



CIVILIAN COMPLAINT REVIEW BOARD

MICHAEL R. BLOOMBERG, Mayor | DANIEL D. CHU, Chairman

**20
YEARS**

**of INDEPENDENT
INVESTIGATIONS**

January - June 2013 Report



CCRB Mission and Values

The New York City Civilian Complaint Review Board (CCRB) is an independent agency. It is empowered to receive, investigate, mediate, hear, make findings and recommend action on complaints against New York City police officers alleging the use of excessive or unnecessary force, abuse of authority, discourtesy, or the use of offensive language. The board's investigative staff, which is composed entirely of civilians, conducts investigations in an impartial fashion. The board forwards its findings to the police commissioner.

In fulfillment of its mission, the board has pledged:

- To encourage members of the community to file complaints when they feel they have been victims of police misconduct.
- To encourage all parties involved in a complaint to come forward and present evidence.
- To investigate each allegation thoroughly and impartially.
- To make objective determinations on the merits of each case.
- To recommend disciplinary actions that are fair and appropriate, if the investigation determines that misconduct occurred.
- To respect the rights of civilians and officers.
- To engage in community outreach to educate the public about the agency and to respond to concerns relevant to the agency's mandate.
- To report relevant issues and policy matters to the police commissioner.
- To offer civilians and officers the opportunity to mediate complaints in order to resolve allegations and promote understanding between officers and the communities they serve.



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DANIEL D. CHU
CHAIR

TRACY CATAPANO-FOX, ESQ.
EXECUTIVE DIRECTOR

December 2013

Dear Fellow New Yorkers:

The first half of 2013 represented a period of unprecedented challenges courtesy of the after-effects of Super Storm Sandy. With much perseverance, the CCRB reemerged even stronger and even more determined. In May, we bid farewell to Joan M. Thompson as she retired from her post as our executive director and a month later, we welcomed Tracy Catapano-Fox as her successor after an extensive nationwide search.

With a renewed sense of vigor, we fulfilled our commitment to conduct fair and impartial investigations for this great City. In May, our Administrative Prosecution Unit began receiving substantiated cases to prosecute in the NYPD trial room. We have also continued our mediation and outreach programs, with a commitment to meeting the needs of the people we serve.

Now, perhaps more than ever, the City looks to the CCRB to investigate allegations of police misconduct, mediate unfavorable interactions with police, prosecute substantiated cases and to serve as a resource to educate the public. The Board, the staff and I stand committed to provide this vital public service with a great sense of pride and responsibility.

While the CCRB certainly faced its share of adversity, the agency exhibited the same resilience that New Yorkers demonstrate every day. We are stronger now than before and eagerly look forward to continuing our service to the community.

As Chairman of the New York City Civilian Complaint Review Board, I am pleased to present our status report for the period January through June 2013.

Sincerely,

A handwritten signature in blue ink that reads "Daniel D. Chu".

Daniel D. Chu, Esq.

CCRB Board Members January – June 2013

Mayoral Designees

Daniel D. Chu, Esq. (Chair)
 Janette Cortes-Gomez, Esq.
 Daniel M. Gitner, Esq.
 Dr. Mohammad Khalid
 David G. Liston, Esq.

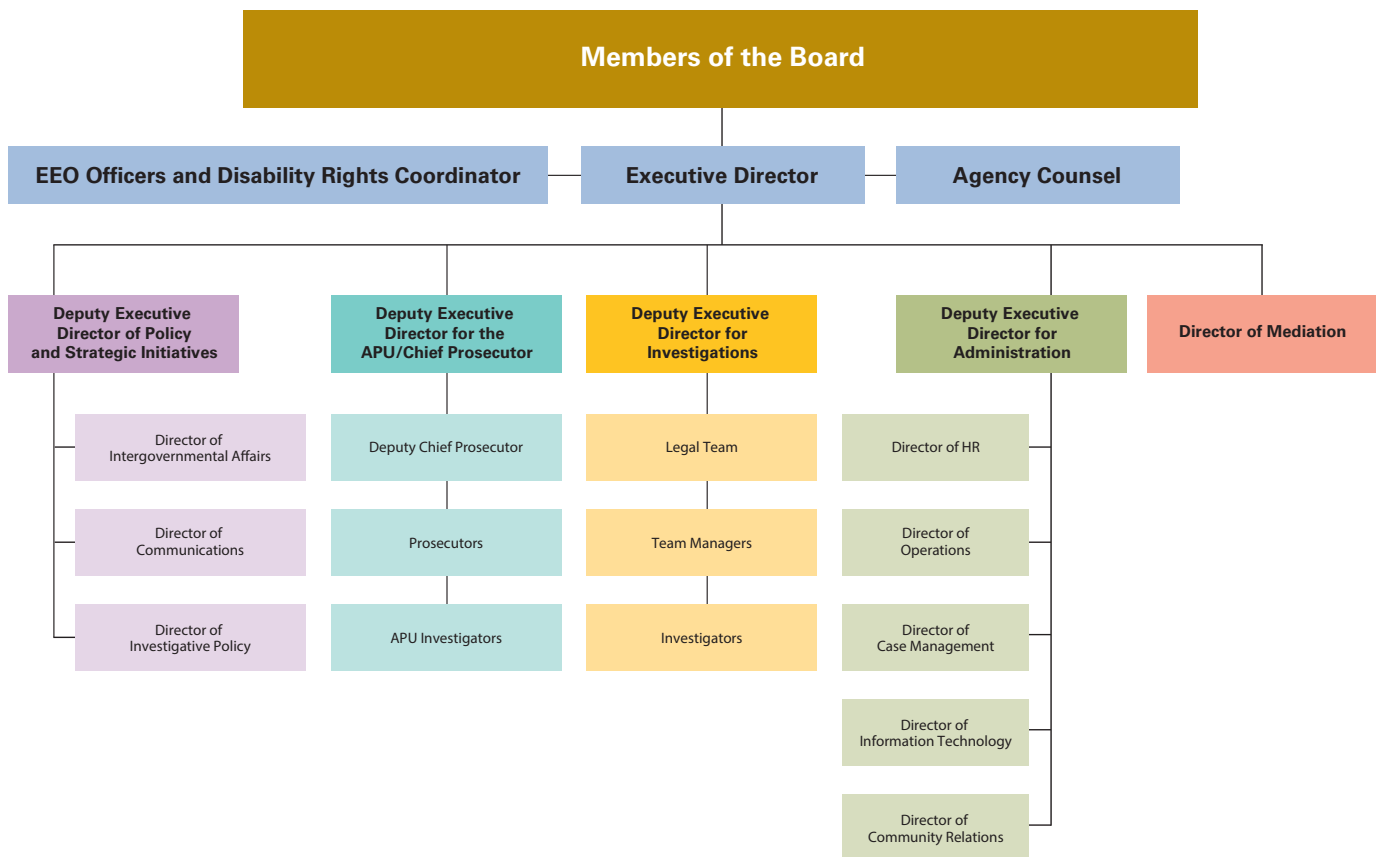
City Council Designees

James F. Donlon, Esq. (Staten Island)
 Alphonzo A. Grant Jr., Esq. (Brooklyn)
 Bishop Mitchell G. Taylor (Queens)
 Youngik Yoon, Esq. (Bronx)
 Vacant (Manhattan)

Police Commissioner Designees

Rudolph Landin
 Jules A. Martin, Esq.
 Tosano Simonetti

CCRB Organizational Chart



Agency Operations and Resources

The Civilian Complaint Review Board (CCRB) is an independent New York City agency that investigates, mediates and prosecutes complaints of misconduct that members of the public file against New York City Police Department (NYPD) officers. The CCRB was established in its all-civilian form, independent from the police department, in 1993.

