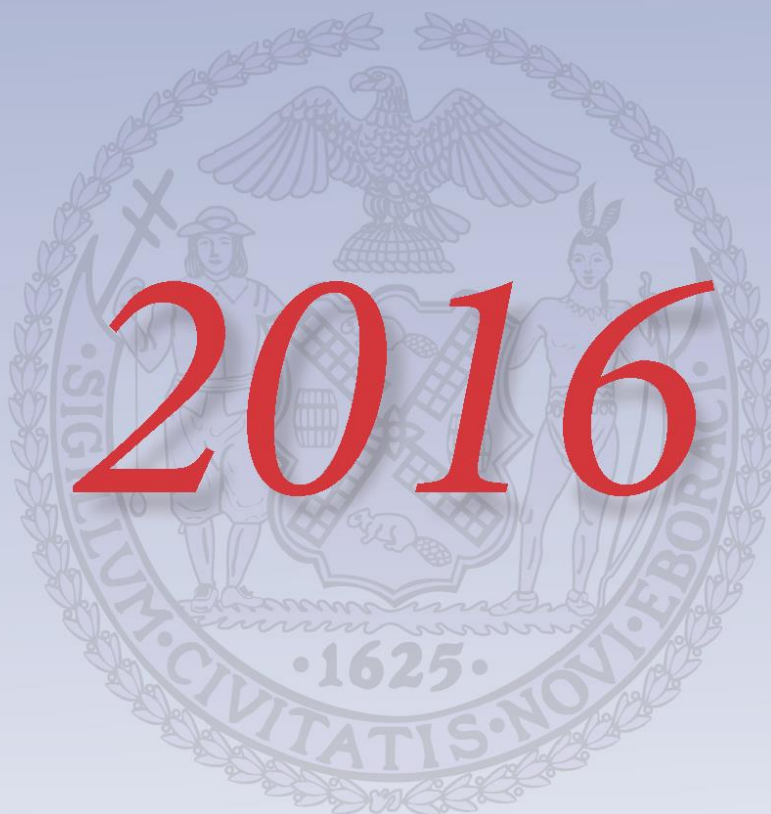




CIVILIAN COMPLAINT REVIEW BOARD

BILL DE BLASIO, Mayor MAYA D. WILEY, Esq. Board Chair JONATHAN DARCHE, Esq. Executive Director



2016

Annual Report

JANUARY-DECEMBER

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Mission

The New York City Civilian Complaint Review Board (CCRB) is an independent Agency that is empowered to receive, investigate, prosecute, mediate, hear, make findings, and recommend action on complaints filed against members of the New York City Police Department (NYPD) that allege the use of excessive or unnecessary Force, Abuse of Authority, Discourtesy, or the use of Offensive Language. The Board's staff, composed entirely of civilian employees, conducts investigations, mediations, and prosecutions in an impartial manner. The New York City Charter gives the Police Commissioner final authority in matters of police discipline.

In fulfillment of its mission, the Board pledges:

- To encourage members of the community to file complaints when they believe they have been victims of police misconduct;
- To respect the rights of civilians and officers;
- To encourage all parties involved in a complaint to come forward and present evidence;
- To expeditiously investigate each allegation thoroughly and impartially;
- To make fair and objective determinations on the merits of each case;
- To offer civilians and officers the opportunity to mediate their complaints when appropriate in order to promote understanding between officers and the communities they serve;
- To recommend disciplinary actions that are measured and appropriate, if and when the investigative findings substantiate that misconduct occurred;
- To engage in community outreach in order to educate the public about the Agency and respond to concerns relevant to the Agency's mandate;
- To report relevant issues and policy matters to the Police Commissioner and the public; and
- To advocate for policy changes related to police oversight, transparency, and accountability that will strengthen public trust and improve police and community relations.

