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Background on the 2020 Protest Report:

During the months of May and June 2020, large-scale protests occurred in New York City in response to the deaths of George Floyd and Breonna Taylor. Although these protests were largely peaceful, the CCRB received hundreds of complaints from civilians, members of the press, and legal observers detailing abusive treatment, interference, and other misconduct by NYPD officers during the protest. This report focuses on individual instances of alleged officer misconduct reported to the CCRB by members of the public.

Report Methodology and Scope:

This report:

1. Discusses challenges the CCRB encountered while investigating complaints
2. Analyzes all the complaints received wherein a complainant/victim stated that they were either engaging in protest activity or witnessed activity occurring at a protest location during the period of May 2020 through November 2020
3. Outlines the type of police misconduct that was reported
4. Details the discipline recommended by the Board for substantiated allegations of misconduct. Data analyzed is from the 321 complaints that were within the CCRB's jurisdiction and pertains to 500 identified members of service. The CCRB data used in this report was collected on January 24, 2023

Several data sources were collected and analyzed:

1. The CCRB data analysts queried CCRB's internal database for all data relating to protest complaints and compared them to overall CCRB complaints.
2. CCRB data analysts read and coded protest complaints to quantify issues identified by investigators.
3. CCRB investigators identified common threads across protest investigations.

Key figures and findings:

- The CCRB received **321** complaints related to the protests that were within its jurisdiction. It was able to conduct a full investigation of **226** of those complaints.
- The Board substantiated **269** individual allegations of misconduct against 146 members of service.

- **89** officers received the Charges and Specifications disciplinary recommendation.
- **26** officers received Command Discipline B.
- **31** officers received Command Discipline A.
- No officers received Instructions or Training.
- Administrative trial proceedings are pending for **62** cases.

The CCRB’s investigations found that during the protests, members of service, from supervision to rank and file officers, engaged in the following actions:

- Supervisors ordered civilians “kettled”—which is the encirclement of individuals to confine them in a contained area.
- Officers used batons, pepper spray, and other physical force such as pushing and shoving in manners that are not in accordance with NYPD guidelines.
- Officers failed to provide medical attention to injured civilians.
- Officers wore mourning bands that obscured their shield numbers and refused to provide civilians with their name and/or shield numbers
- Officers failed to turn on BWCs during certain interactions with civilians, which is required by the Patrol Guide, or their cameras ran out of battery power.
- Officers failed to complete required paperwork, including arrest paperwork and reports of injuries to civilians and officers confiscated property without providing information for retrieval by its owner.
- Officers were unable to identify other members of service with whom they were deployed and did not know, or could not recall, which superior officer issued orders to take action against protestors.

The CCRB’s investigations found that the Department failed in their response to the protests by:

- Failing to deploy officers in a manner that allowed for the tracking of officer whereabouts and supervising officer assignments.
- Failing to request adequate EMT support.
- Failing to delineate commanding officers in the field for lower ranked officers.
- Failing to ensure that BWCs were functioning.
- Failing to ensure the completion of standard paperwork, detail rosters, and vehicle assignments.
- Failing to ensure officers followed proper protocols for arresting, summoning, and seizing property from protestors.
- Failing to provide properly labeled specialized equipment utilized during protests (“riot gear”) that enables the ready identification of officers.
- Failing to clarify policies on arresting legal observers.

Obstacles to Investigating Protest Complaints:

- The pervasive and purposeful actions taken by officers to conceal their identities, such as wearing mourning bands over their shields or refusing to provide their name and shield to civilians, and the NYPD's failure to track and document where officers, vehicles, and equipment were deployed.
- Delayed and inconsistent responses by the NYPD to requests for footage from body-worn cameras and other NYPD-controlled cameras.
- Officers refusing to be interviewed remotely.
- Delays caused by the remote work and social distancing requirements of the COVID-19 pandemic.

Recommendations to the NYPD

1. All members of service should receive updated and routine training on the proper use of crowd control tactics during large-scale events, including the proper use of pepper spray and batons, and the NYPD should keep track of the level of training received by officers.
2. Police should not interfere with legal observers and members of the press who are acting in their official capacities to document protest activity and protect First Amendment rights.
3. Police should not take action against civilians who are complying with police orders to disperse.
4. Officer names and shield numbers should always be clearly visible so that officers are easily identifiable.
5. Officers should be assigned equipment that reflects their name and/or shield numbers. Where that is not possible, an accurate record should be kept of which officers were given each piece of riot gear so that they can be readily identified. Officer names and precinct numbers should be visible in prominent locations on helmets and riot shields.
6. Each precinct should keep a log of which members of service use departmental vehicles and members of service should report what department-issued vehicles they used during their shifts.
7. Superiors should clearly identify themselves to officers at the beginning of shifts and/or before issuing commands.
8. Officers should be given the name of the superiors to whom they will be reporting, if not their regular supervisor, and an accurate record should be kept of temporary supervision assignments.
9. High-ranking members of service (whom do not have shield numbers) should have their names and commands visible in large font on their clothing.
10. The NYPD should log which officers respond to radio calls of other officers in need of assistance.
11. BWCs must be turned on for any officer who places a distress call.
12. Supervisors who take command of public demonstrations must be equipped with BWCs and must turn them on.
13. All department-issued devices with GPS tracking capabilities, such as BWCs, should be activated at the onset of interactions with civilians.

14. The NYPD should include BWC searches on all Internal Affairs Bureau (IAB) referral logs and link digital memo book entries to the appropriate BWC footage (as previously mentioned in the CCRB's BWC report) so that CCRB investigators are provided with this evidence when the case is referred.
15. The CCRB should be authorized to directly access and search NYPD BWC footage. This would significantly improve responsive BWC collection and increase the likelihood of reaching a disposition on the merits.
16. The NYPD should set up designated medical treatment areas with FDNY staff and EMTs on duty so that civilian injuries can be addressed immediately and before they are transported for detainment or arrest processing.
17. Officers should provide property voucher cards whenever they seize property.

Next Steps:

To maintain public confidence in the police department and help prevent the widespread police abuses that occurred during the 2020 protests from being repeated, officers who engaged in substantiated acts of misconduct during the protests must be disciplined pursuant to the NYPD's Disciplinary Matrix and held to account for their actions— particularly those who used excessive force against civilians. It is also imperative that the departmental failures highlighted in this report, primarily the equipment failures and the lack of documentation of officer deployments and assignments, be addressed going forward.

In light of the recommendations in this report, and the other reports issued about the 2020 protests, the NYPD should assess how it utilizes various tactics and tools during protests to properly balance the risks to people and property against the risks of suppressing legitimate and peaceful protest.

Click [here](#) to read the full report.