The board consists of thirteen members who are New York City residents and reflect the diversity of the City's population. The city council designates five board members (one from each borough); the police commissioner designates three; and the mayor designates five, including the chair. In June 2013, Mayor Bloomberg appointed Daniel M. Gitner to the board to replace retired Judge Mary Ellen Fitzmaurice.

Board members review and make findings on all misconduct complaints once they have been investigated by an all-civilian staff. When the board finds that an officer committed misconduct, in past years the case was referred to the police commissioner, usually with a disciplinary recommendation. Under a Memorandum of Understanding (MOU) between the CCRB and the NYPD, which took effect April 11, 2013, all substantiated cases that result in administrative trials are prosecuted by a team of CCRB attorneys in the agency's administrative prosecution unit (APU).

The board also hires the executive director. On June 20, the board hired Ms. Tracy Catapano-Fox. She replaced former Executive Director Joan M. Thompson

who resigned in April and retired from public service. The executive director is responsible for the agency's daily operations, including the hiring and supervision of the agency's staff. The staff is organized according to the core functions they perform.

In addition to the investigations division and the APU, the CCRB has a mediation unit that runs a mediation program that gives people the opportunity to resolve their complaints face-to-face with police officers. There is also an outreach unit that increases public awareness of the CCRB's mission and programs through presentations to community groups, tenant associations, public schools, libraries and advocacy organizations throughout the five boroughs.

The administrative division supports the other units, managing the large-scale computerized complaint tracking system (CTS), producing statistical analyses of complaint activity, processing cases for board review, managing office operations and vehicle fleet, and performing budgeting, purchasing, personnel, and clerical services.

The adopted Fiscal 2014 budget (July 1, 2013 – June 30, 2014) is \$11,916,954, which is basically the same level of funding and staffing supported by the adopted Fiscal 2013 budget. The total authorized full-time headcount for Fiscal 2014 was 164, with 115 employees in investigations, 5 in mediation, 24 in administration, and 20 in the APU. On June 30, 2013, there were 13 vacancies.

Jurisdiction and Case Processing

The CCRB investigates, mediates, and prosecutes complaints against NYPD officers involving four types of allegations: Force, Abuse of Authority, Discourtesy, and Offensive Language (FADO). Complaints can be filed directly with the CCRB by phone, mail, through the agency web site, in-person at CCRB's 40 Rector Street office in Manhattan, or through the City's 311 system. Complaints can also be filed through the NYPD's Internal Affairs Bureau or at any police station house, where postage-paid mail-in complaint forms are available.

Once the CCRB receives a complaint within its jurisdiction, an in-depth fact-finding inquiry begins. This investigation typically includes: interviewing the alleged victim, witnesses and subject officers; obtaining all relevant documentary evidence, including medical records. Investigators also review police department documents such as roll calls, officer memo books, radio dispatch reports, precinct command logs, arrest reports and "stop, question and frisk" reports. A large number of investigations are cut short or truncated because the civilian is unavailable or unwilling to cooperate.

At the conclusion of an investigation the investigative team drafts a report summarizing the results, relevant case law and police department regulations for review by the board. If the board substantiates an allegation of misconduct and recommends Charges and Specifications, the case is forwarded to the APU. If the board substantiates an allegation of misconduct and recommends either Command Discipline or Instructions, the case is forwarded to the police commissioner. In all cases the commissioner has the sole authority to impose discipline.

Not all complaints are investigated – some cases are handled by the agency's mediation unit. When a case is deemed suitable, an investigator will offer mediation to both a complainant and a subject officer, as an alternative to a full investigation.

Types of CCRB Allegations

- **Force** refers to the use of unnecessary or excessive force, up to and including deadly force.
- **Abuse of Authority** refers to improper street stops, frisks, searches, the issuance of retaliatory summonses, unwarranted threats of arrest, and other similar actions.
- **Discourtesy** refers to inappropriate behavior or language, including rude or obscene gestures, vulgar words, and curses.
- **Offensive Language** refers to slurs, derogatory remarks and/or gestures, including, but not limited to, references to a person's sexual orientation, race, ethnicity, religion, gender, or disability.

CCRB Investigation Outcomes

After an investigation is completed, board members decide the outcome of the case. In order to make findings on the allegations, the board reviews the investigator's closing report and evaluates the evidence gathered during the course of the investigation. This case review is conducted by panels comprised of three board members – one mayoral designee, one city council designee, and one police commissioner designee. Under the New York City Charter, no such panel shall consist exclusively of members of only one designating authority. A unanimous vote or a two-to-one vote by the panel results in the following possible outcomes:

Findings on the Merits reflect the board's determination on whether or not an officer's actions are misconduct. There must be a preponderance of evidence to support a finding.

- **Substantiated:** There is sufficient credible evidence to believe that the subject officer committed the act charged in the allegation and thereby engaged in misconduct. Substantiated cases are sent to the police department with a disciplinary recommendation.
- **Exonerated:** The subject officer was found to have committed the act alleged, but the subject officer's actions were determined to be lawful and proper.
- **Unfounded:** There is sufficient credible evidence to believe that the subject officer did not commit the alleged act.

Other Findings reflect the board's decision that there is not enough evidence to determine whether or not what the officer did was wrong.