Letter from the Chair



July 2017

Dear Fellow New Yorkers,

Since July 2016, I have had the distinct privilege of serving as Chair of the Civilian Complaint Review Board (CCRB), the largest civilian police oversight entity in the country. We play an important role in the life of our city. As an agency independent from the New York City Police Department (NYPD), the CCRB impartially investigates complaints of police misconduct, offers mediation of appropriate complaints, and recommends discipline to the Police Commissioner when we find misconduct. We are unique in the country because we are the only policing oversight authority that prosecutes serious police disciplinary cases in the administrative trial process in the police department. Civilian oversight is central to the CCRB's mission. To accomplish it, the Agency must work with all stakeholders, including community groups and the NYPD. We are increasingly using our unique role to foster more dialogue on police practices between communities and the Police Department to support more effective and fair police-community relations.

Much of 2016 entailed more community outreach and engagement, and fostering more dialogue between police precincts with high numbers of complaints and community members. Thanks to the remarkable dedication of the Outreach Unit, the Agency conducted 977 presentations in 2016, more than in all of the previous four years combined. By taking our Board meetings to communities where we receive large percentages of our complaints, we have heard from community members directly about their experiences with the precincts that serve them. And we have been very gratified by the willingness of precinct commanders or their staff to discuss policing directly with the community at our board meetings. And we share the transcripts of our meetings with the Police Department.

Our central job is to investigate and recommend discipline in cases where we find misconduct. 2016 was a productive year for the CCRB. We received 4,283 complaints, completed 1,514 full investigations, substantiated allegations of misconduct against 515 officers, and successfully mediated an additional 208 complaints. Meanwhile, the agency conducted 120 trials against officers accused of the most serious misconduct and closed 160 successful prosecutions, 123 of which resulted in the loss of vacation time. Overall, the discipline concurrence rate in 2016 (measuring the rate of agreement between the Police Commissioner and the CCRB about the need for discipline) was 83 percent. This is the highest concurrence rate in the Agency's history, and it reflects both the effectiveness of the CCRB's advocacy and the Police Commissioner's commitment to holding officers accountable for their misconduct.

In 2016, the CCRB also created a new Training Unit to hone the skills of our investigators and oversaw a significant expansion of our outreach efforts. I am proud of the Agency's work in 2016, but there are significant challenges ahead. This year the NYPD begins the large scale rollout of a Body-Worn Camera

program first ordered by a federal judge in 2013. The Body-Worn Camera program is an effort to improve policing and is likely to have an enormous impact on the work of the CCRB. Video is often key to determining what has happened in police misconduct cases, and the continued effectiveness of the Agency depends upon our investigators' ability to directly access footage relevant to their investigations. Direct access to Body-Worn Camera video is already standard in some police departments, including Washington D.C.'s, and direct access for the CCRB will lead to faster and more thorough investigations, which is in the best interest of all parties involved in allegations of police misconduct.

The CCRB will continue to work diligently to investigate complaints fairly and efficiently, and to create more dialogue and support for safe and fair policing.

Sincerely,

A handwritten signature in cursive script that reads "Maya Wiley".

Maya D. Wiley, Esq.

Executive Summary

Section 1: Complaint Activity

- Last year the CCRB received 4,283 complaints within its jurisdiction, marking the seventh consecutive year that the number of CCRB complaints has declined (page 8).
- While the number of complaints fell in 2016, the number of *allegations* received was actually higher in 2016 than 2015 (13,511 versus 12,773 respectively). The rise was due to an update in the Agency's policy concerning the way allegations are pleaded. In 2016, the CCRB re-instated an earlier policy of pleading separate allegations for each separate victim in an incident, while at the same time re-emphasizing the importance of pleading certain allegations against all responsible officers (page 14).

Section 2: Investigative Findings

- The CCRB has shown remarkable progress in shortening the time it takes to complete a full investigation. In 2015, the average length of a full investigation was 224 days compared to just 140 days in 2016 (page 23).
- The truncation rate (the percentage of complaints that are closed without a full investigation, mediation or mediation attempted) rose from 47 percent in 2015 to 55 percent in 2016 (page 26). The CCRB is committed to lowering the truncation rate in 2017.

