention Program. Quarterly reports describing the officer's conduct and general performance were required. This involved the ICO gathering information from the officer's supervisors and others. Under the modified order, recognizing that supervisors already have direct knowledge of these officers' daily performance, the direct supervisors themselves will now bear the responsibility of evaluating officers in this program. ICOs will continue to play a major role in recommending officers for participation in this program and, of course, can have access to information about the performance of those participating in this program on an as needed basis.

3. *Assist sergeants to evaluate police officers assigned to squads under sergeants' supervision so that the evaluations compare to general level of performance in the command which the ICO has previously determined.*³⁰

In eliminating this task, the Department recognized that platoon commanders are the more appropriate supervisors to oversee the evaluation process.³¹

4. *Make Command Log entry during first week of each month listing those sergeants whose Logs were signed and inspected the previous month.*³²

While helpful, the removal of this duty does not represent a meaningful change since

²⁹ Patrol Guide 103-02(24), 1995. Officers who are experiencing family or job related problems which interfere with the performance of their duties are referred to the Early Intervention Unit for counseling. Officers can be referred officially in which case their visit becomes a permanent part of their personnel records, or unofficially in which case the visit remains confidential. The content of the counseling session is not disclosed to the Department. Officers are not required to seek further counseling unless they are found to be suicidal or homicidal.

³⁰ Patrol Guide 103-02(20), 1995. Previously, ICOs were expected to insure that sergeants were accurately evaluating their subordinates.

³¹ The Department recognized the need for ICOs to provide information to the precinct sergeant about those in his command by adding a new section, P.G.103-02(11), 1996, see p. 12.

³² Patrol Guide 103-02(19), 1995.

ICOs are still mandated to inspect patrol sergeants' memo books³³, which most ICOs we interviewed believed was a meaningless task. No uniform reason was articulated as to the purpose of inspecting sergeants' memo books. Some ICOs remarked that they were not certain what they should be looking for, but speculated that the exercise was to monitor sergeants' field activities. However, the majority of ICOs are unable to conduct patrol often enough to verify the sergeants' activities. Most ICOs simply ask sergeants to bring their memo books to their office at the end of each month so the ICOs can sign them.

5. *Maintain or have designated supervisor maintain a record of the issuance and return of parking permits in Department record book.*³⁴

This provision has been consolidated into another duty which requires ICOs to delegate the annual issuance of private vehicle plate permits to a responsible supervisor.³⁵ The significance of such a change is unclear because the ICOs remain ultimately responsible for this duty. This is the kind of activity which can plainly be given to another non-ICO supervisor to perform.

6. *Inspect and sign "Training Attendance Log" on a regular basis,*³⁶ and

7. *Monitor training sessions randomly to ensure that members concerned are receiving required training.*³⁷

The removal of these duties does reduce the ICOs' administrative burden, but does not recapture a significant amount of time for the ICO to conduct other time consuming functions.

Finally, the former Patrol Guide listed three duties which described the ICOs' mandate to develop sources of information within the command:

8. *Assist precinct commander in developing sources of members of the command re: integrity matters,*³⁸

³³ Patrol Guide 103-02(16), 1996.

³⁴ Patrol Guide 103-02(27), 1995.

³⁵ Patrol Guide 103-02(20), 1996.

³⁶ Patrol Guide 103-02(28), 1995.

³⁷ Patrol Guide 103-02(29), 1995.

³⁸ Patrol Guide 103-02(6), 1995.

9. *Gather information from all sources concerning criminals residing, frequenting, operating or employed within the precinct and determine if unnecessary contact exists between such persons and members of the service;*³⁹

10. *Maintain rapport with uniformed members of the service and others to seek symptoms of corruption.*⁴⁰

The new consolidated provision reads:

*Assist commanding officer in developing sources of information regarding integrity and corruption by maintaining a rapport with members of the service (uniformed or civilian) and private citizens.*⁴¹

ICOs clearly need to develop information regarding criminals residing in the precinct to effectively monitor precinct conditions and the conduct of officers within the command. The new provision seeks to communicate the ICOs' responsibility to develop sources of information both from within the precinct and the community served.

B. THE CREATION OF ADDITIONAL OBLIGATIONS FOR ICOs

The Department, in its 1996 interim order, also added five responsibilities to the list of Patrol Guide duties for ICOs. While two of these mandated activities are designed to expand upon the ICOs' role in the Department's anti-corruption efforts,⁴² the remaining three functions further detract from the ICOs' overall objectives of integrity control. The new responsibilities are:

1. P.G. 103-02(18)(1996)

P.G. 103-02(18) requires the ICO to:

Develop liaison with IAB and patrol borough inspection units to exchange information for self initiated anti-corruption programs.

This section is consistent with the Department's commitment to making the ICO an

³⁹ Patrol Guide 103-02(7), 1995.

⁴⁰ Patrol Guide 103-02(9), 1995.

⁴¹ Patrol Guide 103-02(6), 1996.

⁴² P.G.103-02(11) and P.G. 103-02(18) (1996).

integral part in its overall strategy to combat police corruption. By codifying this function, which mandates the ICO to establish a liaison with IAB, the Department is reinforcing its policy of inclusion and stressing the importance of a flow of information between the ICO and IAB. Previously, the ICO was expected to develop a liaison with only the borough inspection unit.⁴³ Although ICOs have been meeting with IAB biannually, having the Patrol Guide explicitly mandate a relationship should further encourage the exchange of information between ICOs and IAB.

2. P.G. 163-02(11) (1996)

P.G.103-02(11) requires ICOs to:

Confer with all sergeants upon their assignment to the command and annually thereafter, apprising them of those members of the command who have significant negative information in their "Confidential Performance Profile."

This addition codifies a core responsibility of the ICO -- to engage in regular and ongoing discussions with precinct sergeants regarding those officers under each sergeant's command who require close scrutiny. Such a dialogue can provide important information about officers with a history of questionable conduct, both to the supervising sergeant and the ICO.

3. P.G. 103-02(21)(1996)

P.G. 103-02(21) states the ICO:

Shall ensure that the Personnel Data Disk (emergency days, late, etc.) be updated on a daily basis and incorporated into the command self-inspection program.⁴⁴

a. The report shall then be forwarded to the borough inspections unit on a monthly basis.

To require the ICOs to administer these precinct records on a daily basis will necessarily reduce the amount of time they have to become an integral part of the corruption control process. While tardiness and emergency days off can be indicators of drug or alcohol abuse, from the perspective of their functions, ICOs should be able to recognize repeat offenders through their regular observations at the time of roll call and through consultation with sergeants, without being required to engage in extensive record keeping. Based on their

⁴³ Patrol Guide 103-02(22), 1995.

⁴⁴ This includes the daily update of each member's Personnel Data Disk which keeps track of officers' tardiness, requests for emergency days off, sick leave, etc.

observations, ICOs can make proper notifications to IAB or begin self initiated investigations of officers when appropriate. Sergeants conducting roll call can issue command disciplines to officers who repeatedly come to work late and notify ICOs of any unusual patterns in this regard. The responsibility for forwarding data to borough commands can be left with precinct administrators.

4. P.G. 103-02(22)(1996)

P.G. 103-02(22) requires the ICO to:

Check equipment and supplies regarding misuse or misappropriation.

While theft or misuse of Department property by officers is necessarily a legitimate concern of the ICOs, routinely taking inventory of precinct equipment represents an unproductive use of their time. Such responsibilities are better assigned to those supervisors who are responsible for maintaining the equipment and property without the routine involvement of the ICOs.

5. P.G. 103-02(23)(1996)

P.G. 103-02(23) requires the ICO to:

Ascertain that computer integrity is maintained.

Officers using computers must make an entry into their precinct's command log stating the reason for their inquiries. ICOs are expected to regularly inspect computer printouts to monitor these transactions. Plainly, in particular circumstances, it is appropriate for ICOs to conduct random or targeted checks to verify that officers lawfully access computer information. However, the time consuming duty of routinely reviewing these records further diminishes the time available for ICOs to conduct more critical integrity related functions, and could be assigned to another competent supervisor.

V. THE EXPECTED RESPONSIBILITIES OF ICOS AND THEIR ACTUAL WORK WITHIN THE PRECINCT IN RELATION TO THEIR POTENTIAL CONTRIBUTIONS TO CORRUPTION CONTROL

A. MANDATED DUTIES BY THE NEW YORK CITY POLICE DEPARTMENT PATROL GUIDE

The current Patrol Guide, updated on September 13, 1996, lists twenty-two duties for ICOs covering a wide range of topics (see Appendix V). The responsibilities range from those indisputably related to integrity control, such as requiring the ICO to develop an integrity

program specific to precinct conditions, to those clearly of an administrative nature, such as inspecting time cards, overtime records, property records, minor violations log, and vending machine ledgers.

In conducting its interviews, the Commission focused on nine duties which highlight the ICOs' primary functions within the Department. Each of these nine mandated duties are listed below, followed by a brief explanation of its intent and then a discussion of what the Commission found.⁴⁵ As reflected in the Commission's discussion in the first part of this section, ICOs are burdened with so many responsibilities -- some of them unrelated to their core functions -- that the more important functions, discussed later in this section, are receiving insufficient attention.

1. *Perform No Duties Other Than Integrity Control.*⁴⁶

Explanation:

ICOs are expected to devote their time solely to matters that involve the integrity of members of the commands. Therefore, precinct commanders are prohibited from assigning them duties not directly relevant to integrity control.

Commission Discussion:

The Commission found that ICOs are regularly assigned other responsibilities which are either unrelated, or insufficiently related, to integrity control. As discussed in this and the following sections, too many of their responsibilities fall within this category.

ICOs are given these assignments, rather than other more appropriate supervisors, apparently because the ICOs are regarded as the "disciplinarians" or "auditors" of the precinct or, in some cases, simply the "best available body."⁴⁷

As a result, some ICOs are required to perform duties completely unrelated to their position. One ICO was given the assignment of locating citizens who had written bad checks to the Department for copies of accident reports. Another ICO was directed to coordinate a

⁴⁵ During the course of the Commission's interviews of the ICOs, the Patrol Guide in effect listed twenty-nine duties. This list had been in effect since March 31, 1995. Out of the nine duties focused on in the report, seven remain unchanged by the new interim order issued on September 13, 1996. Of the two remaining duties, one contains a language change which does not affect the purpose of the listed task, and the other consolidated three previous listed duties into one (see pp. 11-12 and 10-11, respectively).

⁴⁶ Patrol Guide 103-02(1).

⁴⁷ ICOs are one of five officers in a precinct responsible for all three tours of officers. The other four officers who are responsible for all tours are: the commanding officer; the executive officer; the administrative lieutenant; and the special operations lieutenant.

Commuter Option Program which enables employees in the Department who commute from the same area to drive to work together. Determining which police officers' private vehicles were illegally parked around the precinct station house was another duty given to an ICO. Coordination of a three month undercover operation involving criminal activity by non-police officers and unrelated to police corruption or misconduct was given to an ICO. Other examples of non-integrity related investigations include an officer's failure to call an ambulance to the scene of an accident, failure to safeguard a prisoner, or failure to provide shelter to a minor.

