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CCRB Issues Report on NYPD Body-Worn Camera Program

Police Oversight Agency Reaches Clear Determination of Fact in Majority of Cases When Footage Is Available

New York, NY – The New York City Civilian Complaint Review Board on Thursday released its first report on the New York City Police Department’s body-worn camera program. The report’s analysis of more than 300 fully-investigated complaints in which the CCRB received body-worn camera footage underscores the significance of video in investigations of police misconduct.

While in 2017 complaints with body-worn camera footage represented only 1 percent of all fully-investigated cases, that figure rose to 33 percent by mid-2019—an over 4,500 percent increase. This surge reflects the growth of the NYPD’s body-worn camera program and the accelerated body-worn camera rollout in 2018 and 2019.

“During the past two years alone, body-worn cameras have transformed civilian oversight of police in New York City, and it’s clear that this technology is here to stay,” **said CCRB Chair Fred Davie**. “Body-worn cameras capture both visual and audio elements of an incident that often were not available to the CCRB before, which makes it significantly easier for the Agency to make a determination about what occurred. Although the program still is in its infancy, early observations about its impact on civilian oversight are promising.”

In addition to increasing the overall rate at which the CCRB can make a clear determination of fact (76% of fully-investigated cases), the Agency’s analysis shows that BWCs significantly reduce the unsubstantiation rate for complaints. When body-worn camera footage is available, the rate at which the CCRB is unable to determine whether misconduct occurred decreases to 23 percent, as compared to 51 percent when there is no video evidence.

Because body-worn camera footage includes audio—unlike typical surveillance footage—the presence of body-worn cameras makes a notable difference in complaints involving an officer’s alleged use of profanity or bias-based insults. In cases where body-worn camera footage was

available, the CCRB substantiated 56 percent of discourtesy allegations and 37 percent of offensive language allegations, a significant increase from rates of 19 percent and 15 percent respectively without such footage.

As is noted in the report, while body-worn camera footage makes a substantial difference in CCRB investigations, a cumbersome process for accessing footage from the NYPD has presented challenges for the Agency. During the first half of 2019, the CCRB experienced progressively increasing delays in the amount of time it took to receive footage from the NYPD. While at the end of 2018, the Agency received a response to a request for body-worn camera footage in an average of 20 business days, the waiting time had doubled by July 2019.

To address this issue, the CCRB and NYPD signed a memorandum of understanding in November 2019 that both parties hope will streamline the process through which the CCRB accesses body-worn camera footage. Under the terms of the agreement, the NYPD must honor all requests, including requests for footage that requires redactions, within 25 days. Absent exceptional circumstances, if footage does not require redaction, the NYPD must provide it to the CCRB within 10 business days. Additionally, per the agreement, CCRB investigators will be able to search and review body-worn camera footage directly in a secure facility, rather than relying solely on NYPD personnel to provide video relevant to a complaint.

“After reaching a backlog of nearly 800 unprocessed CCRB requests for body-worn camera footage in mid-2019, both the CCRB and the NYPD recognized that system in place for the transfer of footage from the Police Department was woefully inefficient. The status quo had ultimately made it difficult for the CCRB to fulfill its mission to serve the people of New York City,” said Davie. “The memorandum of understanding represents a compromise between the Board and the Department that we expect will facilitate investigators’ access to body-worn camera footage and reduce the amount of time it takes to close cases.”

The complete report is available at:

https://www1.nyc.gov/assets/ccrb/downloads/pdf/policy_pdf/issue_based/20200227_BWCReport.pdf

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The New York City Civilian Complaint Review Board (CCRB) is the largest police oversight entity in the nation and is empowered to investigate, mediate, prosecute, and recommend disciplinary action for complaints alleging misconduct by NYPD officers. See NYC Charter § 440(c)(1). The agency's jurisdiction includes excessive and unnecessary force, abuse of authority, discourtesy, and use of offensive language. To further this mission, CCRB issues monthly, biannual, and special statistical and qualitative reports analyzing trends and recurring issues arising from the many thousands of civilian complaints it receives each year.