Section 3: Disciplinary Process

- In 2016, the NYPD imposed discipline on officers in 83 percent of the cases where the CCRB recommended discipline, a rise from the 81 percent rate in 2015 (page 36).
- In 2016, the Administrative Prosecution Unit closed 234 adjudicated cases against Members of Service (MOS) (page 35). In 123 of those cases, loss of vacation or suspension was the discipline imposed by the Department (page 36).

Section 4: Mediation

- In 2016, the average number of days it took to mediate a case was the lowest in CCRB history. It took an average of 92 days to mediate a complaint in 2016, down from 115 days in 2015 (page 39).
- In 2016, the Mediation Unit closed 435 cases as either mediated or mediation attempted, an increase from the 414 case closed in 2015 (page 40).

Section 5: Outreach

- Thanks to new funding from the Mayor and City Council and the remarkable dedication of its staff, the Outreach Unit conducted 977 presentations in 2016, more than in all of the previous four years combined (page 43).

Section 6: Reconsiderations

- In 2016, the Board—at the request of the NYPD—reconsidered allegations against 115 distinct MOS (page 48) but kept the original disposition against 97 (84 percent) of those MOS.

Section 7: The Impact of Video

- The percentage of CCRB complaints where video evidence is collected has continued to rise, from 12 percent in 2015 to 18 percent in 2016 (page 50).

Section 8: New Initiatives

- In 2016, the CCRB launched its Data Transparency Initiative, becoming the first major police oversight organization in the United States to make key complaint data available to the public on the internet (page 53).
- In 2016, the CCRB created a new Training Unit. The Training Unit is tasked with training the Agency's investigators and ensuring that each investigator is equipped with perceptive interviewing skills, a thorough understanding of Fourth Amendment law, and the investigative tools necessary to perform a holistic analysis of each misconduct allegation received (page 53).

Section 9: Update on 2016 Policy Reports & Forthcoming 2017 Policy Reports

- In 2016, the CCRB issued special subject reports on the use of Tasers and policing in the lesbian, gay, bisexual, transgender, and queer (LGBTQ) communities (page 55).
- In 2017, the CCRB plans to release a study examining the frequency and impact of officer interference with civilian recordings of police activity.

Introduction: The Board and Agency Operations

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

The Board consists of 13 members. The City Council designates five Board members (one from each borough); the Police Commissioner designates three; and the Mayor designates five, including the Chair. All appointments are made by the Mayor, who also has the authority to select the Chair of the Board.

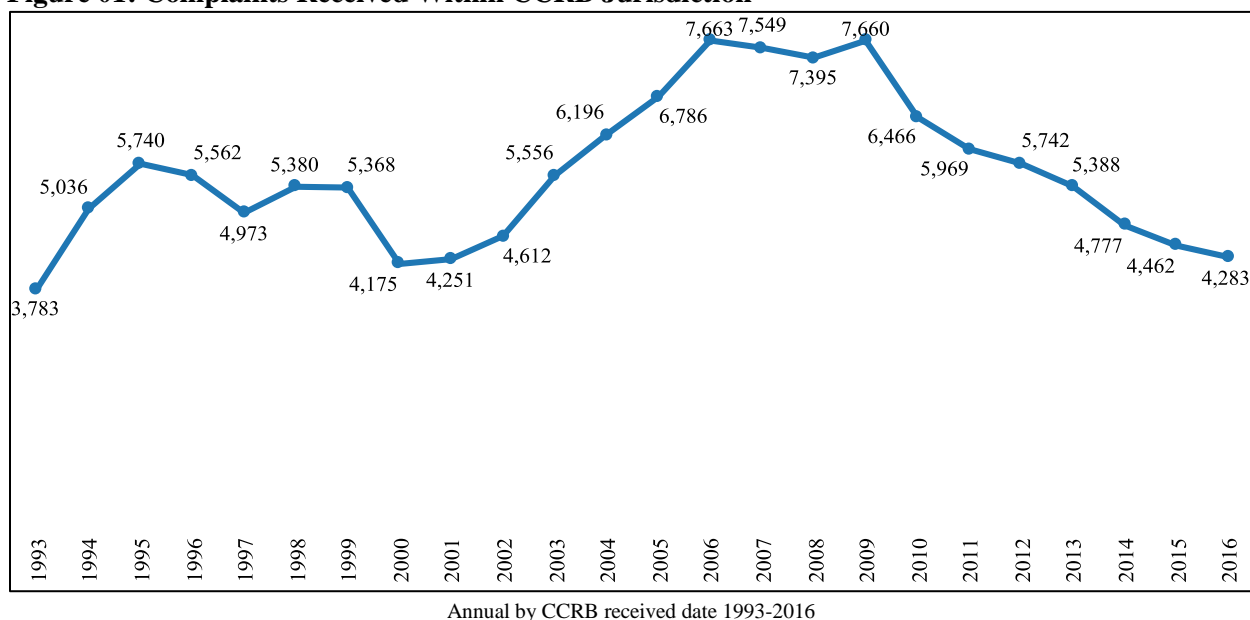
Under the New York City Charter, the Board must reflect the diversity of the City's residents and all members must live in New York City. No member of the Board may have a law enforcement background, except those designated by the Police Commissioner, who must have had a law enforcement vocation. No Board member may be a public employee or serve in public office. Board members serve three-year terms, which can be and often are renewed. They receive compensation on a per-session basis, although some Board members may choose to serve pro bono.