It also appears that when a precinct receives complaints concerning police procedure, such as an officer's failure to return a complainant's identification card or an officer's failure to write a report, commanding officers often refer these investigations to ICOs rather than the individual officer's direct supervisor even where there is no indicia of corruption.⁴⁸ ICOs told the Commission that cases regularly were referred to them before any preliminary determination was made that the cases possibly involved breaches of integrity rather than negligence or nonfeasance. They also told the Commission of having regularly to investigate the circumstances of an incident, even where the suspected breach of Department guidelines would not necessarily indicate a breach of integrity. As a result, ICOs are frequently investigating incidents which do not contain an integrity related component.

One ICO spoke of having to review two tours of officers' memo books and interview complainants to determine why officers failed to write a police report on a suspected burglary which occurred the previous evening. An emergency call to 911 confirmed the burglary allegation, but the officers who responded to the scene did not write a report on the complaint. Since the platoon commander of the previous midnight tour of duty was off duty during the day tour, the ICO was called to investigate the charge of negligence. The integrity of the officers who responded to the scene was never in question: only their violation of Patrol Guide procedures was at issue.⁴⁹

Thus, despite the injunction of the Patrol Guide, a disproportionate amount of an ICO's time is dedicated to matters which are insufficiently related to "integrity". Indeed, as discussed below, certain other provisions of the Patrol Guide themselves impose obligations which adversely affect the ability of ICOs to perform core integrity responsibilities. As a result, ICOs interviewed for this study estimated the average time spent on administrative and only marginally integrity related duties ranged from 60 to 100 percent with most estimating from 75 to 80 percent.⁵⁰

⁴⁸ ICOs receive assignments for investigations from three sources: the commanding officers, IAB, and borough inspection units. See pp. 18-21 for an explanation of assignments sent from IAB and borough inspection units.

⁴⁹ This was a very time-consuming assignment. The ICO had to review the memo books of and question many officers in addition to interviewing the complainants. In order to discover the necessary information, the ICO spent more than one whole tour of duty collecting information.

⁵⁰ Additional administrative duties are discussed in greater detail on pp. 16-21

Recommendation: Remove ICO duties which do not sufficiently relate to integrity issues.

2. *Inspect Time Cards, Overtime Records, Property Records, Minor Violations Log, Vending Machine Ledgers, Etc.*⁵¹

Explanation:

ICOs' inspection of precinct records and procedures can cover the range of precinct functions. The ICO may be required to review any of these records including: overtime requests; property records⁵²; non-evidence currency; precinct club financial records; voided arrests⁵³; summonses⁵⁴; military leave⁵⁵; arrest processing⁵⁶; physical therapy verification⁵⁷; and rotation tow truck assignments.⁵⁸

Commission Discussion:

Verifying proper procedures through records checks is an important function in any organization. Inspections also provide managers with valuable knowledge in determining whether abuse is occurring in the system. For these reasons the Department must continue to perform such inspections. However, if the principal corruption fighter in a precinct is spending a substantial amount of time and energy reviewing records, higher priority anti-corruption activities inevitably must suffer.

The following are some of the principal assignments in this area given to ICOs:

⁵¹ Patrol Guide 103-02(13).

⁵² ICOs verify that property registered corresponds to property listed on the voucher slip.

⁵³ ICOs verify that arrests which are voided are valid and not the result of a bribe made to the subject officer.

⁵⁴ ICOs conduct random inspections to verify that officers are not writing false summonses.

⁵⁵ ICOs verify the legitimacy of officers' absence from duty due to military assignments.

⁵⁶ ICOs inspect all facets of arrest processing to determine if any delays can be avoided which may inflate overtime expenditures.

⁵⁷ When officers incur a line of duty injury, ICOs must verify their on-duty visits to physical therapists.

⁵⁸ Tow truck operators are registered with the precinct. Their services are engaged on a rotating basis to insure fairness. Officers who assign jobs to tow truck operators out of sequence are investigated to determine if the assignment was motivated by personal gain.

1. Overtime Management

Chief among the administrative duties absorbing much of an ICO's time is overtime management. While overtime management is critical to the efficient operation of the Department, the Commission was told it has become overburdensome and prevents the ICOs from accomplishing their primary mission.⁵⁹ Currently, ICOs in the Bronx must prepare for a weekly meeting in which they are questioned about their precincts' overtime expenses. In all the boroughs ICOs must submit bi-weekly, quarterly and rolling quarter⁶⁰ overtime variance reports. Preparation for these meetings and reports can represent up to 25% of an ICO's work week, especially in the larger commands. Though the Department's Payroll Management System has overtime information in its computerized system, the information cannot be sorted and searched by categories that the borough requires. This means ICOs must compile these statistics by hand. They must break down the information by tour, officer, arrest or operational overtime, and by type, and compare these numbers against those for previous time periods. With 300 plus officers in some commands, the effort involved is daunting.

Though the Commission believes that the Department plainly needs to control overtime, giving various responsibilities to the ICOs (as opposed to other precinct personnel) in this area appears to be unnecessary. ICOs can review daily overtime requests to track the high earners. However, ICOs should not have to analyze the entire precinct's overtime expenditures (operational and arrest overtime) on a weekly, bi-weekly and monthly basis. If ICOs conducted unannounced field observations at the change of tours or regularly visited the front desk where desk sergeants sign off on requests for overtime, they might actually be able to prevent overtime abuse rather than calculating the results after the fact. Some ICOs remarked that if they were on patrol more often and questioned officers making end of tour arrests, they could discover the facts underlying the arrest to determine whether or not the officers who claimed responsibility for the arrest engaged or attempted to engage in overtime abuse. Others mentioned that operational overtime, such as recovering a stolen vehicle at the end of a tour of duty, can be avoided by assigning an officer from the next tour to follow through on vouchering the vehicle. If officers suspect that ICOs will be watching them and questioning their overtime requests, overtime abuse would likely decrease.

Recommendation: ICOs should investigate allegations of overtime abuse while general overtime management should be assigned to another appropriate supervisor.

2. Precinct Inspections

Another administrative duty given to ICOs is precinct inspections. Every precinct has a self inspections program and ICOs report being assigned anywhere from three to ten of these duties. These include checks on non-evidence currency, property checks, precinct club financial

⁵⁹ Obviously, overtime expenses do not always signify overtime abuse by an officer.

⁶⁰ A rolling quarter refers to a time frame which does not correspond to usual pay periods.

records (money obtained from the precinct vending machines), quality of supervision, rotation tow logs, directed accident response program, precinct equipment, postage usage logs, and long distance telephone records.

The boroughs provide each precinct with worksheets for each category of inspection to be conducted. Managers determine whether the precinct's practices are in compliance with the Department's procedures by using the worksheets as a guide. For example, the worksheet for a non-evidence currency self inspection includes the review of the precinct's property index, bank deposit slips, command log entries, and all identifying information relating to each record of currency that was found rather than obtained as the result of an arrest.

In addition to their assigned self inspections, the ICOs generally agreed that they are expected to conduct at least one self initiated inspection every month.⁶¹ These result from their obligation to conduct random checks on any records where abuse is a possibility.

Recommendation: Routine precinct inspections should be conducted by other appropriate managers or civilian aides. ICOs should engage in targeted inspections based on information developed in the command which suggests corruption.

3. *Conduct Investigations And Submit Reports In Response To Communications Received From The Internal Affairs Bureau And Patrol Borough Inspection Units When So Assigned By Commanding Officer.*⁶²

Explanation:

IAB refers allegations of procedural violations to the commands and less serious misconduct cases to borough inspection units for investigation. Borough inspection units, in turn, make a determination whether to channel some of their cases to the commands for investigation by the ICOs. The borough also requires reports to be written on a variety of matters including: overtime variance and analysis; Civilian Complaint Review Board ("CCRB") investigations; bribery enhancement program⁶³; inspections; and corruption prone locations.

⁶¹ Discussed further on pp. 22-23.

⁶² Patrol Guide 103-02(9).

⁶³ The Department has developed a program to enhance the arrest of individuals who offer police officers a bribe during enforcement action. ICOs are responsible for the training and enforcement of this program.

Commission Discussion:

1. Investigation of Misconduct Cases

All of the ICOs interviewed, except for three recently appointed ICOs, have received misconduct ("M") cases on a regular basis from their respective borough inspection units for investigation. These cases are designated by the inspection units as being more appropriately handled within the precincts. The types of cases ICOs receive include: the loss of a gun; domestic violence involving an officer; off-duty traffic disputes; landlord disputes; complaints of unvouchered property (ID's, beepers, etc.); and vandalized or stolen property in a station house.

Opinions varied among ICOs concerning these "M" investigations. Some resented conducting these investigations when inspections had larger staffs to handle the cases. Others appreciated this work because it provides them with the valuable opportunity to learn more about the officers in their command and to develop sources of information. While ICOs typically are given the least serious cases, these cases did, however, create an opportunity to develop relationships with the investigators at inspections which resulted in an exchange of information.

Though the average ICO receives eight "M" cases a year, seven ICOs received more than ten. One ICO received as many as 25 cases. Misconduct cases can be time consuming to investigate. An ICO and his assistant spent 120 hours investigating one domestic violence case, and the same ICO was assigned other "M" cases which were even more time consuming. Another ICO explained that a recent "M" case had him traveling to Westchester and other boroughs in the city to conduct his interviews.

One ICO raised a concern about ICOs conducting "M" investigations on supervisors in their commands. These investigations arguably hurt an ICO's ability to develop information from the same supervisors in the future.⁶⁴

Many ICOs commented that domestic violence cases were sent to them as a matter of course. Some claimed that these and other cases were redundant because a duty captain is required to respond to the scene of a domestic violence incident and will have already conducted a preliminary investigation. These ICOs complained that there was very little they could add in their subsequent investigations. However, ICOs are in a position to review officers' confidential performance profiles which could contain information that would be relevant to the investigation. This information includes allegations of similar misconduct received by the Department and the CCRB, as well as the dispositions of investigations by IAB or borough inspection units involving the subject officer. The Commission also believes that it is important for the Department to monitor officers involved in domestic violence cases because of the risk that those officers may also be involved in on-duty misconduct, including the use of excessive

⁶⁴ For a discussion of the ICOs' responsibility to develop sources of information see pp. 26-27.

force.

Recommendation: The Commission recognizes the necessity of ICOs conducting investigations. ICOs should continue to investigate "M" cases which are forwarded to them from inspection units and more appropriately handled within the precinct. The borough should retain responsibility for conducting investigations of precinct supervisors so as not to place the ICO in the awkward position of investigating an individual whom the ICO must cultivate as a source for critical information.

2. Reports In Response To Communications Sent From The Borough And Other Department Bureaus

On average, ICOs receive approximately eight to fifteen communications every month from the borough command which require inspections, investigations, or reports. While this information may be necessary -- and ICOs should secure some of it -- this is one of those areas where attempts need to be made to reduce the burden they impose on the ICOs. The need to respond to these requests is one of the reasons ICOs lack time to perform more pro-active activities.