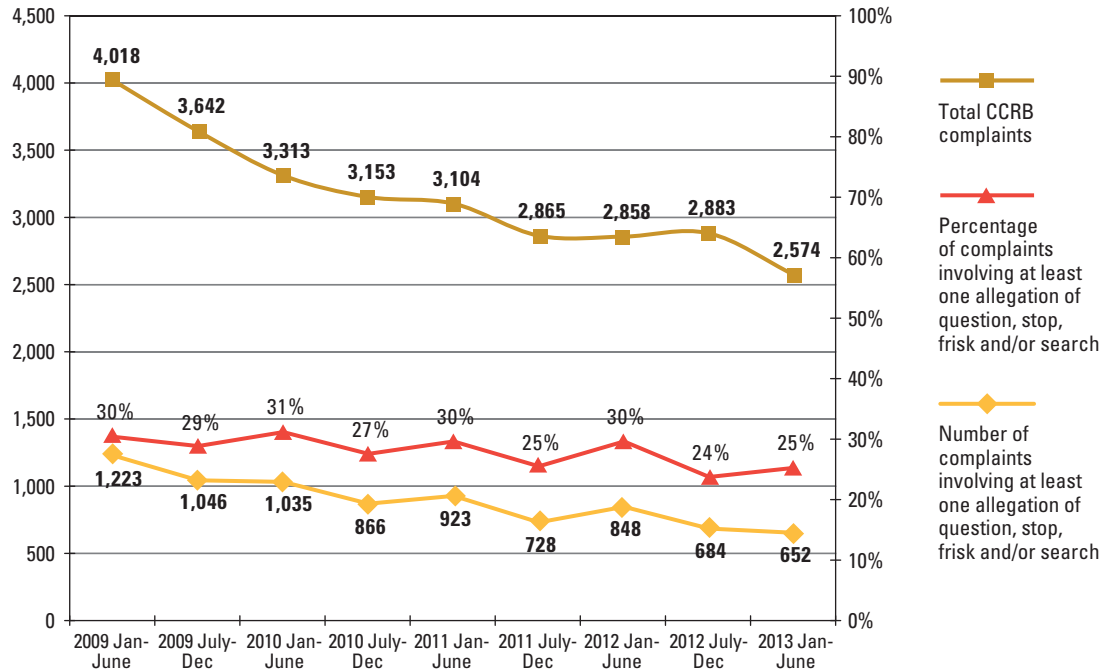
- **Unsubstantiated:** The available evidence is insufficient to determine whether the officer did or did not commit misconduct.
- **Officer(s) Unidentified:** The agency was unable to identify the subject(s) of the alleged misconduct.
- **Miscellaneous:** Most commonly, the subject officer is no longer a member of the NYPD.

Truncated Investigations

When investigations truncate no factual finding is ever made about whether or not misconduct occurred. Truncated investigations are closed for the following reasons:

- **Complainant/Victim Uncooperative:** The person does not respond to repeated attempts by the investigator to set up an interview or fails to show up for two scheduled interviews. The investigator must send at least two letters and make five phone calls before a case is closed for this reason.
- **Complainant Unavailable:** The complaint was filed without any contact information or with inaccurate information, and the investigator is unable to locate the complainant. Investigators use many methods to try to find a person before a case is closed for this reason, including searching reverse-number directories and several other resources.
- **Complaint Withdrawn:** The complainant tells us that they no longer wish to move forward with the case and asks to withdraw the complaint. No case is closed for this reason until the person states that they are voluntarily withdrawing the complaint.
- **Victim Unidentified:** There is not enough information available to locate an alleged victim, usually after someone else has filed a complaint about the incident.

Complaints Received January 2009–June 2013



The CCRB received 2,574 complaints in the period from January through June of 2013. It was the lowest complaint level for any January through June period since 2003. In comparison, 2,858 and 3,104 misconduct complaints were filed in the first six months of 2012 and 2011. This was a decrease of 10% and 17%, respectively. The decline from 2009 was 36%, when the CCRB received 4,018 complaints from January to June.

In terms of “total intake,” which refers to complaints within the CCRB’s jurisdiction plus those complaints outside our jurisdiction, there was also a decline. Complaints outside jurisdiction could be an allegation of corruption or a complaint against a non-NYPD law enforcement officer or other city employee. The total intake in the period from January through June of 2013 was 5,371. It was the lowest intake level for any January through June period since 2003. In comparison, the intake was 8,104 for January through June 2012 and 8,261 for January through June 2011. This was a decrease of 34% and 35%, respectively. The decline from 2009 was 45%, when the CCRB received 9,808 complaints from January to June.

While the precise reasons for an increase or decrease in complaint activity are not known, some of the

contextual factors can be discerned. One such factor is that the CCRB’s toll-free 800 number, which Hurricane Sandy disrupted, was not restored until March, and complaints were significantly low during the first two months of the year. In the first two months of 2013, the CCRB received 228 complaints per month and, from March to June, received 524 complaints per month. A more detailed report on Hurricane Sandy’s impact on complaint activity can be viewed on the CCRB’s web site.

Another factor is with whom civilians initially file complaints, the CCRB or the police department. Compared to the first six months of 2012, in 2013 the number of complaints filed with the NYPD, and then referred to the CCRB, increased by 40% from 1,030 to 1,400, while complaints filed directly with the CCRB decreased by 38% from 1,821 to 1,123. This is in direct opposition to the trend during the same time period over the past two years, where from January through June of 2012 the number of complaints filed with the NYPD declined 13% (from 1,176 to 1,021), while complaints filed directly with the CCRB decreased by just 5% (from 1,921 to 1,831). Comparing the first half of 2012 and the same period of 2011, the number of complaints filed with the NYPD declined 25%, while complaints filed with the CCRB declined 6%.

The proportion of complaints filed directly with the CCRB decreased from 64% to 44% during the first halves of 2012 and 2013, while it had previously increased from 62% in January through June 2011 to 64% in January through June 2012.

Another factor is how civilians file complaints. Civilians file complaints in person, by phone, by mail or online. Complaint filing by phone continues to be the most common method, and in the first half of 2013 60% of complaints were filed in this manner. However, this is a 19% drop compared to the same time period in 2012 when 79% of all CCRB complaints filed were filed by phone. By comparison, 29% of all complaints in the first half of 2013 were filed online and 7% were filed in person. Compared to the first six months of 2012, complaints filed online increased by 14 percentage points (from 15% to 29%), while complaints filed in person increased by three points (from 4% to 7%). In two years, the number of complaints filed by phone has declined by 23% and the number of complaints filed online has increased by 17%.

An additional factor is the number of interactions between police officers and members of the public and the type of complaints civilians filed. In the first half of 2013, 25% of all complaints filed were stop-and-frisk complaints. This is a decrease from 2012 and 2011 when these complaints accounted for 30% each half year. However, in absolute numbers, the number of

stop-and-frisk complaints declined from 923 from January through June 2011 to 848 in the same period of 2012 and to 652 in the first half of 2013. This was a decrease in actual numbers of 8% and 29%, respectively.

There is a category of interactions resulting in large number of complaints in which there has been a minor change. In the first half of 2013, 16% of complaints filed involved vehicular or residential searches compared to 2012 when 22% of complaints did. This was slightly lower than the figures for 2010 (19%) and 2010 (18%). In absolute numbers, the number of vehicular and residential search complaints increased from 548 in the period January through June 2011 to 633 in 2012 , but decreased to 412 in the first half of 2013.

Characteristics of Encounters

In the first half of 2013, abuse of authority was alleged in 56% of cases. This is a decrease of 8% since 2012 when it was alleged in 64% of cases. Characteristics of other allegations have also changed. In the first half of 2013, excessive use of force was alleged in 55% of complaints compared to 49% in 2012, discourtesy was involved in 38% of complaints compared to 40% in 2012, and 7% involved alleged offensive language compared to 8% in 2012. In the first half of 2011, abuse of authority was alleged in 61% of all complaints, excessive force in 48%, discourtesy in 42%, and offensive language in 8%.