Board members review and make findings on all misconduct complaints once they have been investigated by an all-civilian staff. From 1993 to 2013, when the Board found that an officer committed misconduct, the case was referred to the Police Commissioner with a discipline recommendation. Under a Memorandum of Understanding (MOU) between the CCRB and the NYPD (effective April 11, 2013), all substantiated cases in which the Board recommends that charges and specifications be brought against an officer are prosecuted by a team of CCRB attorneys in the Agency's Administrative Prosecution Unit. Substantiated cases in which the Board recommends some discipline other than charges and specifications (e.g. instructions) are still referred to the Police Commissioner in the same manner as prior to 2013.

Section 1: Complaint Activity

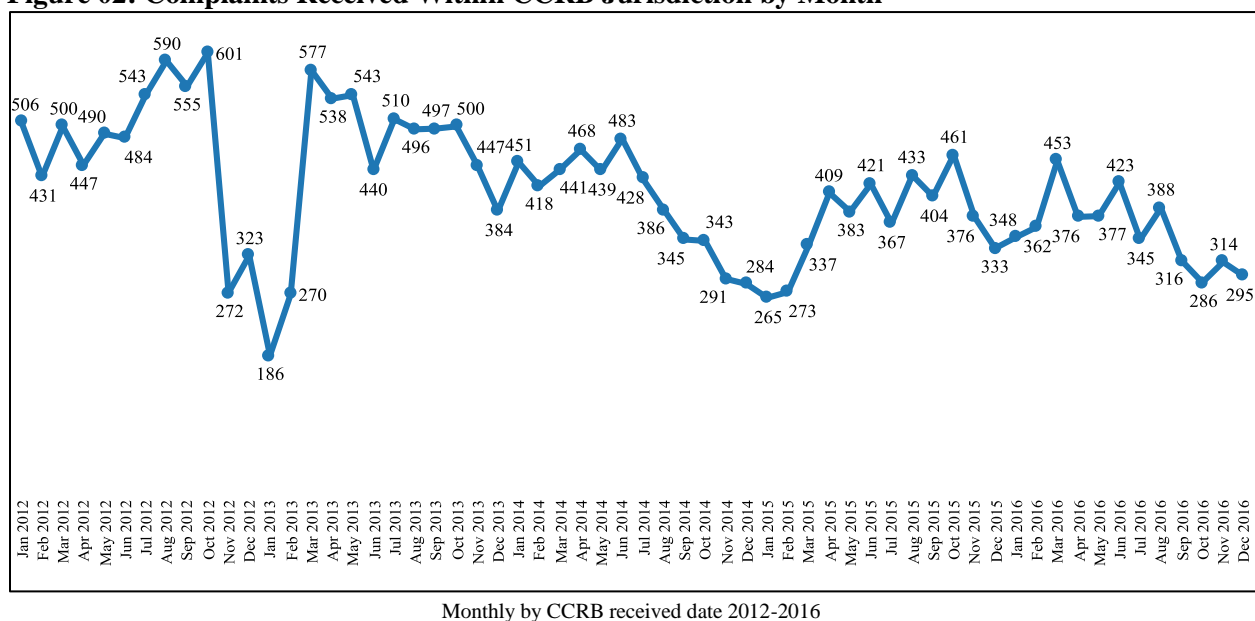
For most New Yorkers, contact with the Civilian Complaint Review Board (CCRB) begins when they file a complaint alleging police misconduct. In this section we discuss the number of complaints received and their characteristics.