The following is a list of some of the types of activities that have been required in response to these communications. While some of the duties clearly relate to integrity control, others are insufficiently related and need to be eliminated to provide ICOs more time for field observations.

a. Inspection of randomly selected computer printouts of all entries made on the mobile digital computers in patrol cars to check for inappropriate entries.

b. Inspection of randomly selected computer printouts of entries made on the FINEST computer system. This system allows officers access to such information as criminal records and vehicle registrations. An officer has to make a hand written command log entry stating the reason why a check on FINEST has been made. Therefore, reading the printout does not itself even provide the ICOs with all the necessary information for verifying the reason for a check.

c. Investigation of situations where an officer finds narcotics in a department vehicle or in a holding cell. When narcotics are found by an officer on precinct property, he or she is required to report this information to IAB. IAB then sends this information to the borough which then sends it to the precinct to investigate. The purpose of the ICOs' investigations is to determine whether the officer failed to conduct a proper search of a vehicle or holding cell, or whether there is evidence of more serious misconduct. These communications are generally received several weeks after the fact which obviously makes it more difficult and time consuming for the ICO to track down which officer was responsible. The investigations may not even involve precinct officers, but rather narcotics officers who work borough or city-wide and process their arrests at a precinct.

d. Investigation of CCRB complaints. CCRB allegations are forwarded to the borough and then the precinct, and, in addition to CCRB's investigation, ICOs must question the subject officers and complainants. A few ICOs delegate this duty to the subject officer's patrol supervisor. The more serious allegations are investigated by the ICO. The ICO must also locate and copy precinct records which CCRB requires for their investigations.

e. Investigation of missing or stolen Department property, which also requires an IAB log. These cases get channeled to the precinct through the borough.

f. Investigation of complaints concerning the improper action or inaction of an officer. When these complaints are made to IAB they are directed to the ICO through the borough for investigation. These complaints include officers failing to take a complaint, filing an inaccurate report, and refusing to take action when a citizen requests it.

g. Investigation of discrepancies in vouchered property sent to Police Plaza. When the police laboratory or central property clerk discovers discrepancies in the property vouchered as compared with the voucher slip, the ICO must investigate.

h. Investigation of officers who fail to appear in traffic court to determine if they are being paid off by respondents to ensure the dismissal of their summonses.

i. Writing reports on a host of subjects such as: overtime variance⁶⁵; the CCRB complaint reduction program⁶⁶, CCRB complaints variance⁶⁷, bribery arrest program.⁶⁸

When an ICO is assigned a sergeant as an assistant ICO, this assistant contributes significantly to the writing of reports and the conducting of investigations. Of the forty ICOs interviewed, 22 had full time sergeants, four had part time sergeants. Several ICOs noted, however, that in practice sometimes the assignment of an assistant does not reduce the administrative workload since it resulted in the assignment of additional responsibilities to the ICO.

Recommendation: Though the Commission recognizes the importance of some communications sent from the borough and other Department bureaus, ICOs become easily burdened by the

⁶⁵ Overtime variance reports analyze the precinct's distribution of funds for overtime in several categories which are compared with previous time frames.

⁶⁶ ICOs write reports on officers who receive a substantial number of CCRB complaints and describe what action is being taken to address a subject officer's performance.

⁶⁷ Reports are written by ICOs which statistically measure the number and types of CCRB complaints received in the precinct.

⁶⁸ See footnote 63, p. 18.

minutiae of such requests and distracted from their pro-active role in the precinct. The Department should develop more efficient means of addressing orders which unnecessarily involve the ICO.

4. *Develop An Integrity Control Program Suitable And Responsible To Precinct Conditions.*⁶⁹

Explanation:

The ICO is expected to devise pro-active programs that address particular corruption hazards within the precinct. These programs should re-enforce the values of the Department.

Commission Discussion:

All forty of the ICOs with whom the Commission spoke regarded their work as reactive rather than pro-active. In describing their responsibilities, the ICOs' language commonly included terms such as "triage" or "crisis management." Though the majority of ICOs interviewed report conducting regular self initiated inspections of precinct records and procedures, when asked about specific programs designed to address corruption hazards which exist within their precincts, many were unable to cite any substantive initiatives. Some referred to Departmental strategies such as the Holiday Program (which seeks to deter officers from shopping while on duty during the holiday season). One officer, unable to describe any self initiated anti-corruption strategies, described a program he initiated which fines officers every time they use profanity in the station house. The proceeds went to the precinct club which raises money for social gatherings.

Several ICOs spoke of testing restaurants and delicatessens that were allegedly giving away free or discounted meals to officers as self initiated investigations. Another mentioned making phone calls to the precinct to test the professionalism of those answering precinct phones. One ICO spoke of commencing an investigation regarding an individual who was not an officer, but who he believed was using a counterfeit police parking permit.

ICOs also claimed that while they are regularly looking into matters that could technically be referred to as self initiated cases, regrettably these investigations are not formally documented. For example, a commanding officer may instruct an ICO to monitor an officer suspected of misconduct. If the monitoring does not substantiate any misconduct, the information is rarely recorded in a formal case folder. Yet, the information gathered, such as intelligence concerning the officer's lifestyle, could be of use in future investigations by borough inspection units or IAB and should be forwarded to their attention.

⁶⁹ Patrol Guide 103-02(3).

Several described their policy recommendations which minimize overtime expenditures or safeguard precinct property. While these recommendations are worthwhile and address significant issues, they should not be the primary focus of the ICOs. Most distressing, however, is the lack of self initiated monitoring studies conducted by ICOs regarding individual officers. Less than 25% of the ICOs interviewed were able to identify self initiated investigations on subject officers, such as monitoring officers reportedly leaving their designated posts or sectors.

The Commission finds that the development of pro-active integrity control programs designed to monitor officers and criminal activity in the precinct has generally not been accomplished. Again, this largely appears to be a function of the need for ICOs to continue to respond to administrative or insufficiently corruption-related demands. While developing pro-active programs is admittedly an often difficult task, striving to do so needs to be a greater priority.

Recommendation: ICOs should develop a command profile which highlights specific officers and precinct conditions that require field observations. ICOs should develop monitoring strategies based on these profiles. Self initiated inspections of precinct records or procedures should continue based on information developed by ICOs in their commands which suggests misconduct or corruption. Self initiated field investigations involving the monitoring of targeted officers should be conducted regularly. ICOs' findings based on their field activities should be regularly documented and shared with IAB and borough inspection units.⁷⁰

5. *Make Recommendations To The Precinct Commander Concerning Integrity Control.*⁷¹

Explanation:

Issues or incidents involving the integrity of members of the command are discussed between the ICOs and the commanding officers. The ICOs are supposed to make recommendations that address corruption problems and prevent their recurrence.

Commission Discussion:

ICOs who have worked in a precinct for more than two years often represent the institutional memory of a precinct. Tenured ICOs spoke of the high turnover rate of commanding officers and stated that the majority of commanding officers leave a precinct within two years. Given this pattern of change, in some circumstances ICOs have more information than the commanding officers regarding the precinct, the officers, and corruption hazards.

⁷⁰ The recommendation for self initiated field activities is discussed further on pp. 30-33.

⁷¹ Patrol Guide 103-02(4).

All of the ICOs who were interviewed spoke of daily conferences with their commanding officers, but most of them stated that they took direction from the commanding officers rather than make recommendations to them. The daily meetings usually concerned personnel issues and isolated incidents of misconduct. Anti-corruption programs appear to be rarely discussed. In practice, commanding officers commonly dictate the nature of their relationships with the ICOs. Indeed, in a number of circumstances, the relationship is such that the ICO reported not even feeling comfortable making recommendations to the commanding officer. Since all ICOs are lieutenants, this occurs in part because of the rank of the respective officers and the established hierarchy within the Department.

Recommendation: ICOs and commanding officers should meet regularly to discuss self initiated integrity programs and other issues which address specific precinct conditions. These meetings should incorporate information received through conferences with IAB and borough inspection units.

6. *Observe Command Conditions And Visit Corruption Prone Locations Frequently, At Irregular Hours; Keep Commanding Officer Advised Of Conditions And Possible Corruption Hazards.*⁷²

Explanation:

Precinct observations and pro-active patrol enables the ICOs to monitor officers, identify precinct hazards, develop sources of intelligence, and ultimately take corrective steps based on observations of corruption or police misconduct.

Commission's Discussion:

All forty ICOs interviewed by the Commission spoke of the importance of pro-active patrol. The ICOs described patrol as crucial to monitoring officers and identifying corruption hazards within the precinct. Observing officers perform their duties in the community provides ICOs with the opportunity to monitor whether they are involved in misconduct, how quickly officers respond to call-outs, how long they take to notify the precinct upon completion of a job⁷³, their treatment of civilians, and whether they leave their assigned areas when their supervisors are in another sector. ICOs also stated that monitoring the police radio while out on patrol is imperative to developing knowledge of their officers' behavior and essential in deciphering their jargon and coded language, which may signal corrupt activity. In addition to

⁷² Patrol Guide 103-02(5).

⁷³ Officers are mandated to make proper notifications over the radio when they have finished their required duties upon responding to a call-out. When officers "hold on to a job" without making proper notification, they can cover up their whereabouts.

identifying problems developing within the precinct, time spent in the field provides ICOs with the opportunity to develop a rapport with officers and supervisors while assisting on jobs, creates a field presence for purposes of deterrence, and enables them to expand contacts within the community.⁷⁴

Such pro-active patrol, however, is time consuming and requires skillful surveillance. Despite its importance, the majority of ICOs said they were lucky if they went out on patrol for an hour each tour and one midnight tour each month. Seventy percent estimated that they were able to patrol the precinct 30 hours or less a month. Several ICOs said they rarely conduct patrol at all. In contrast, most ICOs stated that at least half, if not more, of their tour should be spent on patrol to effectively monitor the integrity of their command.

Many of the interviewed ICOs also raised issues about the utility of some of the patrolling which they do find time to undertake. As part of their patrol duties, ICOs must maintain an Integrity Monitoring File which lists locations in the precinct where criminal activity or police misconduct has occurred. Also listed are locations where police officers have been found sleeping or interrupting their patrol. ICOs update this file, post it in the precinct as notification to officers, and send copies of the list to the borough office and IAB. ICOs stated that they are required to conduct surveillance on these locations every month.⁷⁵ They also direct patrol sergeants to visit at least three of these locations per tour.

A majority of ICOs claimed that regularly visiting these locations is not a productive use of their time. No ICO claimed to have observed an officer at any of these locations. Most ICOs emphasized that a more valuable use of their time would involve surveilling officers and locations not on the list, surveilling patrol sergeants to ensure they visit these locations, or generally use patrol to build a better knowledge of the command and its problem officers.

Also troublesome is the fact that only four ICOs have their own vehicle for patrol. The other 36 share a car with the commanding officer, the executive officer, and sometimes other supervisors. Twenty-five of these ICOs have only limited access to this shared car.⁷⁶

Recommendation: ICOs should be mandated to patrol their precincts during at least 50% of their work week, absent extraordinary circumstances, and to observe all three tours of officers. ICOs should have a vehicle to conduct field observations which should encompass the entire precinct, not only locations placed on the Integrity Monitoring File.

⁷⁴ The importance of developing sources of information while the ICOs conduct field observations is discussed on pp. 26-27.

⁷⁵ Patrol Guide 103-02(14).

⁷⁶ ICOs in high crime precincts need their assistant to accompany them on patrol because of the threat to their safety if they encounter a crime in progress. These ICOs thus must regularly choose between using their staff for administrative functions or for pro-active patrol.

7. Assist Precinct Commander In Developing Sources Of Information Regarding Integrity And Corruption By Maintaining Rapport With Members Of The Service (Uniformed And Civilian) And Private Citizens.⁷⁷

Explanation:

ICOs are responsible for developing sources of intelligence within the command to assist them in obtaining information about officers who compromise the efforts and values of the Department. ICOs are expected to question supervisors, patrol officers, members of the community, and prisoners to gain further intelligence concerning precinct conditions.