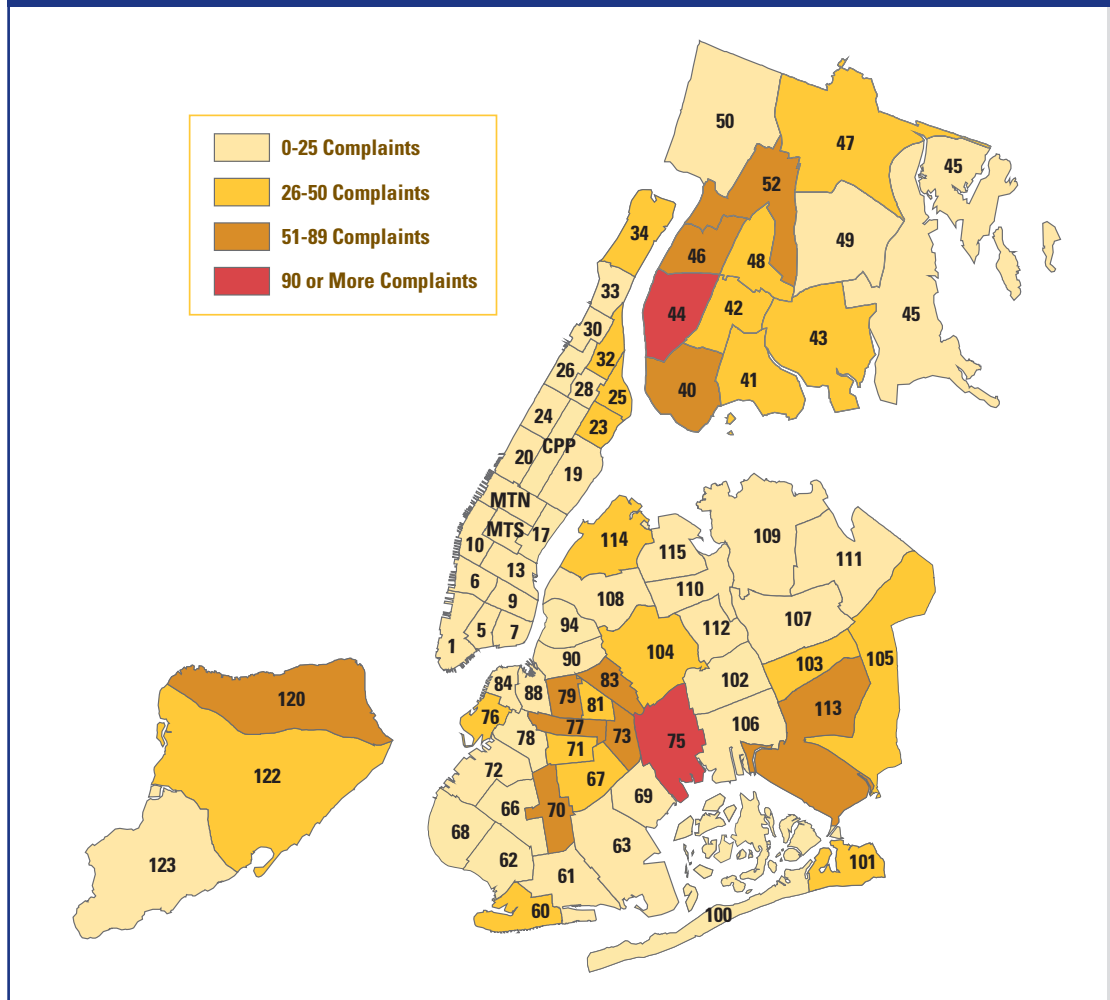
Location of Stop, Question and Frisk Incidents Resulting in Complaints

The map illustrates the distribution of stop, question, and frisk complaints in New York City during the 18-month period from January 2012 to June 2013. Based on location of the incident that led to the complaint, this distribution has remained relatively consistent over the past half-decade. This map does not reflect the number of uniformed personnel assigned to a precinct, crime statistics, precinct size, or population density.

There were two precincts where incidents resulted in ninety or more stop, question and frisk complaints: the 44th Precinct in the Bronx and the 75th Precinct in Brooklyn. The highest number of complaints in the city by far came from the 75th Precinct in Brooklyn, where there were 158 complaints, although this number is down from 191 in the 18-month period ending in June 2012. The 44th Precinct had 93 complaints, but was also down from 116 during the 18-month period ending June 2012.

Additional precincts with notable complaint rates include Staten Island's 120th Precinct with 73 complaints. The Bronx had three precincts in which 51 to 89 complaints were filed: the 40th had 71; the 46th had 69; and the 52nd had 51. Similarly, Brooklyn had five such precincts; the 70th had 52; the 73rd had 84; the 77th had 52; the 79th had 78; and the 83rd had 54. The precinct with the highest number of stop, question and frisk complaints in Queens was the 103rd with 49 complaints, and the highest in Manhattan was the 23rd with 39 complaints.

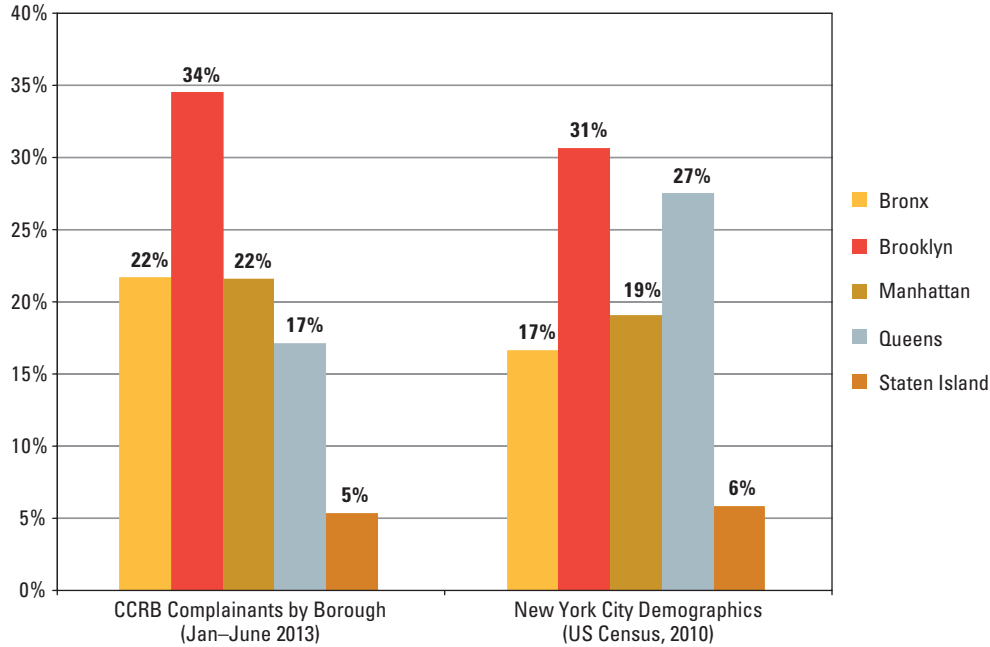
Density of Stop, Question and Frisk Complaints January 2011–June 2012