Figure 01: Complaints Received Within CCRB Jurisdiction



In 2016, the CCRB received 4,283 complaints within its jurisdiction. The monthly data shown below reflects the drastic decrease in complaint numbers from November, 2012 to February, 2013 due to Hurricane Sandy in October, 2012.

Figure 02: Complaints Received Within CCRB Jurisdiction by Month



CCRB Jurisdiction and Total Filings

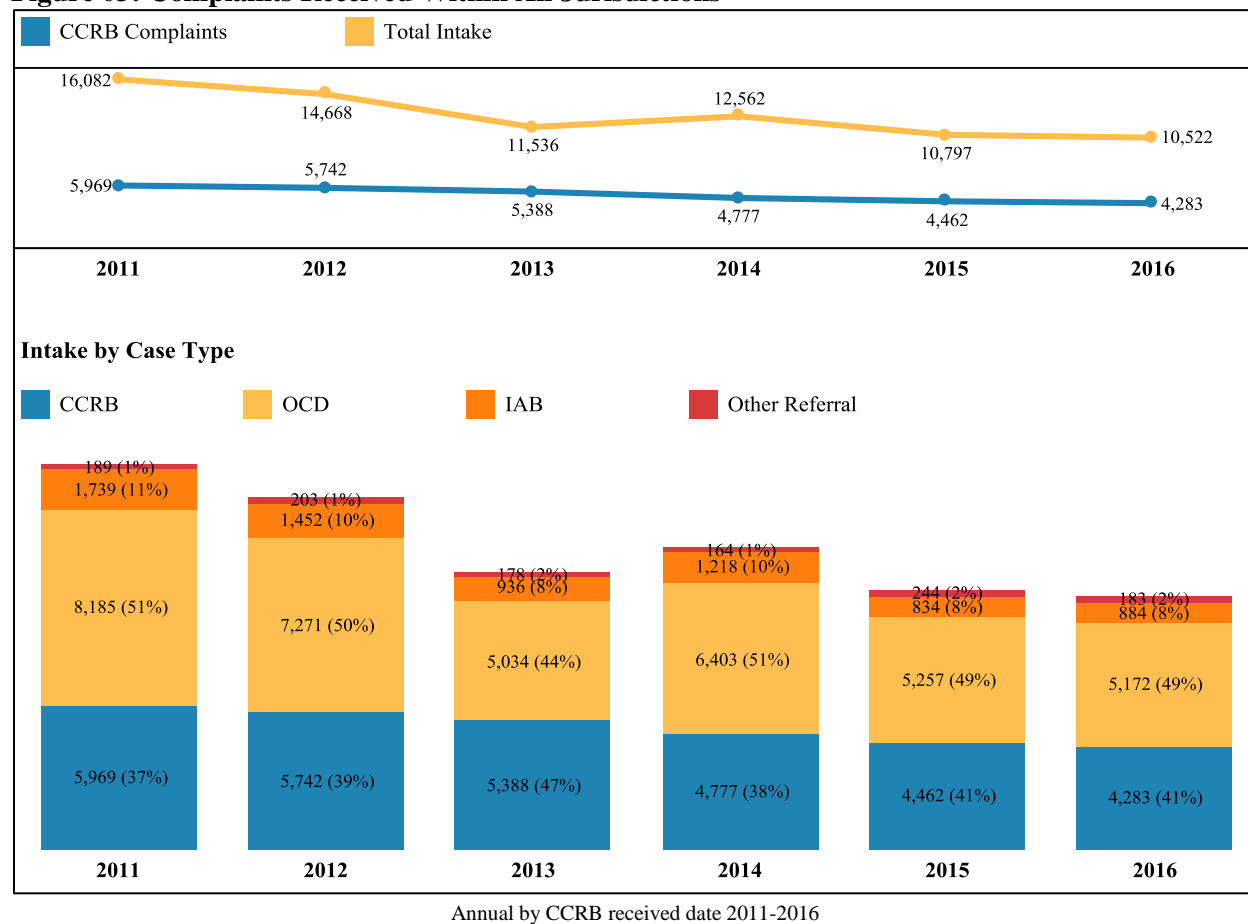
All complaints received are entered into the CCRB's Complaint Tracking System; however, only complaints within the Agency's Force, Abuse of Authority, Discourtesy, or Offensive Language (FADO) jurisdiction are investigated by the CCRB.