Commission Discussion:

Most ICOs said that precinct supervisors were their main source of information in their commands. Those ICOs who had a sergeant as an assistant valued the sergeants' relationships with their peers as a means of providing additional valuable information. Many ICOs also found that especially valuable in gathering intelligence was the fact that they had served time in the command before assuming their present responsibilities.⁷⁸ However, as some ICOs also acknowledge, having previously served in a command can also be a liability since sometimes familiarity can produce complacency while a fresh perspective can help ICOs discover sources of misconduct or corruption where it was not previously expected to exist.

Not surprisingly, ICOs explained that developing sources, particularly among non-supervisors, is most difficult to achieve because they are senior managers and because the ICOs are traditionally feared. Less than 15% of the ICOs interviewed stated that there were individual officers in their command who regularly provide them with information. The remainder of ICOs remarked that rather than receiving information from a select group of officers, they received isolated information from officers throughout the precinct. While some ICOs dismissed the notion of a "blue wall of silence,"⁷⁹ many expressed a reluctance to develop informants in the command, preferring to rely on what they hear and see in and around the station house. The Commission believes, however, that this attitude must change. While it plainly is difficult, ICOs need to attempt to cultivate such informants to extend their monitoring presence beyond their own field observations. Informants can then report on officers' behavior and activities in the ICOs' absence.

⁷⁷ Patrol Guide 103-02(6). This provision has been consolidated from three sections listed in the 1995 Patrol Guide, discussed on pp. 10-11.

⁷⁸ Nearly half of the ICOs were supervisors in the same precinct before becoming ICO.

⁷⁹ The "blue wall of silence" is discussed in the Mollen Commission Report. This code of silence refers to a police culture whereby officers are reluctant to report their fellow officers' acts of misconduct or corruption due to their dependence on one another for their safety on the streets. The Mollen Commission found that officers who violated this trust were ostracized in the Department, pp.53-58.

Although ICOs reported that the majority of officers value the ICOs' function in monitoring police corruption, they also explained that the image of the ICO tracking minor violations intimidated most police officers or left many officers uninterested in speaking with them. Many ICOs know that they are perceived as the "precinct disciplinarians" or "paper pushers" with little real knowledge of what happens on the streets. Because of these perceptions, relationships are difficult to build and take time, time the ICO does not have. They believe that their best hope is to be fair and not come across as the disciplinarian in the precinct, with the hope officers will open up to them. The ICOs reported that what causes officers to avoid contact with them is the requirement that they investigate non-corruption related violations of department procedures. Indeed, ICOs rarely participate in the social functions of the precinct. They believe that if they attend a picnic or party, officers feel they can not relax.

One way that ICOs do try to develop relationships with officers is to encourage officers with personal or family problems to bring them to their attention. ICOs claimed that while such counseling represented a time consuming aspect of their job, it enabled them to develop a trusting relationship between themselves and the officers which would lead to greater disclosure of information relating to integrity and official misconduct.

While recognizing that realistically it always will be difficult for ICOs to develop sources of information within the precinct, in such a climate time on patrol becomes an even greater necessity. If ICOs are more frequently able to assist officers and supervisors out in the field, the interaction would help ICOs develop a more meaningful rapport with officers in their command and increase the flow of communication. This, in addition to covert observations, would benefit the ICO in developing sources of intelligence.

The ICOs also report that they do not have the time to cultivate resources outside of the Department. However, time on patrol would also enable the ICOs to develop community sources which less than 10% of the ICOs mentioned as a regular source of information.

Recommendation: In addition to maintaining a rapport with precinct supervisors, ICOs should use their time on patrol to develop sources of information among police officers and community residents. ICOs should make strong efforts to cultivate regular sources of information to ensure a continual flow of information on precinct activities.

8. *Provide Advice To Precinct/Unit Commanders Concerning Appropriate Penalties For Violations Of Department Regulations.*⁸⁰

⁸⁰ Patrol Guide 103-02(8).

Explanation:

When an officer is disciplined in the command, ICOs advise the commander of the officer's record and advise the commander relative to the appropriate penalty to be imposed.

Commission Discussion:

The ICO plays a crucial role as the commanding officer's counselor on disciplinary matters. All supervisors can issue a command discipline against an officer for violations of Department procedures and less serious misconduct. Such violations do not require a formal notification to IAB. The matter is instead brought before the commanding officer who will render a penalty. The commanding officer can determine that the command discipline is unwarranted and effectively dismiss the matter, or the commander can adjudicate the case before the subject officer and a PBA delegate. IAB and the DAO can also refer substantiated cases to commanding officers, based on IAB's or borough inspection units' investigations, when a command discipline is found to be more appropriate than formal charges brought against an officer. Although the ICO is not present during the adjudication of command disciplines, all of the ICOs reported that they regularly convey their assessment of the affected officer beforehand.

Several ICOs, however, seemed uncomfortable recommending penalties, believing this to be exclusively the commanding officer's role. Several others described occasions when commanding officers have given lighter penalties than the ICOs recommended.⁸¹

Recommendation: Commanding officers should continue to consult ICOs regarding disciplinary issues and to solicit their recommendations as to appropriate penalties. ICOs should be encouraged to offer candid recommendations which should be carefully considered in determining the penalty ultimately imposed.

9. *Develop Liaison With Internal Affairs Bureau And Patrol Borough Inspection Units To Exchange Information For Self Initiated Anti-Corruption Programs.*⁸²

Explanation:

ICOs are required to attend bi-annual meetings at which IAB group captains brief

⁸¹ Some ICOs talked about factors affecting penalties extraneous to the nature of the violation or the record of the violator. For example, some stated that commanders are concerned about the political environment surrounding penalties and that the PBA's involvement could create a work slowdown in protest of the commanding officer's actions. The Commission was told by some ICOs that some commanding officers also feel pressure to keep the number of command disciplines to a minimum so as not to impair precinct morale.

⁸² Patrol Guide 103-02(18).

individual precinct commanders on recent corruption cases. ICOs also attend regular meetings at their respective borough inspection units. Precinct conditions and individual officers are discussed at these meetings and it is expected they will be incorporated into the ICOs' strategies for self initiated programs.

Commission Discussion:

1. Relationship With IAB

ICOs described varying relationships with IAB. Eight ICOs claimed to have been briefed on open investigations during their meetings with IAB group captains, and fifteen ICOs spoke of knowing the identity of an officer in a particular IAB investigation. Some believe they have made valuable contributions to IAB's cases, but others complained of a lack of inclusion. Communication with IAB was commonly referred to by the ICOs as a "one way street." One ICO expressed dissatisfaction with the result when he shared his concerns regarding an officer in his command with IAB.⁸³

Included among the long list of duties assigned to the ICOs, is the additional task of gathering precinct records for IAB investigators such as memo books, roll calls, and command logs. IAB regularly requests records from the ICOs which are greater in number than they need in order to hide the identity of the subject officer. As a result, ICOs sometimes consider themselves clerks for IAB rather than additional sources of information.

A majority of the ICOs whose service predates the policy of inclusion did, however, notice a change for the better in IAB's willingness to share more information. Four, however, reported no difference flowing from the policy of inclusion and, although many ICOs referred to the IAB group captain by name, very few of them could refer to investigators at IAB with whom they have established a familiar relationship.

The majority of ICOs spoke of ways they felt they could contribute to IAB's investigations whether it be by reporting rumors they have heard or behavior they have witnessed. One ICO spoke with great pride about providing IAB with information on one of their on-going investigations which resulted in the administration of a drug test on the subject officer within 24 hours. The officer failed the test. Another ICO persuaded an IAB detective to tell him who IAB was investigating when the ICO was photocopying precinct records for IAB. Once advised of the subject officer's identity, the ICO advised IAB that he had a self initiated case on the same officer. The ICO was soon afterwards invited to IAB with his case folder which provided IAB with helpful information. These two instances, however, constituted the only examples reported to us in which ICOs were clearly aware of their contribution to IAB's on-going investigations.

⁸³ Several ICOs stated they understood that IAB may not have included them in IAB's investigations because of a general concern about leaks. Indeed, some ICOs feared that if a leak occurred they would be blamed.

Though ICOs have been told about integrity tests after they have occurred and, on occasion, before when their assistance was required to help place a particular officer on a certain post, only one ICO reported being asked for his advice when IAB was planning a targeted test. The ICO recommended a scenario for testing the subject officer. However, when IAB scheduled the test, the ICO reported telling IAB that the officer probably would not fail because of the tour chosen and partner involved in the test. IAB responded that it was too late and went ahead with the test as planned. The officer passed the test.

None of the ICOs interviewed had received recent monthly corruption statistics from IAB. Some claimed that it had been over a year since they had received such information. In addition, while *Police Strategy No.7* states that IAB will provide ICOs with information regarding patterns and trends of corruption within their precinct⁸⁴, ICOs also told the Commission that just receiving reports is not an adequate substitute for personal interaction.

Ten ICOs that were interviewed have been at their positions for several months without ever having been contacted by the IAB group captain for a briefing. Those who have had meetings with the group captains said that these generate more constructive discussions and are more helpful than monthly statistics. Even when only closed cases were discussed, ICOs valued the information that came from discussing cases in detail. Discussions of unsubstantiated cases are also valuable, especially those in which IAB suspects that the subject officer is guilty, but not enough evidence exists to substantiate the case. ICOs could then use that information to focus their monitoring efforts.

In the end, while judgments always will be required as to how much can and should be disclosed to ICOs in a particular investigation, more complete discussion of closed cases plainly poses fewer risks. ICOs and commanding officers need to review closed IAB case to identify ways in which the precinct can improve upon supervision, to alert supervisors to precinct corruption precinct hazards, and to guide an ICO's pro-active monitoring.

In addition, IAB investigators and ICOs clearly need more opportunities to share information and develop familiar relationships. The Commission believes that monthly meetings would provide an environment for less formal interaction between IAB group investigators and their respective ICOs. Such meetings would foster a greater exchange of information and create an opportunity for ICOs to report on their self initiated field activities and intelligence gathered in the command.

Finally, although ICOs themselves understand that their role in IAB investigations is limited, fifty percent of those interviewed considered themselves an untapped resource at the command level.

Recommendation: IAB's meetings with commanding officers and ICOs should involve the

⁸⁴ Police Strategy No.7, p.6.

discussion of open cases whenever possible. Closed cases should be discussed in greater detail, whether IAB has closed a case as unsubstantiated or as being for information and intelligence.⁸⁵ A closed case might suggest continued monitoring.

IAB investigative groups should conduct monthly group meetings with ICOs to promote frequent contact between their investigators and ICOs. Discussions should focus on target officers for integrity testing, officer profiles, surveillance tactics and ways in which ICOs can aide IAB without compromising an investigation. ICOs should also brief IAB on their self initiated field activities and intelligence developed in their commands. ICOs' briefing reports should enable the Department to measure ICOs' pro-active efforts. ICOs should write an official memorandum to IAB whenever they develop substantial information as a result of their monitoring activities.

2. Relationship With Borough Inspection Units

a. Borough Meetings

ICOs attend regular meetings with their borough inspection units. Depending on the borough, these meetings can occur monthly or on an ad hoc basis. The purpose of these meetings is to discuss precinct conditions and matters relevant to inspection units' misconduct investigations. The borough also provides in service training for ICO related functions.