There were 48 precincts where incidents resulted in 25 or fewer stop, question and frisk complaints between January 2012 and June 2013. Twenty of these precincts were in Manhattan: Midtown South, Midtown North, Central Park and the 1st, 5th, 6th, 7th, 9th, 10th, 13th, 14th, 17th, 19th, 20th, 22nd, 24th, 26th, 28th, 30th, and 33rd. Two precincts were in Staten Island: the 122nd and the 123rd. Eleven precincts were in Queens: the 100th, 102nd, 104th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, and the 115th. Twelve were in Brooklyn: the 61st, 62nd, 63rd, 66th, 68th, 69th, 72nd, 78th, 84th, 88th, 90th, and 94th. The Bronx had three precincts with 25 or fewer stop complaints: the 45th, 49th, and 50th.

Complainant Demographics

Complainants' Boroughs of Residence and NYC Demographics



Historically, the breakdown by race of CCRB complainants has differed greatly from the racial demographics of the City's population as reported by the United States Census Bureau.

In the first half of 2013, blacks comprised the majority of CCRB complainants (54%), continuing a decade-long trend. This group is significantly overrepresented considering that blacks are 23% of the total New York City population, an overrepresentation of 31 percentage points. Hispanics are the second largest group of complainants at 27%, and the group is 28% of the City's population. Whites and Asians continue to be underrepresented as a percentage of complainants in relation to the City's demographic makeup. Whites were 13% of all complainants in 2013 but make up 35% of the population, an underrepresentation of 22%. Similarly, Asians were 2% of complainants, while they are 12% of the New York City population.

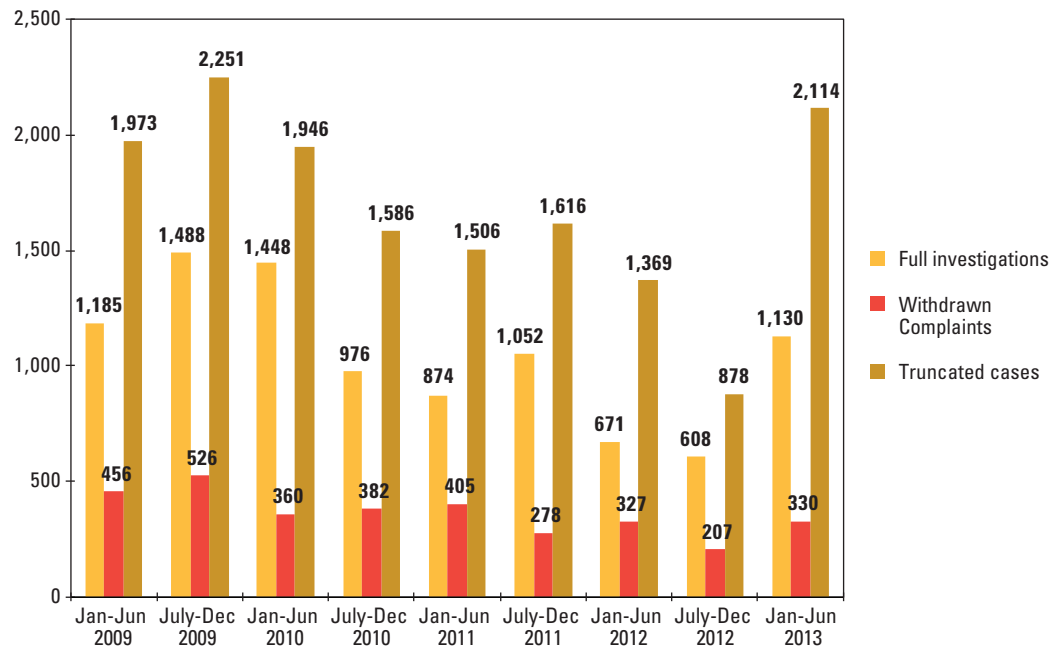
Complaint Distribution by Borough

In the first half of 2013 Brooklyn residents filed the most complaints and were 34% of total complainants. Bronx and Manhattan residents each made up 22% of

complainants, slightly differing from last year when the Bronx constituted 23% and Manhattan made up 20%. Queens residents comprised 17% of complainants, and Staten Island accounted for 5% of complainants. These statistics show a 1% decrease in complainants from the Bronx, a 3% decrease from Brooklyn, a 2% increase in Manhattan, a 2% increase in Queens, and a 1% decrease in complainants from Staten Island compared to the first half of 2012.

In relation to the actual population of New York City, certain boroughs are over-represented with respect to the number of complaints filed with the CCRB. For example, Bronx residents make up 17% of New York City's population but generate 22% of CCRB complaints. Similarly, 31% of the city's population lives in Brooklyn, but borough residents made 34% of complaints, and Manhattan residents represent only 19% of the population but generate 22% of complaints. Inversely, Queens residents are 27% of the city's population and make up only 17% of CCRB complainants, while Staten Island maintains approximate representation, constituting 5% of complaints and 6% of the New York City population.

Disposition of Investigated Cases January 2009–June 2013



Board Dispositions

Each CCRB complaint consists of one or more FADO allegations. Also, there are instances in which cases reveal other types of police misconduct, such as failure to make a proper memo book entry or failure to document a stop and frisk interaction, as required by the police department. Case investigations follow one of three paths: some are fully investigated; some are mediated as an alternative to full investigations; and others are truncated because a full investigation cannot proceed.

Cases are categorized as full investigations when the board reviews a case and determines whether or not, under the preponderance of the evidence standard, the officer(s) committed the alleged act of misconduct. This is the same standard required in most civil cases. The standard is met if the allegation is more likely to be true than not true. If the board finds misconduct in at least one of the allegations, it closes the case as substantiated.

There are five other ways of closing a full investigation: exonerated (when the officer’s actions are determined to be lawful and proper); unfounded (when the board finds that the officer did not commit the alleged act);

and unsubstantiated (when the evidence is insufficient to make a determination). In addition, a case is closed as officer unidentified if officer identification cannot be made, and a case is closed as miscellaneous if the officer is no longer employed by the NYPD.

Cases are truncated when a full investigation cannot proceed. This happens for several reasons: the complainant and/or alleged victim(s) withdraw the complaint, refuse to provide a formal statement, or cannot be located. The board then closes the case as: complaint withdrawn; complainant/victim uncooperative; complainant/victim unavailable; or victim unidentified, depending on the underlying circumstances. The board has the discretion to re-open a truncated case upon request by the complainant or officer.

