



BILL DE BLASIO
MAYOR

CIVILIAN COMPLAINT REVIEW BOARD
100 CHURCH STREET 10th FLOOR
NEW YORK, NEW YORK 10007 ♦ TELEPHONE (212) 912-7235
www.nyc.gov/ccrb

RICHARD D. EMERY, ESQ.
CHAIR
BRIAN K. CONNELL
ACTING EXECUTIVE DIRECTOR

EXECUTIVE DIRECTOR'S REPORT TO THE BOARD

October 8, 2014

The CCRB received 358 complaints within its jurisdiction in September 2014. This was 139 fewer complaints than in the same period of 2013, when the CCRB received 497 complaints. The total intake for the month of September 2014 was 1,013 cases. [page 5 of the report]

The Board closed 465 cases in September, that is 3,909 cases year-to-date. In the first nine months of 2014, the Board closed 1,439 full investigations, including 223 substantiated complaints. Year-to-date, the substantiation rate is 15.5%. [page 8 of the report]

In September, civilians and officers mediated 12 cases. Year-to-date, CCRB has mediated 129 cases. In September, there were no cases closed as mediation attempted. From January through September, the Board closed 123 cases as "mediation attempted." [page 8 of the report]

The numbers for August 2014 have been adjusted. We initially reported that we received 408 complaints. We can now report we received 16 fewer cases, or 392 complaints. The numbers for January through August 2014 have also been adjusted. The total number of complaints received from January through August 2014 was 3,517, and not 3,539 as originally reported. This is a difference of 22 cases. [page 6 of the report]

From January through September 2014, the CCRB received 3,875 complaints. That is 181 fewer complaints than in the same period of 2013, when the CCRB received 4,056 complaints. Year-to-date, the CCRB has received 4.5% fewer complaints than in the same period last year. [page 5 of the report]

The detailed monthly statistical report includes two forms of reporting on the disposition of CCRB cases: the first report indicates the truncation rate [page 8 of the report] and the second report provides the case resolution rate [page 9 of the report].

From January through September, the amended truncation rate, which excludes cases closed as complaint withdrawn, was 47.1%. In the same period of 2013, the truncation rate was 55.5%. From January through September 2014, the case resolution rate was 43.3%. In the same period of 2013, this rate was 34.5%.

The agency's docket at the end of September 30, 2014 was 2,333 cases. This was a 5.7% decrease of the open docket of August, when it was 2,473. Measured by the date the CCRB received the complaints, 94.4% of our open investigations stem from complaints filed within the last year, and 63.5% were filed in the last four months. [page 1 of the report]

Of those 2,333 open cases, 530 were awaiting panel review, (23% of the docket); 1,586 were being investigated (68% of the docket) and 217 cases were in the mediation program (9% of the docket.) [page 2 of the report]

By date of incident, 12 cases in the CCRB's open docket were 18 months and older. This was .5% of the open docket. This is 3 more cases than in August 2014 when there were 9 such cases. [page 3 of the report]

The breakdown of September 2014 SOL cases is as follows: 4 cases are currently pending Board review. Of these 4 cases: 1 case is on DA hold; 2 cases were filed months after the date of incident; and 1 case was sent to the Board as mediation attempted. The SOL crime exception does not apply to any case pending Board review. [page 3 of the report]

There are 8 cases that are open investigations, the SOL crime exception applies to 7 cases. Of these 8 cases: 5 cases are on DA hold; 2 cases were filed months after the date of incident; and 1 case was re-opened months after it was originally closed. [page 3 of the report]

In August 2014, the Police Department closed 15 substantiated cases involving 18 officers. Of these 18 officers, 1 received a Command Discipline B, 4 received a Command Discipline A, 7 officers received Instructions and the Department declined to prosecute cases against 6 officers. In August, the Department's disciplinary action rate was 67%, and 62% year-to-date. The year-to-date rate, in which the Police Department has declined to prosecute, is 27%. [page 28 of the report]

In September 2014, the Board substantiated 17 cases with a recommendation of Charges and Specifications. These cases were forwarded to the APU. [page 10 of the report]

I will now report statistics for the Administrative Prosecution Unit. Previously, an APU proceeding involving multiple respondents was reported as a single case or trial for purposes of APU statistics. Starting this month and going forward, to better reflect the activity of the APU, we will use the term "case" or "trial" to mean the status of charges against each individual officer.

At the end of September, the open docket of the APU was 357 cases. Of these cases, the Police Commissioner disapproved pleas involving 2 officers and we are awaiting final resolution of those cases; 32 pleas were entered and awaiting approval by the Police Commissioner; in 20 cases the trial verdict was rendered and is awaiting approval by the Police Commissioner; 28 trials were completed and are awaiting verdict; 13 trials were commenced but not completed; 77 trials were scheduled; 23 cases were calendared for court appearances; in 80 cases charges had been served and were awaiting their initial court appearance; in 42 cases, charges were filed and awaiting service; and 40 cases were awaiting the filing of charges. These totals include cases against 2 officers that should have been reported last month.

In September, the APU received 29 cases.

We are reporting final dispositions in 8 APU cases. One of those officers pled guilty and accepted a penalty of 10 vacation days. The Police Commissioner rejected the plea, dismissed the charges to which the officer pled guilty, and instead imposed a Schedule B Command Discipline with a penalty of the forfeiture of 5 vacation days and formalized training.

The Police Commissioner retained jurisdiction over 5 cases. He notified the CCRB that he does not intend to impose any discipline against two of those officers. The other three officers whose cases were retained are to be disciplined as follows: one will receive a Schedule A Command Discipline with Formalized Training and two will receive formalized training.

Charges were not filed against one officer because he retired before charges could be served. Charges against one officer were dismissed by the APU.

###