Some ICOs spoke positively about the borough meetings. One ICO, who attended a meeting in which officer profiles were discussed, remarked that the extensive preparation for the meeting was worthwhile because it required him to consolidate information on officers from many different sources, a process which itself helped identify corruption-related issues.

Many ICOs, however, were critical of these meetings, finding that their regular meetings at the borough inspections units took the form of a lecture and viewed them as unhelpful and relatively non-substantive. ICOs gave some examples of the directives issued during the course of these meetings: 1) complete their outstanding "M" cases; 2) prevent officers from missing their traffic court appearances; 3) follow guidelines for case management or use of correct departmental forms; 4) overtime issues; and 5) borough conditions.

Most ICOs did not recall discussing pro-active initiatives at these meetings such as anti-corruption programs or methods for monitoring officers. A few ICOs stated that the commander of an inspections unit may direct them to make sure officers are responding to jobs and patrolling throughout their sectors, but most ICOs claimed they were rarely engaged in substantive discussions on corruption control. One group of ICOs said their regular meetings had become less frequent due to weekly borough administrative meetings where each precinct's

⁸⁵ When there is insufficient information to open or continue an investigation, IAB closes the case and assigns a disposition of "Information and Intelligence." Such cases are discussed in the meetings between IAB group captains and commanding officers with their ICOs.

overtime expenses are discussed. Another ICO said the borough is interested in borough statistics and borough trends, not individual precinct conditions. This failure to discuss precinct conditions and pro-active monitoring initiatives eliminates the advantage of bringing ICOs together to discuss their concerns, but more importantly miscommunicates the priorities of the ICOs' role.

A few ICOs spoke of training they received at the borough inspection units' meetings on subjects that were relevant to their specialized duties, such as the bribery enhancement program where ICOs learn how to train officers to sting civilians who attempt to bribe them. Others spoke of training they believed was not sufficiently related to integrity control such as: 1) procedures for deleting and reinstating businesses for police response efforts (when business alarms repeatedly sound as a result of mechanical malfunctions, these businesses are taken off the police response list; ICOs are expected to be cognizant of the corruption hazard this process poses since, for example, if the alarm sounds for an actual burglary in progress, it will be known that there will be no police response based upon the sound of the alarm); and 2) precinct club financial records (ICOs are taught how to audit the financial records of precinct clubs which raise money from vending machine sales).

Some ICOs said that the value they received from these meetings was not during the course of the meeting itself, but from informal discussions with other ICOs in which they exchange ideas before the meetings begin.

Recommendation: Borough meetings need to be structured as discussion groups in place of a lecture format. ICOs need a dynamic environment where monitoring and surveillance tactics are discussed as well as ideas for self initiated field activities. The discussion of command profiles should take precedence over administrative issues.

b. Borough Investigations

Although all forty ICOs described investigators who worked in the borough inspection units as good resources when they need advice on cases, only 20% of the ICOs claimed that these same investigators use them reciprocally for inspections' investigations. Most of the ICOs who had more than two years on the job regularly exchange information with inspections. However, ICOs with less experience in the position were rarely told the circumstances of investigations conducted by inspections units or the identity of the officers involved. Only one of these ICOs recalled discussing closed cases with his respective inspections unit.

Recommendation: Investigators in borough inspection units should regularly discuss with ICOs the circumstances of their investigations during (where possible) and upon conclusion of each case to facilitate the exchange of information and to maximize the available knowledge of the command.

c. Borough Inspection of ICOs

ICOs conduct a quarterly self inspection of their corruption program for the borough command. The most recent worksheet utilized for this purpose, entitled *Corruption Program/Integrity Control Officer* (March, 1995) (see Appendix VI), fails to adequately measure the ICOs' pro-active duties. The worksheet requires the ICO to provide the following types of information: the number of visits to corruption prone locations; the number of command disciplines or charges preferred; the number of times the ICO instructed officers regarding integrity concerns at roll call; the number of sergeants' memo books inspected by the ICO; and the number of precinct parking permits issued. Only two out of the twenty questions require a qualitative answer. These are:

- (1) Describe any unique anti-corruption methods utilized; and
- (2) How many self initiated investigations have been conducted and what were the results.

While these are relevant questions, they are obscured by the excessive attention paid to administrative matters throughout the worksheet. This worksheet leaves ICOs with the impression that an ICO's compliance with mandated procedures is more important than pro-active integrity control such as the number of hours spent on preventive patrol, the status of the command profile, targeted officers, the number of referrals to IAB based on ICO intelligence, and the exchange of information with IAB and borough inspection units.

Recommendation: The boroughs' inspection of the ICO program should evaluate the ICOs' efforts towards pro-active integrity control. A worksheet should be developed which focuses more on the ICOs' time on patrol, self initiated field activities, targeted officers, and those activities which resulted in a referral to IAB and borough inspection units or the exchange of information. Unique pro-active methods should continue to be identified on the worksheet and discussed at borough inspection units' meetings. ICOs who do not make significant efforts in pro-active integrity control should be identified and removed from the position.

B. ADDITIONAL OBSERVATIONS

1. IAB's Perception Of ICOs

In an effort to understand IAB's expectations of ICOs, the Commission interviewed the IAB borough commanders who oversee IAB's functions within all five boroughs.

ICOs were described in these interviews as "vital" and "crucial" to the efforts of IAB. Two of the borough commanders pointed to several cases where the ICO had either initiated the investigation or provided additional information. Yet the IAB commanders were clear in stating that IAB does not officially share information with an ICO before briefing the commanding

officer of the precinct. The policy of inclusion is primarily intended for the precincts' leaders. It is then up to the commanding officer's discretion to disclose any information to his or her ICO.⁸⁶

Even when ICOs are not briefed on the specifics of an investigation, IAB commanders recognize they provide a valuable resource to obtain records or to schedule an officer on a particular tour and post to coincide with an integrity test. One commander did remark that IAB probably takes a lot more than it gives when utilizing ICOs.

Although IAB has begun to include commanding officers in some of their investigations, ICOs are not, as a matter of course, provided with information on a case. One IAB commander said ICOs could compromise an investigation even though their intentions are good. It appears to the Commission, however, that in general this concern could be effectively addressed through training of ICOs and greater care in ICO selection.

The IAB commanders agreed that training should be provided to ICOs before they begin the position. The IAB commanders also valued regular group meetings with ICOs. The commanders stressed the potential for productive relationships when IAB investigators and ICOs meet in person. As relationships with ICOs are developed, ICOs would be more likely to initiate calls to IAB with intelligence or background information on officers and investigators would be more likely to develop a sense of trust with the ICOs.

The IAB borough commanders emphasized the importance of ICOs being on regular patrol. When ICOs change their schedule frequently, make regular unannounced visits in the precinct, and develop their surveillance skills, they become much more knowledgeable about their command. Consistent with the Commission's findings, however, these IAB commanders also believed that the ICOs' schedules accommodate their administrative work rather than proactive patrol.⁸⁷

2. Borough Inspection Unit Commanders' Perceptions of the ICO Program

The Commission interviewed eight borough inspection unit commanders who oversee police misconduct investigations. The borough inspection unit commanders utilize ICOs in some of their investigations, forward certain cases which are deemed more appropriate for ICOs to investigate, and schedule regular meetings with ICOs to discuss borough conditions and trends.

⁸⁶ Apart from the issue of to what extent the ICOs should be included within the policy of inclusion, the IAB borough commanders emphasized the overall positive impact of that policy on their investigations. One commander spoke of being a very vocal opponent of the policy of inclusion when it was first introduced because of the risks involved. This commander now describes himself, however, as a believer because of the success of the practice.

⁸⁷ For the Commission's recommendations regarding IAB's relationship with ICOs, see pp. 30-31.

When asked to list the topics presented at such meetings, the borough inspection unit commanders described borough trends or recently identified problems which they expect the ICOs to correct at the precinct level, such as: complaint classification (due to a recent case of misclassification, ICOs must monitor complaint reports to ensure crimes are being properly classified); desk appearance tickets (ICOs must ensure officers are conducting warrant checks before issuing desk appearance tickets); reckless driving by police officers (ICOs must observe officers driving during their patrol monitoring); and response time (ICOs must monitor the time it takes for police officers to respond to complaints). The borough inspection commanders also address the ICOs' responsibilities towards conducting investigations and regular field observations.

Several of the borough inspection unit commanders spoke of a new anti-corruption program in which their staff and ICOs have begun compiling information on problem officers for command profiles. One commander spoke of a database being designed in his office for this purpose. Efforts are being made by borough inspection units to target officers for their patrol monitoring which is required in addition to the observations required for their misconduct investigations. In this way, officers who are inactive, chronically sick, receive poor evaluations and numerous CCRB complaints, and have problematic disciplinary histories can be observed regularly. These borough inspection unit commanders are beginning to meet annually with precinct commanding officers and their ICOs to discuss the individuals appearing on these lists. A few borough inspection unit commanders try to coordinate their patrol monitoring with precinct ICOs. However, because ICOs are burdened with administrative work, this effort is difficult to accomplish.

Several borough inspection unit commanders spoke of the ICO position as undesirable and with a high turnover rate. This can sometimes frustrate the exchange of information. These commanders noted that it was therefore critical to establish a rapport with the ICOs and described regular, even daily, contact with them. Despite this contact, commanders may or may not include ICOs in high level meetings attended by the borough chief, IAB captains, borough inspection unit commanders and precinct commanders where targeted officers are discussed.

The same is true of misconduct investigations. Most borough inspection commanders do not regularly advise ICOs of the circumstances of their investigations and only include the ICO when specific information is needed. Only two commanders said that in most cases, they regularly share information with ICOs. They only excluded sensitive cases such as when the subject officer is a lieutenant.

One commander remarked that ICOs are a significant source of intelligence; four recent drug test failures by officers in his borough can be attributed in part to the efforts of ICOs and their knowledge of targeted officers. Another commander claimed that sometimes the newest ICOs make the greatest efforts to initiate calls to his office with information. Yet one commander suspected a regular flow of intelligence to borough inspection units may be diminished by precinct commanders' zeal to correct problems or misconduct in house in order to receive the credit. According to several borough inspection unit commanders, and the ICOs

themselves, any intelligence gathered in the command, absent serious misconduct or corruption, is channeled first to the precinct commander.

Recommendation: Borough inspection units and ICOs should regularly share information regarding misconduct cases and coordinate their patrol monitoring duties. As part of their mandated field observations, ICOs should brief borough inspection units on targeted officers' activities. Command profiles should become an integral anti-corruption program involving ICOs and borough inspection units.

3. Selection Standards And Incentives

An ICO's job is a difficult line to walk. On the one hand, the ICO must act as a disciplinarian when drawing up charges on officers, issuing CD's, inspecting records, instructing officers, and limiting overtime. The ICO must have the determination and drive to investigate other officers in order to protect the values of the Department. On the other hand, the ICO is expected to gain the confidence of officers and supervisors for intelligence purposes, aid IAB and inspection units with their investigations, and patrol the precinct. One former ICO said these varying roles are very difficult to reconcile, with success highly dependent on the personality and experience of an ICO candidate.