On May 8, 2013, the board voted to approve a change in the designation and reporting of truncated cases. First, complaint withdrawn will no longer be reported as a truncated case, but rather as a separate category. Second, the CCRB will provide additional statistical information for complainant uncooperative and complainant unavailable cases. (A link to the staff memo on this change is on the CCRB web site’s News page.)

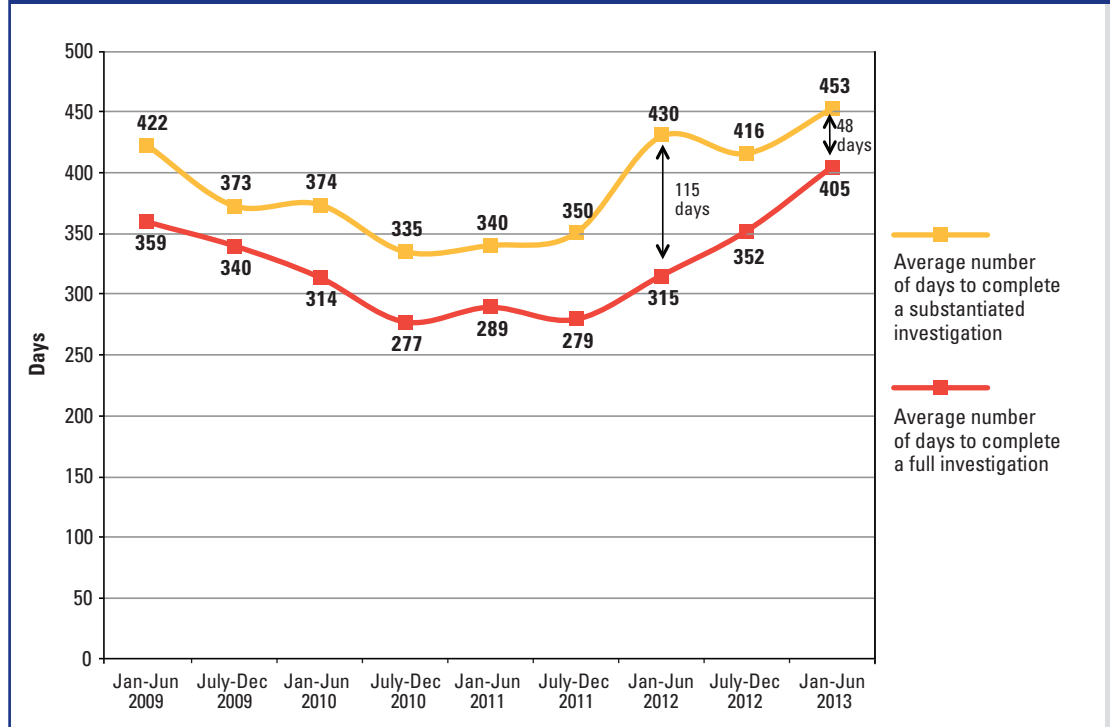
The CCRB closed 3,686 cases in the first half of 2013, which is a 46% increase from the same time period last year when the CCRB closed 2,518 cases. Of these cases, 1,130 (31%) were full investigations, 110 (3%) were closed by the mediation unit, and 2,446 (66%) were truncated. Of the 2,518 cases closed in the first half of 2012, 671 (27%) were full investigations, 151 (6%) were closed by the mediation unit, and 1,696 (67%) were truncated.

In 2013, of the 1,130 cases that were full investigations, 176 were substantiated. For the same period of 2012, the CCRB substantiated 74 cases. This is a significant increase in total cases, and the substantiation rate increased by five percentage points, from 11% to 16%. Of the 415 allegations that were substantiated, 19

were allegations of force, 356 were abuse of authority, 34 were discourtesy, and 6 were offensive language.

In the first half of 2013, 10% of total allegations that were fully investigated (415 out of 4,168) were substantiated. This was up from 6% (141 out of 2,198) in the first half of 2012. The percentage of allegations that were unsubstantiated increased from 45% in the first half of 2012 to 48% in the same period of 2013. Also, 7% of allegations were unfounded this year, while 9% were unfounded last year. Additionally, 24% of allegations were exonerated compared to 27% of allegations in the first half of 2012. The percent of allegations with unidentified officers decreased from 12% in 2012 to 10% in 2013.

Average Number of Days to Complete Investigations January 2009–June 2013



The CCRB uses three key indicators to measure its productivity: the size and age of the open docket; the time it takes to complete an investigation; and the average number of case closures per investigator. By two out of the three measures, the agency’s productivity declined when compared to the same period of 2012.

Docket Size and Age

The CCRB uses the term open docket to refer to the number of cases being processed by the agency at a given time. There were 2,793 open cases as of June 30, 2012, compared to 2,809 as of June 30, 2013. The difference of 16 cases represents a 0.6% increase in the open docket. On June 30, 2013, nine cases were 18 months or older based on the dates of incident or 0.3% of the open docket. By comparison, on June 30, 2012, fourteen cases were 18 months or older or 0.5% of the open docket.

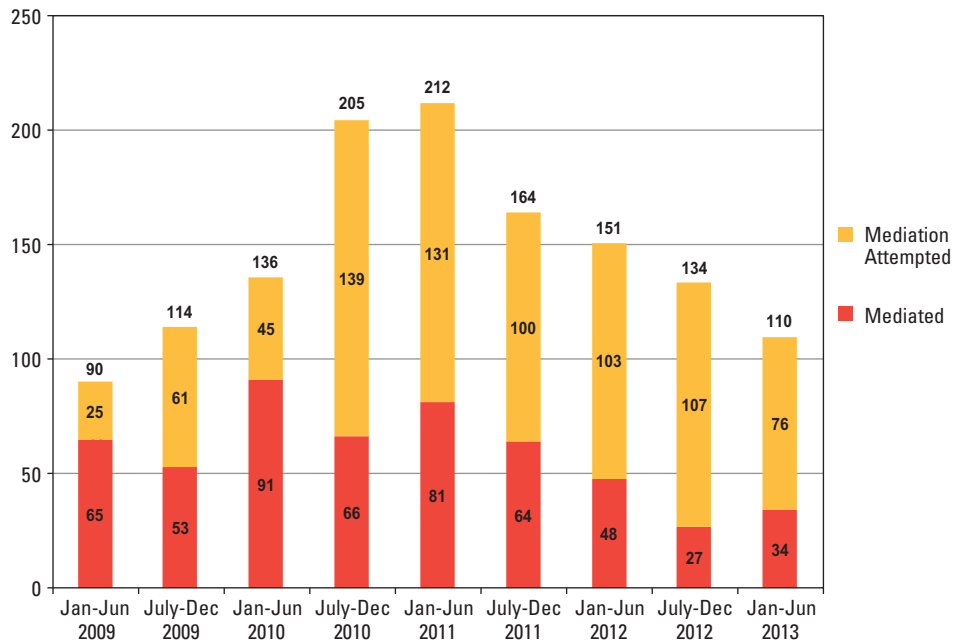
Completion Time

During the first half of 2013 the average number of days to complete a full investigation increased to 405, from 315 in the first half of 2012, a 29% increase. The average number of days it took to complete a substantiated investigation was 453 days as compared to 430 days in the first half of 2012. This is a 5% increase.