Complaints within the CCRB's jurisdiction are those made against Members of Service (MOS) in the New York Police Department (NYPD) that contain an allegation of FADO.

Examples of complaints the CCRB might receive which do not fall within the Agency's jurisdiction include: 1) complaints against Traffic Enforcement Agents and School Safety Agents; 2) complaints against an NYPD officer involving a summons or arrest dispute that does not include a FADO allegation; and 3) complaints against non-members of the NYPD.

Complaints outside of FADO jurisdiction are referred to the appropriate governmental entities that have the jurisdiction to process them. There are two units at the Police Department that are the primary recipients of the Agency's referrals: the Office of the Chief of Department (OCD) and the Internal Affairs Bureau (IAB). People whose complaints are referred elsewhere are mailed a tracking number so that they can follow their complaints at the appropriate agency.

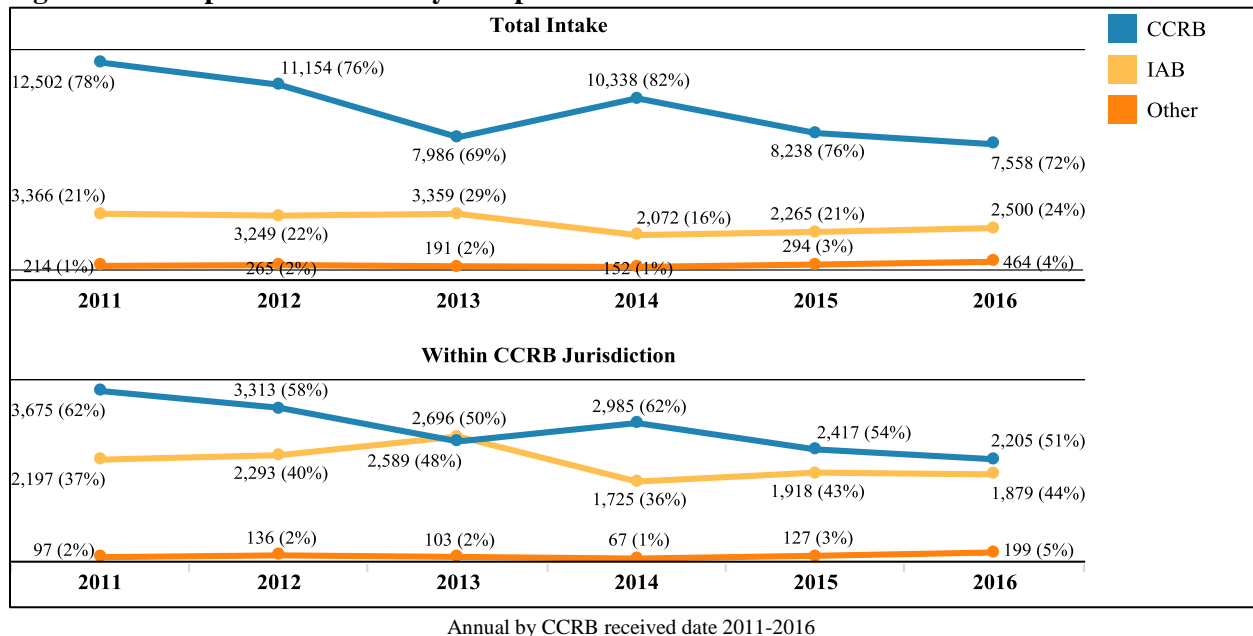
Figure 03: Complaints Received Within All Jurisdictions