The majority of ICOs interviewed did not seek the position but were asked to assume it. A few were enticed by the ability to schedule their own hours for their work week. Several spoke of their "lot in life" and remained in the job with little hope for advancement within the Department. This appears largely to be a function of the evolution of this job, as discussed above, into more of an administrative as opposed to a crime and corruption fighting position.

Although high standards of trust and integrity are required of ICOs, the Department, however, has not provided the position with the privileges and benefits it affords investigators. In fact, there are disincentives for ICOs. Lieutenants who work as platoon commanders in a precinct work an 8 hour and 35 minute tour. ICOs work an 8 hour and 25 minute tour because their position is designated as administrative and not patrol. This results in a loss of 5 chart days in a year when compared to a platoon commander.⁸⁸ In addition, if an ICO were to transfer to an investigative unit his or her experience in conducting investigations as an ICO would not be recognized by the Department as investigative time on the job. Officers must work for 18 months in an investigative unit before becoming eligible for an increase in salary. Although they do not exclusively conduct investigations, a percentage of their time is devoted to investigative work and there needs to be some acknowledgement of this fact. This lack of recognition sends an unfortunate message and effectively devalues the position and diminishes the incentive to excel.

⁸⁸ Because platoon commanders work 35 minutes beyond an 8 hour shift, they accumulate time which is owed back to them as chart days. ICOs, who accumulate only 25 minutes per tour, receive 5 fewer chart days in a year.

Recommendation: The Department should recognize the significance of the ICOs' role in the integrity control process with rewards and benefits for performing the job above standards.

4. Training

IAB currently provides a two week training course for ICOs. The course is derived from IAB's curriculum for its own investigators: *Basic Methods of Internal Investigations*. ICOs usually attend this class with investigators in other units (e.g. borough inspection units) or outside agencies (e.g. CCRB investigators). The course includes instruction on interviewing, surveillance, developing confidential informants, case management, absence control, use of force investigations, corruption trends, payroll management, telephone security, and computer security.⁸⁹

The investigative training proved valuable for the majority of ICOs. Only six of the ICOs interviewed had investigative experience in the Department before becoming an ICO. While most ICOs appreciated the investigative training, however, only 15% believed the training sufficiently helped them with their daily functions. The remaining ICOs professed a need for continued training in ICO functions and managing the paperwork.

Though ICOs do conduct investigations, the Commission found that the ICOs' pro-active duties such as: identifying officers for targeted integrity tests; developing information on ICOs' suspicions; decoding officers' jargon heard in department radio transmissions; maximizing intelligence received from IAB and borough inspection units; ICOs' surveillance tactics; and methods for managing the difficulty of developing sources of information while, at the same time, investigating officers in the command, are not sufficiently addressed in the current course schedule. Since the training is for various types of investigators, it fails to acknowledge the unique responsibilities assigned to ICOs. Pro-active patrol in a precinct, whether monitoring problem officers or developing sources of intelligence, requires skills specific to the ICOs' position. While a significant portion of an ICO's day is best spent on pro-active integrity control, the ICOs' training should reflect this. Currently, only one hour of a two week training course is devoted exclusively to ICO functions.

Recently, IAB conducted a three day training course for new and experienced ICOs. Following the course, ICOs were asked to write extensive critiques of the training and to offer suggestions on subjects that were not covered. IAB is planning to conduct ICO focus groups by the end of the year to further develop and improve the ICOs' training.

In addition to IAB training, ICOs should receive periodic in service training at borough inspection units to provide ICOs with updated techniques for self initiated field activities. Such training, rather than incorporating a lecture model, should facilitate the exchange of information

⁸⁹ Four ICOs, however, had not received training although they had been on the job for three to nine months and in another four cases the training did not take place for over a year. The majority of ICOs, however, received training several months after they assumed the position.

and ideas regarding pro-active monitoring tactics.

Police Strategy No. 7, on page six, stated IAB will "conduct training for all precinct and other unit commanders and ICOs in identifying and responding to suspected corruption and brutality without compromising on-going investigations." However, no ICO interviewed reported receiving such training.

Recommendation: ICOs should receive training before they begin their position. IAB's training of ICOs should focus on pro-active integrity control as well as conducting investigations. The Department should identify exemplary ICOs within the Department who can share their expertise with ICOs at these training sessions.

Borough inspection units should conduct periodic in service training which further develops the ICOs' self initiated field activities. The training should incorporate discussion groups to generate an exchange of ideas.

5. ICO Staff Not Proportional To Size Of Command

Each command is required to have an ICO. However, the precinct commander is not required to provide the ICO with an assistant in the rank of sergeant. Many of the commands that the Commission visited did have assistant ICOs as well as clerical help. Four, however, had neither.

While some medium sized commands had an assistant ICO and clerical help, with one exception, none of the largest commands had more than one assistant allocated even though the amount of work increases proportionally to the number of personnel in the command. Some ICOs said they had a sergeant "on paper" but that he or she really performed another duty or was available only on a part time basis. Also, as discussed above, some of the veteran ICOs reported an increase in workload whenever they received more staff.

The Commission also received some reports of sergeants filling in as ICOs when commands were short on lieutenants and of one ICO who was working as the Special Operations Lieutenant in addition to his role as ICO. Several ICOs also filled in as back up support when the precinct was short on platoon commanders. Several ICOs also stated that before their appointment, the command had not had a steady ICO for a period of several months.

Recommendation: ICO offices need to be adequately staffed in proportion to the size of their commands, and such staff must be available to work with the ICO. The Department should assign assistant ICOs, in the rank of sergeant, to each command and outline their duties in the Patrol Guide.

6. Lack of Computerized Capabilities

The lack of computerized systems available to ICOs, to the precinct, and the borough also impedes the ability of ICOs to function as effectively as possible. One ICO, who spoke of the difficulty of obtaining records and sharing information via computers, complained of the inability to share information between the Department's various divisions. While some ICOs were fortunate to have computers, others either did not have one, or were unable to utilize software programs because there was no disk drive. Even some of those who did have the right equipment lacked the training to use it.

As discussed above, significant time is spent by ICOs in transmitting information to the borough or other various divisions. If information from a precinct could be retrieved electronically, without having the ICO manually prepare the data, ICOs' resources could more readily be used for patrol and their own investigations. Countless hours are also spent manually retrieving records for officer or command profiles for the commanding officer, the borough, or other units. If each ICO had electronic access to an officer's records, as other bureaus do, ICOs could quickly and efficiently analyze information necessary for their monitoring functions such as officers' sick record, command history, weapon history, overtime abuse, police vehicle accidents, absence, disciplinary history, personal data, CCRB complaints, and activity reports.

Recommendation: Each ICO must be given ready and convenient access to computer data relevant to their functions.

VI. CONCLUSIONS

In recent years the New York Police Department has put tremendous resources into its anti-corruption programs. These efforts have substantially improved the Department's ability to investigate allegations of police corruption. ICOs are positioned to further enhance the ability of the Department to address the issue of corruption. As precinct based integrity managers they can play the kind of pro-active role in spotting potential issues which should enable IAB to itself become more of a self-initiator of cases, something which is plainly desirable.

Unfortunately, the Commission's study found ICOs overburdened with responsibilities, including administrative duties, and lacking the time to conduct self initiated field investigations, perform pro-active patrol, or develop informants. Through no fault of their own, ICOs are saddled with too many duties while pro-active measures represent what they do far more "in theory" than in reality.

The Commission found that, while recognizing the problem, the Department has not sufficiently acted to remove the duties that prevent ICOs from dedicating their energy to pro-active measures or to providing training to effectively conduct precinct observations. If ICOs were freed from tasks insufficiently related to integrity control, not only could they be more pro-active and effective, but the Department would have a more valuable resource for identifying

targets for investigations and/or integrity testing.

APPENDIX I

POLICE DEPARTMENT
CITY OF NEW YORK

June 12, 1973

TO ALL COMMANDS

Subject: DESIGNATION OF AN INTEGRITY CONTROL OFFICER.

1. To assist a precinct commander in carrying out his responsibility for command integrity, for which he is held accountable, he may, at his discretion, designate one (1) superior officer as INTEGRITY CONTROL OFFICER.

2. The designated INTEGRITY CONTROL OFFICER can, through inspection, observation and fostering of attitudinal changes assist a precinct commander in establishing a CORRUPTION PREVENTION AND DETECTION PROGRAM. The following are suggested duties that may be assigned to an INTEGRITY CONTROL OFFICER:

- a. Inspection of time cards, overtime records, gasoline disbursement records, pistol license records, accident records, property records, etc.
- b. Visits to courts to determine performance and conduct of members of the command, including signing in and out of court and prompt return to precinct.
- c. Interviews throughout the year with local businessmen to insure they understand departmental policy and provisions of the Penal Law concerning corruption and gratuities.
- d. Gather information of criminals residing, frequenting or doing business within the precinct from Department and other sources. Observations of these persons should be conducted to determine if there is unnecessary contact between them and members of the service.
- e. Develop informational sources within and outside the Department by maintaining an "open door" policy. Maintain a rapport with members of the service and others to seek symptoms of

APPENDIX II



PATROL GUIDE

PROCEDURE No

103-2

PATROL DUTIES AND RESPONSIBILITIES

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INTEGRITY CONTROL OFFICER

1. Inspect time cards, overtime records, gasoline disbursement records, property records, etc.
2. Visit courts to supervise performance and conduct of members of the command, including signing in and out of court and prompt return to assigned command.
3. Inform local businessmen of departmental policy; and provisions of the Penal Law, concerning corruption and gratuities.
4. Gather information from all sources concerning criminals residing, frequenting or doing business within the precinct and determine if unnecessary contact exists between such persons and members of the service.
5. Maintain rapport with members of the service and others to seek symptoms of corruption.
6. Develop liaison with patrol borough field internal affairs units to exchange information for self initiated anti-corruption programs.
7. Observe precinct conditions at irregular hours and keep precinct commander advised of conditions and possible corruption hazards.
8. Instruct uniformed members of the service, during roll call training, on the proper methods of identifying, reporting and combatting corruption.
9. Develop an Integrity Control Program suitable and responsive to the precinct conditions.
10. Maintain records concerning the Integrity Control Program including a "CORRUPTION PRONE LOCATION FILE."
11. Make recommendations to precinct commander concerning integrity control.
12. Conduct investigations and submit reports in response to official communications received from patrol borough field internal affairs units when so assigned by commanding officer.
13. Review records relating to court appearances resulting in overtime.

APPENDIX III

PATROL GUIDE

PROCEDURE No

103-2



PATROL DUTIES AND RESPONSIBILITIES

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DESK
OFFICER
(continued)

48. Evaluate effectiveness of precinct patrol assignments.
49. DO NOT deploy anti-crime personnel unless an anti-crime supervisor is assigned directly and totally to their supervision.
 - a. If an anti-crime supervisor is not available, anti-crime personnel will be assigned to patrol in uniform.
50. Insure that meals assigned to supervising officers performing duty are scheduled so that a supervisor is available at all times.
51. Notify telephone switchboard operator of all post changes.
52. Report defective gas pumping equipment to Building Maintenance Section.