Investigators’ Case Closures

The average number of case closures per investigator increased in the first half of 2013. Each investigator closed an average of 38 cases from January to June 2013, up from 35 cases during the same time period last year.

Total Number of Mediation Closures January 2009–June 2013



Mediation is a process where civilians and police officers meet with a trained, neutral mediator to address the issues raised by the complaint. The mediator guides discussion between the parties to help them resolve the complaint. Participation in mediation is voluntary for both complainants and officers.

The CCRB has the largest mediation program in the United States for complaints against police officers. In the first half of 2013, the mediation unit resolved a total of 110 complaints. The CCRB mediated 34 cases and closed 76 cases as mediation attempted. By comparison, in the first half of 2012, the CCRB mediated 48 cases and closed 103 cases as mediation attempted for a total of 110 cases closed through the unit.

was offered in 736 cases – 60% of all suitable and eligible cases. The number and proportion of cases in which people agreed to mediate their complaints increased slightly. In the first half of 2013, civilians agreed to mediate 255 cases – 51% of all cases in which mediation was offered. In the first half of 2012, civilians agreed to mediate 365 cases – 54% of all cases in which mediation was offered. By comparison, in the same period of 2011, people agreed to mediate 359 cases – 53% of all cases where it was offered.

Finally, the rate at which officers agreed to participate in mediation increased from 74% to 82%. In addition, the number of officers that participated in mediation increased from 194 to 249.

The total number of cases resolved through the mediation program as a percentage of total agency closures is 3% compared to 6% in 2012. The total number of cases closed as mediated decreased from 2% to 1% this year.

The number of cases referred to the mediation unit decreased slightly. In the first half of 2013, the investigative teams referred 286 cases as opposed 304 cases in 2012. Similarly, the number and proportion of cases in which investigators offered mediation also decreased. In the first half of 2013, mediation was offered in 499 cases – 51% of all suitable and eligible cases. By comparison, in the same period of 2012, mediation

The CCRB's outreach unit makes public presentations to increase awareness of the agency's mission and to build public confidence in the complaint process. The outreach director, as well as investigators and other agency staff, visit schools, public libraries, tenant associations, advocacy organizations, community groups, churches, community boards, and precinct community councils, among others, in all five boroughs.

In the first six months of 2013 staff members gave 76 presentations, continuing the targeted outreach that began in 2010, to residents living in public housing. During this period, most presentations were given at New York City Housing Authority (NYCHA) locations, and at schools, churches and community groups serving NYCHA residents, particularly youth. While youth between the ages of 15 to 24 are 16% of the New York City population, they are 29% of alleged victims in CCRB complaints.

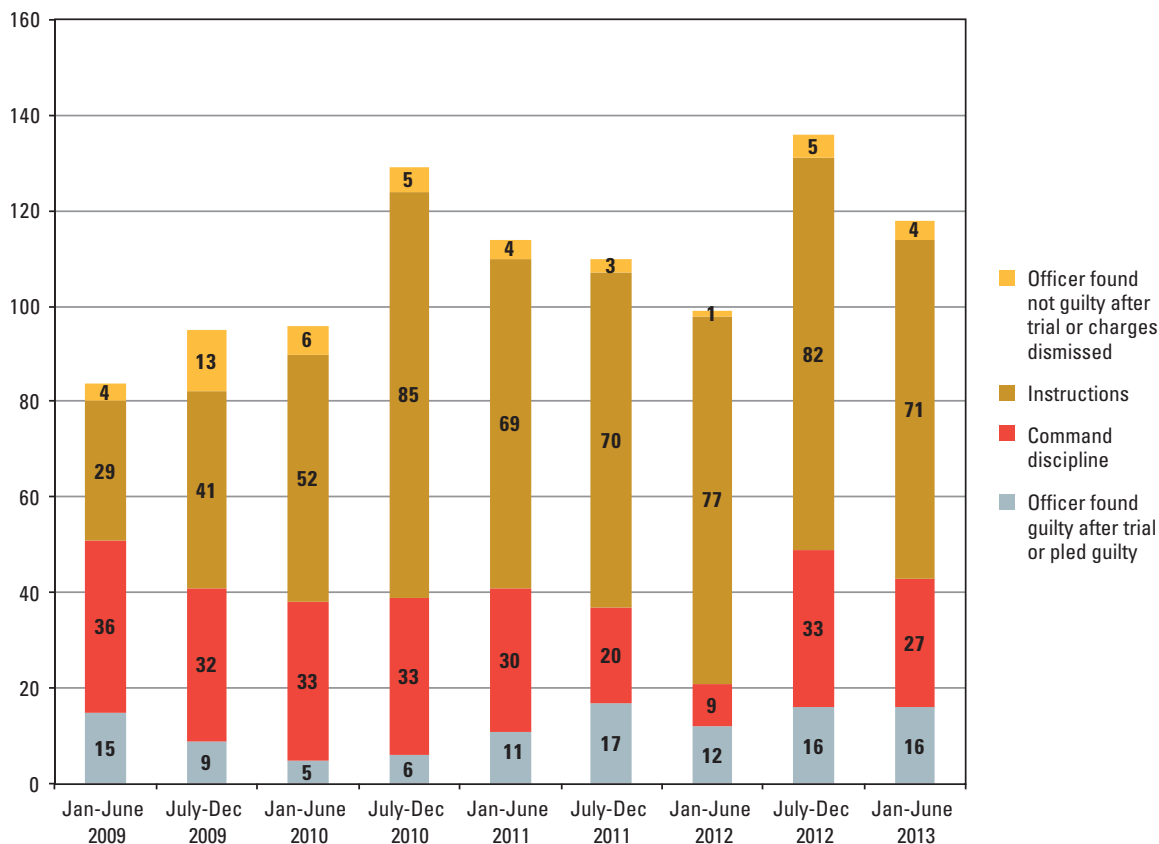
The CCRB provided language translations on 260 occasions in seven different languages in the first half of 2013. The vast majority of translations provided were in Spanish (87%), followed by Mandarin and Russian (4% each), and French (2%). This figure is down significantly from last year, when the CCRB provided

translations on 416 occasions, but well above the 217 translations provided in the second half of 2010 when the agency began tracking its translation and interpretation services.

The CCRB also uses its web site as an outreach tool. In the first half of 2013, the web site received 2,744 visitors. Forty-five percent of the visitors went to the web site two or more times. The number of visits decreased by 42%, from 123,362 in the first half of 2012 to 71,369 in 2013. The web page that attracted the most traffic was the "employment opportunities" page. Pages on how to file a complaint were the second most popular. The section dedicated to the board had approximately 4,000 visits.