PRINCIPAL
ADMINIS-
TRATIVE
ASSOCIATE
IN PRECINCT

1. Acts as principal assistant to operations coordinator.
2. Responsible for direct line supervision and training of both uniformed and civilian members of the service assigned to clerical, administrative, and custodial staff, including roll call, payroll/time records, clerical, crime analysis and communications.
3. Assists in providing staff supervision of SP9, telephone switchboard, station house clerk positions and all non-clerical civilian personnel.
4. Monitors attendance and punctuality of members of the service under his/her supervision.
5. Responsible for scheduling adequate coverage of positions under his/her supervision.
6. Develops and/or assists in developing procedures and methods, records and operational controls.
7. Communicates new and/or modified policy methods and procedures to staff and evaluates results.
8. Prepares routine, complex, and confidential communications, including self-inspection reports.
9. Prepares Performance Evaluations for designated staff members using "Task and Standards Guide."
10. Attends supervisory staff meetings and conducts meetings with subordinate staff
11. Enters in Command Log the time arriving and leaving station house and the reason.
12. Performs other assignments as directed by commanding officer and/or operations coordinator.

PATROL
PRECINCT
INTEGRITY
CONTROL
OFFICER

1. Perform no duties other than integrity control.
2. Perform duty regularly in one precinct.
3. Develop an Integrity Control Program suitable and responsible to precinct conditions.
4. Make recommendations to precinct commander concerning integrity control:
5. Observe precinct conditions and visit corruption prone locations frequently, at irregular hours; keep precinct commander advised of conditions and possible corruption hazards.
6. Assist precinct commander in developing sources of members of the command re: integrity matters.
7. Gather information from all sources concerning criminals residing, frequenting, operating or employed within the precinct and determine if unnecessary contact exists between such persons and members of the service.
8. Instruct uniformed members of the service, during roll call training, on the proper methods of identifying, reporting and combatting corruption.
9. Maintain rapport with uniformed members of the service and others to seek symptoms of corruption.

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PATROL
PRECINCT
INTEGRITY
CONTROL
OFFICER
(continued)

10. Provide advice to precinct/unit commanders concerning appropriate penalties for violations of department regulations.
11. Conduct investigations and submit reports in response to official communications received from patrol borough field internal affairs units when so assigned by commanding officer.
12. Compile, maintain and update "Confidential Performance Profile" of subordinate members, verify the "Profile" annually with the Central Personnel Index of the Personnel Bureau, and forward all necessary "Profile" information to member's commanding officer when member is transferred.
13. Conduct C.P.I. check when new members are assigned to command.
14. Inspect time cards, overtime records, property records, etc.
15. Maintain records concerning the Integrity Control Program including a "INTEGRITY MONITORING FILE" (Administrative Guide procedure 322-33).
16. Visit courts to observe performance and conduct of members of the command, including signing in and out of court and prompt return to command.
17. Review records relating to court appearances resulting in overtime.
18. Inspect and sign Activity Log of sergeants.
19. Make Command Log entry during first week of each month listing those sergeants whose Logs were signed and inspected the previous month.
20. Assist sergeants to evaluate police officers assigned to squads under sergeants supervision so that the evaluations compare to general level of performance in the command (which the Integrity Control Officer has previously determined).
21. Inform local businessmen of departmental policy, and provisions of the Penal Law, concerning corruption and gratuities.
22. Develop liaison with patrol borough field internal affairs units to exchange information for self initiated anti-corruption programs.
23. Conduct annual inspection each July of TIME RECORD-CIVILIAN PERSONNEL (PD433-141) to ensure compliance with procedure entitled "Civilian Employee - Reimbursement to City for Jury Duty" (Administrative Guide 319-22).
24. Coordinate the Early Intervention Monitoring System.
25. Verify Identification Section's printout of Criminal History Record Inquiries (name checks). Incorporate verification in command Self Inspection Program.
26. Supervise the issuance of Private Vehicle Plate Permits (Misc. 23N).
 - a. Issued to members of the service and utilized to identify private vehicle parked in or near department facilities
 - b. Permit colors change annually and all permits expire on last day of year.
27. Maintain or have designated supervisor maintain a record of the issuance and return of parking permits in department record book captioned as follows:

PERMIT NO.	DATE ISSUED	NAME OF MEMBER	VEHICLE MAKE	VEHICLE PLATE NO.	DATE RETURNED	REMARKS
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PATROL
SERGEANT

1. Supervise all police operations within precinct during tour of duty.
2. Immediately respond to and direct activities at radio runs involving any weapons (firearms, knives, etc.), serious crimes and emergencies. Make appropriate ACTIVITY LOG (PD112-145) entries.
 - a. Communications Section will immediately dispatch a patrol supervisor from an adjoining precinct if patrol supervisor, precinct of occurrence, is not available.

APPENDIX IV



PATROL GUIDE

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103-02

PATROL DUTIES AND RESPONSIBILITIES

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**PRINCIPAL
ADMINIS-
TRATIVE
ASSOCIATE
IN PRECINCT
(continued)**

3. Assists in providing staff supervision of SP9, telephone switchboard, station house clerk positions and all non-clerical civilian personnel.
 - a. Inform and train personnel regarding changes in position functions and consult with desk officer and training officer regarding training needs. Request civilian personnel be included in precinct level training, when appropriate.
4. Monitors attendance and punctuality of members of the service under his/her supervision.
5. Responsible for scheduling adequate coverage of positions under his/her supervision.
6. Develops and/or assists in developing procedures and methods, records and operational controls.
7. Communicates new and/or modified policy methods and procedures to staff and evaluates results.
8. Prepares routine, complex, and confidential communications, including self-inspection reports.
9. Prepares Performance Evaluations for designated staff members using "Task and Standards Guide."
10. Attends supervisory staff meetings and conducts meetings with subordinate staff
11. Enters in Command Log the time arriving and leaving station house and the reason.
12. Performs other assignments as directed by commanding officer and/or operations coordinator.

**PATROL
PRECINCT
INTEGRITY
CONTROL
OFFICER**

1. Perform no duties other than integrity control.
2. Perform duty regularly in one precinct.
3. Develop an Integrity Control Program suitable and responsible to precinct conditions.
4. Make recommendations to precinct commander concerning integrity control.
5. Observe precinct conditions and visit corruption prone locations frequently, at irregular hours; keep precinct commander advised of conditions and possible corruption hazards.
6. Assist precinct commander in developing sources of members of the command re: integrity matters.
7. Gather information from all sources concerning criminals residing, frequenting, operating or employed within the precinct and determine if unnecessary contact exists between such persons and members of the service.
8. Instruct uniformed members of the service, during roll call training, on the proper methods of identifying, reporting and combatting corruption.
9. Maintain rapport with uniformed members of the service and others to seek symptoms of corruption.
10. Provide advice to precinct/unit commanders concerning appropriate penalties for violations of department regulations.
11. Conduct investigations and submit reports in response to official communications received from patrol borough inspection units when so assigned by commanding officer.
12. Compile, maintain and update "Confidential Performance Profile" of subordinate members, verify the "Profile" annually with the Central Personnel Index of the Personnel Bureau, and forward all necessary "Profile" information to member's commanding officer when member is transferred.
13. Conduct C.P.I. check when new members are assigned to command.
14. Inspect time cards, overtime records, property records, etc.
15. Maintain records concerning the Integrity Control Program including a "INTEGRITY MONITORING FILE" (Administrative Guide procedure 322-33).
16. Visit courts to observe performance and conduct of members of the command, including signing in and out of court and prompt return to command.
17. Review records relating to court appearances resulting in over-time.

PATROL GUIDE

PROCEDURE No.

103-02



PATROL DUTIES AND RESPONSIBILITIES

DATE ISSUED 03-24-95	DATE EFFECTIVE 03-31-95	REVISION NUMBER 95-2	PAGE 9 of 24
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**PATROL
PRECINCT
INTEGRITY
CONTROL
OFFICER
(continued)**

18. Inspect and sign ACTIVITY LOG of sergeants.
19. Make Command Log entry during first week of each month listing those sergeants whose Logs were signed and inspected the previous month.
20. Assist sergeants to evaluate police officers assigned to squads under sergeants supervision so that the evaluations compare to general level of performance in the command (which the Integrity Control Officer has previously determined).
21. Inform local businessmen of departmental policy, and provisions of the Penal Law, concerning corruption and gratuities.
22. Develop liaison with patrol borough inspection units to exchange information for self initiated anti-corruption programs.
23. Conduct annual inspection each July of TIME RECORD-CIVILIAN PERSONNEL (PD433-141) to ensure compliance with procedure entitled "Civilian Employee - Reimbursement to City for Jury Duty" (Administrative Guide 319-22).
24. Coordinate the Early Intervention Monitoring System.
25. Verify Identification Section's printout of Criminal History Record Inquiries (name checks). Incorporate verification in command Self Inspection Program.
26. Supervise the issuance of Private Vehicle Plate Permits (Misc. 23N).
 - a. Issued to members of the service and utilized to identify private vehicle parked in or near department facilities
 - b. Permit colors change annually and all permits expire on last day of year.
27. Maintain or have designated supervisor maintain a record of the issuance and return of parking permits in department record book captioned as follows:

PERMIT NO.	DATE ISSUED	NAME OF MEMBER	VEHICLE MAKE	VEHICLE PLATE NO.	DATE RETURNED	REMARKS
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28. Inspect and sign "Training Attendance Log" on a regular basis.
29. Monitor training sessions randomly to ensure that members concerned are receiving required training.

NOTE

Borough Inspections Units and the Borough Training Coordinator will conduct random inspections of unit training to ensure all members are receiving required training.

**PATROL
SERGEANT**

1. Supervise all police operations within precinct during tour of duty.
2. Immediately respond to and direct activities at radio runs involving any weapons (firearms, knives, etc.), serious crimes and emergencies. Make appropriate ACTIVITY LOG (PD112-145) entries.
 - a. Communications Section will immediately dispatch a patrol supervisor from an adjoining precinct if patrol supervisor, precinct of occurrence, is not available.
3. Inspect uniforms and equipment of uniformed members of outgoing platoon and instruct members of platoon relative to precinct conditions.
4. Confer with precinct commander, executive officer, operations coordinator and desk officer concerning trends observed or other matters of mutual interest and importance.
5. Conduct investigation and submit reports on injuries to members of the service (uniformed and civilian) or damage to Department property.
6. Visit various precinct locations at different times during first platoon to ascertain that uniformed members of the service are performing duty at all times.
7. Conduct investigations and submit reports as required.
8. Maintain ACTIVITY LOG and make entries listing times, names and assignment of police officers visited.

APPENDIX V



INTERIM ORDER

NUMBER	REF PG
61	103-02
DATE	
9-13-96	

Misc. 1953-C (4-91)-h2

TO ALL COMMANDS

Subject: REVISION OF PATROL GUIDE PROCEDURE 103-2, "DUTIES AND RESPONSIBILITIES," REGARDING PATROL PRECINCT/TRANSIT DISTRICT/POLICE SERVICE AREA INTEGRITY CONTROL OFFICER

1. The duties and responsibilities of the patrol precinct/transit district/police service area integrity control officer have gradually grown to encompass tasks which do not directly bear on the integrity function. Any further expansion of the responsibilities of the patrol precinct/transit district/police service area integrity control officer may lead to an erosion of meaningful corruption detection abilities. As a result, there is a need to focus more clearly on the original fundamental responsibilities.

2. Therefore, effective upon publication of this order, Patrol Guide procedure 103-2, "Duties and Responsibilities," regarding the duties and responsibilities of the "PATROL PRECINCT INTEGRITY CONTROL OFFICER," are revised as follows:

- a. Delete steps 1 through 29, and "NOTE," opposite "PATROL PRECINCT INTEGRITY CONTROL OFFICER," pages 8 and 9, revise "ACTOR," and add new steps 1 through 23, and "NOTE," to read:

- | | |
|------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>"PATROL
PRECINCT/
TRANSIT
DISTRICT/
POLICE
SERVICE
AREA
INTEGRITY
CONTROL
OFFICER</u> | <ol style="list-style-type: none"> 1. <u>Perform NO DUTIES other than integrity control.</u> 2. <u>Perform duty regularly in one command.</u> 3. <u>Develop an Integrity Control Program suitable and responsible to command conditions.</u> 4. <u>Make recommendations to commanding officer concerning integrity control.</u> 5. <u>Observe command conditions and visit corruption prone locations frequently, at irregular hours; keep commanding officer advised of conditions and possible corruption hazards.</u> 6. <u>Assist commanding officer in developing sources of information regarding integrity and corruption by maintaining rapport with members of the service (uniformed and civilian) and private citizens.</u> 7. <u>Instruct uniformed members of the service, during roll call training, on the proper methods of identifying, reporting and combatting corruption.</u> 8. <u>Provide advice to commanding officers/unit commanders concerning appropriate penalties for violations of Department regulations.</u> 9. <u>Conduct investigations and submit reports in response to official communications received from the Internal Affairs Bureau and patrol borough inspection units when so assigned by commanding officer.</u> |
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PATROL
PRECINCT/
TRANSIT
DISTRICT/
POLICE
SERVICE
AREA
INTEGRITY
CONTROL
OFFICER
(continued)

10. Compile, maintain and update "Confidential Performance Profile" Central Personnel Index of the Personnel Bureau, and forward all necessary "Profile" information to member's commanding officer when member is transferred.
11. Confer with all sergeants upon their assignment to the command and annually thereafter, apprising them of those members of the command who have significant negative information in their "Confidential Performance Profile."
12. Conduct C.P.I. check when new members are assigned to command.
13. Inspect time cards, overtime records, property records, minor violations log, vending machine ledgers, etc.
14. Maintain records concerning the Integrity Control Program including a "INTEGRITY MONITORING FILE" (see Administrative Guide procedure 322-33).
15. Review records relating to court appearances resulting in overtime.
16. Inspect and sign ACTIVITY LOG of sergeants.
17. Inform local businessmen of Departmental policy, and provisions of the Penal Law, concerning corruption and gratuities.
18. Develop liaison with Internal Affairs Bureau and patrol borough inspection units to exchange information for self initiated anti-corruption programs.
19. Verify Identification Section's printout of Criminal History Record Inquiries (name checks).
 - a. Incorporate verification in command Self Inspection Program.
20. Delegate the annual issuance of Private Vehicle Plate Permits (Misc. 23N) to a responsible supervisor.
 - a. Have designated supervisor maintain a record of the issuance and return of parking permits in Department record book captioned as follows:

<u>PERMIT NO.</u>	<u>DATE ISSUED</u>	<u>NAME OF MEMBER</u>	<u>VEHICLE MAKE PLATE #</u>
	<u>DATE RETURNED</u>	<u>REMARKS</u>	
21. Shall insure that the Personnel Data Disk (emergency days, late, etc.) be updated on a daily basis and incorporated into the command self-inspection program.
 - a. The report shall then be forwarded to the borough inspections unit on a monthly basis.
22. Check equipment and supplies regarding misuse or misappropriation.

INTERIM ORDER NO. 61

PATROL
PRECINCT/
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SERVICE
AREA
INTEGRITY
CONTROL
OFFICER
(continued)

23. Ascertain that computer integrity is maintained.

NOTE

Borough Inspections Units and the Borough Training Co-ordinator will conduct random inspections of unit training to ensure all members are receiving required training."

3. Any provisions of the Department Manual or other Department directives in conflict with this order are suspended.

BY DIRECTION OF THE POLICE COMMISSIONER

DISTRIBUTION
All Commands

INTERIM ORDER NO. 61

APPENDIX VI

COMMAND _____ WORKSHEET 600

SUBJECT: CORRUPTION PROGRAM/INTEGRITY CONTROL OFFICER

EVALUATED BY: RANK _____ NAME _____

DATE(S) OF EVALUATION _____ PERIOD EVALUATED _____

CORRUPTION PROGRAM

1. Total number of designated off-limits and unlawful locations _____ and cooping prone locations _____. Note: Obtain a copy of the Integrity Monitoring File for QAD's command file). When was file updated? _____
- Is copy posted in sitting room as per PSB Memo #2 1988? _____

2. During the period _____ to _____ (last 3 months) the following police action was taken as a result of precinct supervisors visits at subject unlawful and off-limits locations:

_____ Intelligence Reports
 _____ Arrests
 _____ Summonses
 _____ Other

3. How many Command Disciplines and/or Charges and Specifications have been preferred by:

Precinct ranking officers _____
 Overhead/Outside commands _____

(Note: An excessive or disproportionate number of Command Disciplines and/or Charges and Specifications by Overhead/Outside commands would be indicative of a "below standards" program).

INTEGRITY CONTROL OFFICER

1. Integrity Control Officer: RANK/NAME _____
2. The ICO has been assigned in this capacity since ___/___/____. If less than 6 months, predecessor rank/name: _____
3. Number of court visits made during the past 3 months _____
4. Number of investigations conducted in the past 3 months _____
5. Number of visits and/or observations at designated off-limits or unlawful locations during the past 3 months _____
6. Number of visits to cooping prone locations during the past 3 months _____
7. Number of Roll Call Instruction Lectures re: corruption during the past 3 months _____
8. Is documentation available for questions 3 through 7?
 Does command maintain an "Integrity Monitoring Log" as per Administrative Guide 322-33?
 Does Integrity Control Officer record visits, observation and police action taken at subject location?

CORRUPTION PROGRAM/INTEGRITY CONTROL OFFICER

9. Is the ICO making Command Log entries during the first week of each month listing those sergeants whose Activity Logs he/she inspected during the previous month?

How many Activity Logs were inspected? _____

During the past 6 months (___/___/___ to ___/___/___), how many entries were noted in the Command Log? _____

For the last month inspected, indicate the number of sergeants' Activity Logs inspected, of those assigned to all patrol assignments.

10. Are "Confidential Performance Profiles" being maintained and updated for each subordinate member of the command?

11. Describe any unique anti-corruption methods utilized:

12. How many self-initiated investigations have been conducted by this command during the past six months (___/___/___ to ___/___/___) ?

What were the results?

13. How many Command Disciplines and/or Charges and Specifications has the ICO issued during the past 12 months?

14. Does the Integrity Control Officer verify Identification Section's printout of Criminal History Inquiries (name check) [Patrol Guide 103-2, page 9, step 25]?

15. Does the Integrity Control Officer conduct a weekly review of the Terminal Transaction Record and verify such review by entering the date of review and signature in the record. (Obtain this information from the member conducting the FIN-EST Computer Integrity/Security evaluation).

16. Is the ICO monitoring members' Overtime Reports to ascertain if overtime is necessary.

17. Is the Integrity Control Officer maintaining a Parking Permit Log as directed by Patrol Guide 103-2, page 9, step 27? Example:

PERMIT #	DATE ISSUED	NAME OF MEMBER	VEHICLE MAKE	DATE RETURNED	REMARKS
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18. How many plates did the command receive for issuance? _____

19. How many permits were issued? _____

20. Are remaining permits accounted for? _____

COMMISSION TO COMBAT POLICE CORRUPTION

The Commission to Combat Police Corruption was created pursuant to Executive Order No. 18 of 1995. The Commission is mandated to monitor the New York City Police Department's anti-corruption systems. To accomplish this, the Commission conducts audits, studies, and analyses regarding the Department's anti-corruption policies and procedures. This includes studies to determine the effectiveness of the Department's systems and methods for: investigating allegations of corruption; gathering intelligence; implementing a system for command accountability, supervision, and training for corruption matters; and such other policies and procedures relating to corruption controls as the Commission deems appropriate.

COMMISSIONERS

Richard J. Davis, Chair

Currently, Mr. Davis is a partner with the law firm of Weil, Gotshal and Manges. He was Assistant Secretary of the Treasury (Enforcement and Operations) between 1977 and 1981, where he supervised the activities of the Secret Service, the Customs Service, the Bureau of Alcohol, Tobacco and Firearms and the Federal Law Enforcement Training Center. He had previously served as an Assistant United States Attorney in the Southern District of New York from 1970-73 and as an Assistant Special Prosecutor for the Watergate Special Prosecution Force. In 1987 he was appointed to a Commission to review the operations of the Philadelphia Police Department. In 1993 he served on a panel of experts appointed by the Justice and Treasury Departments to provide advice in addressing situations which may occur in the future similar to those which took place in Waco, Texas.

Arnold I. Burns

Since 1988, Mr. Burns has been a senior partner in the corporate and litigation departments of the law firm of Proskauer Rose Goetz & Mendelsohn. Mr. Burns was a deputy Attorney General at the United States Department of Justice where he supervised the F.B.I., Immigration and Naturalization Service, Drug Enforcement Administration, Bureau of Prisons and Marshal's Service. He is Vice Chairman of the National Board of Directors of the Boys and Girls Club of America and has served as a member of the boards of other national not-for-profit organizations.

Charles M. Carberry

Mr. Carberry is currently a partner with the law firm of Jones, Day, Reavis & Pogue. He is a former federal prosecutor, having served from 1979 through 1987 as an Assistant United States Attorney in the Southern District of New York (including service as Chief of the

Securities and Commodities Fraud Unit and Deputy Chief of the Criminal Division). Pursuant to his appointment by the federal district court, from 1989 to the present, Mr. Carberry oversees investigations and administrative prosecutions of allegations of corruption and dishonesty involving the Teamsters Union. Mr. Carberry is on the boards of editors of the White Collar Crime Reporter, Business Crimes Bulletin, and the Money Laundering Law Report. He has written numerous articles and has spoken frequently at seminars on white collar crime, securities fraud, and money laundering.

Rhea Kemble Dignam

Ms. Dignam currently is a Vice President and Deputy General Counsel at New York Life Insurance Company. She is a former federal and state prosecutor, having served from 1976 through 1988 as an Assistant United States Attorney in the Southern District of New York (including service as Chief, Narcotics Unit; Chief, Public Corruption Unit; and Executive Assistant United States Attorney). From 1988-1989 Ms. Dignam was the Chief Assistant District Attorney in Kings County and served as the Executive Deputy Comptroller, City of New York from 1990-1993 in which position she gained extensive experience monitoring the work of City agencies.

Hon. Dennis Edwards

Judge Edwards was appointed to the New York City Criminal Court in 1965 and served until 1982. Between 1975 and 1982 he was assigned to the Supreme Court of the State of New York as an Acting Supreme Court Justice. In 1982, Judge Edwards was appointed to the New York State Court of Claims, and was assigned to the Supreme Court of the State of New York, hearing primarily felony matters. He retired from the bench in 1989.

COMMISSION STAFF

Joseph E. Gubbay, Executive Director
Rhea N. Mallett, Deputy Executive Director
Holly Catania, Examining Attorney
Rita M. Cumming, Confidential Investigator
Colin Fieman, Examining Attorney
Linda Lo-Gerry, Special Investigator