On June 28th the CCRB launched a new web site that transformed and updated its 10-year-old site. The new site has friendlier and more intuitive navigation and allows a visitor to file a complaint online from any page of the site. In addition, for the first time in CCRB history, the web site has a page on stop, question and frisk. This web page explains police authority and what circumstances constitute misconduct during street encounters.

Police Department Pursued Discipline in Substantiated CCRB Cases January 2009–June 2013



Under the law, the police commissioner has sole discretion over whether to issue discipline and the level of punishment. However, under a 2012 Memorandum of Understanding (MOU), which took effect on April 11, 2013, the CCRB created an administrative prosecution unit (APU), which now shares responsibility in the disciplinary process. (The history of the APU can be viewed on the CCRB web site.)

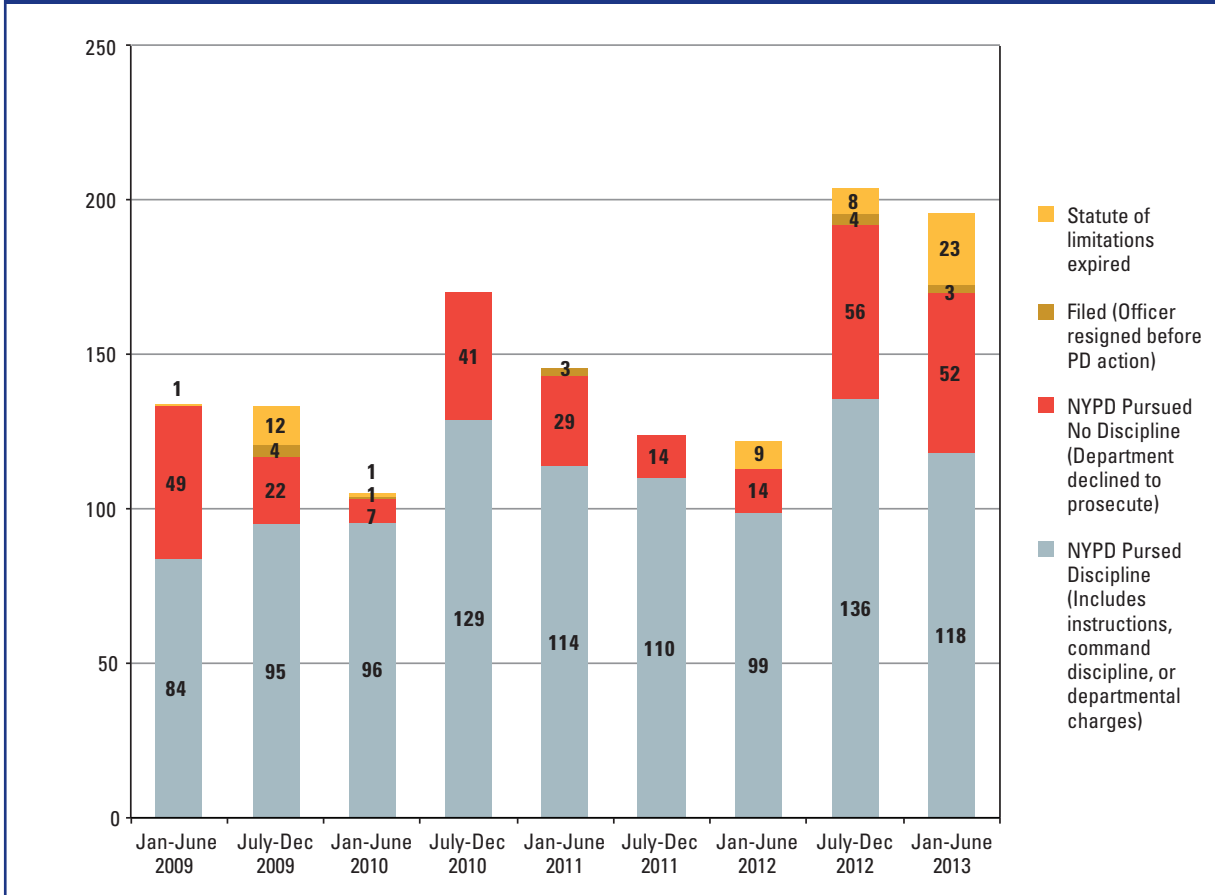
When the board recommends Charges and Specifications for substantiated misconduct, the APU receives the case for prosecution. When the board recommends Command Discipline, Instructions or makes no recommendation, agency staff forwards the case to the NYPD's Department Advocate's Office (DAO) for disciplinary action. From April 11 to June 30, 2013, the board recommended Charges

and Specifications in 59 cases. In 29 cases, the board recommended Command Discipline and Instructions.

As of June 30, the 59 APU cases included 150 allegations of misconduct against 87 officers. These cases consist of 131 allegations of abuse of authority (87%), 7 allegations of force (5%), 9 allegations of discourtesy (6%) and 3 allegations of offensive language (2%). There were 91 allegations of improper stop-and-frisk (61%).

Given that the police commissioner has sole authority to issue discipline, the NYPD provides monthly reports to the CCRB on the police commissioner's disposition of substantiated CCRB cases. The CCRB then makes this information available to the public during monthly public board meetings and in monthly statistical reports posted on the CCRB's web site.

Police Department Action in Substantiated CCRB Cases January 2009–June 2013



From January to June 2013 the discipline rate was 59%, significantly down from 80% during the same time period of 2012. The police department closed cases against 196 officers whose allegations had previously been substantiated by the CCRB. In the first half of 2012, the police department closed cases against 122 officers.

The department disciplined 114 officers and did not discipline 79 officers. In three other cases, the department could not proceed because the officers were no longer members of the NYPD.

Of the 114 cases in which the department disciplined officers, six officers were found guilty after trial and

ten officers pled guilty before trial. Also, 27 officers received command discipline and 71 received instructions.

Of the 79 cases where the police department took no disciplinary action, the department declined to prosecute 52 cases – a more than threefold increase from the 14 cases in 2012. In 23 cases the statute of limitations expired, and in four cases, officers were found not guilty after trial. The rate at which the Department Advocate declines to prosecute substantiated cases rose from 11% in the first half of 2012 to 28% in the first half of 2013.

During this period the trial conviction rate was 60% compared to 80% during the first half of 2012.

"It is in the interest of the people of the City of New York and the New York City Police Department that the investigation of complaints concerning misconduct by officers of the department towards members of the public be complete, thorough and impartial. These inquiries must be conducted fairly and independently, and in a manner in which the public and the police department have confidence. An independent civilian complaint review board is hereby established..."

(NYC Charter, Chapter 18-A, effective July 4, 1993)



CIVILIAN COMPLAINT REVIEW BOARD

40 Rector Street, 2nd Floor, New York, NY 10006

General Information and Complaints

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www.nyc.gov/ccrb