Place of Filing

Most of the complaints filed within the CCRB's jurisdiction are received and processed directly by the CCRB's Intake Unit. The Agency also receives a high number of complaints within the CCRB's jurisdiction from the NYPD's Internal Affairs Bureau (IAB). The Agency is more likely to be able to fully investigate complaints when they are filed directly with the CCRB (see Figure 31 on page 26).

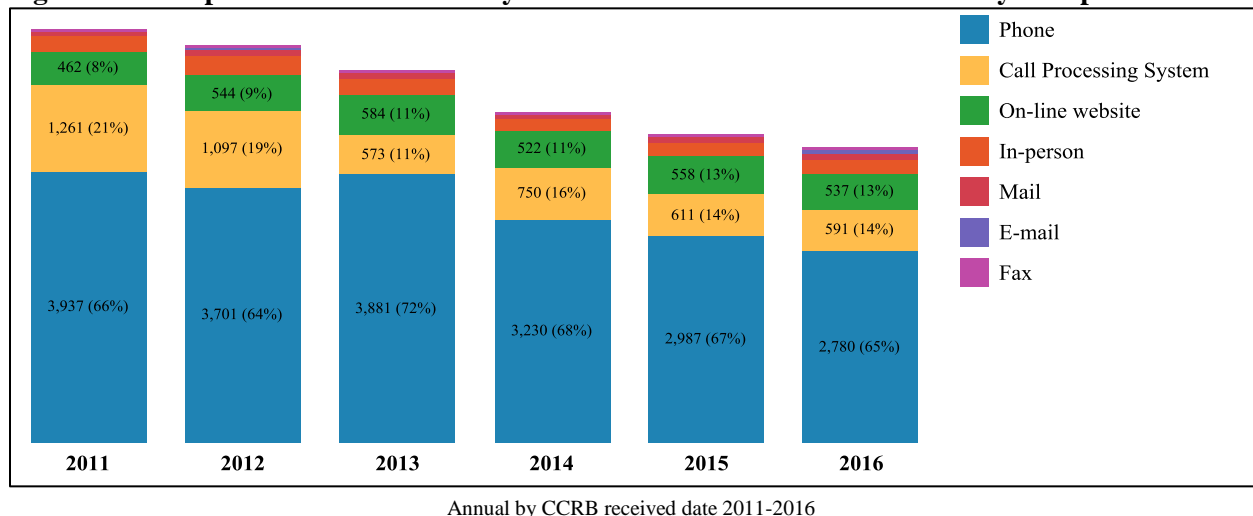
Figure 04: Complaints Received by Complaint Place



Mode of Filing Complaints within the CCRB's Jurisdiction

There are seven ways to file complaints directly with the CCRB: by phone, the automated call processing system, mail, e-mail, online, fax, or in person. In person complaints can be filed at the CCRB offices, at the District Offices of City Council Members participating in the Agency's Community Partner Initiative, or at police precincts. Filing by phone is the most popular method. This includes filing through the automated voice-messaging system which is available in English, Spanish, Mandarin, Cantonese, Haitian Creole, and Russian. During business hours, the CCRB staffs phone lines to take complaints.

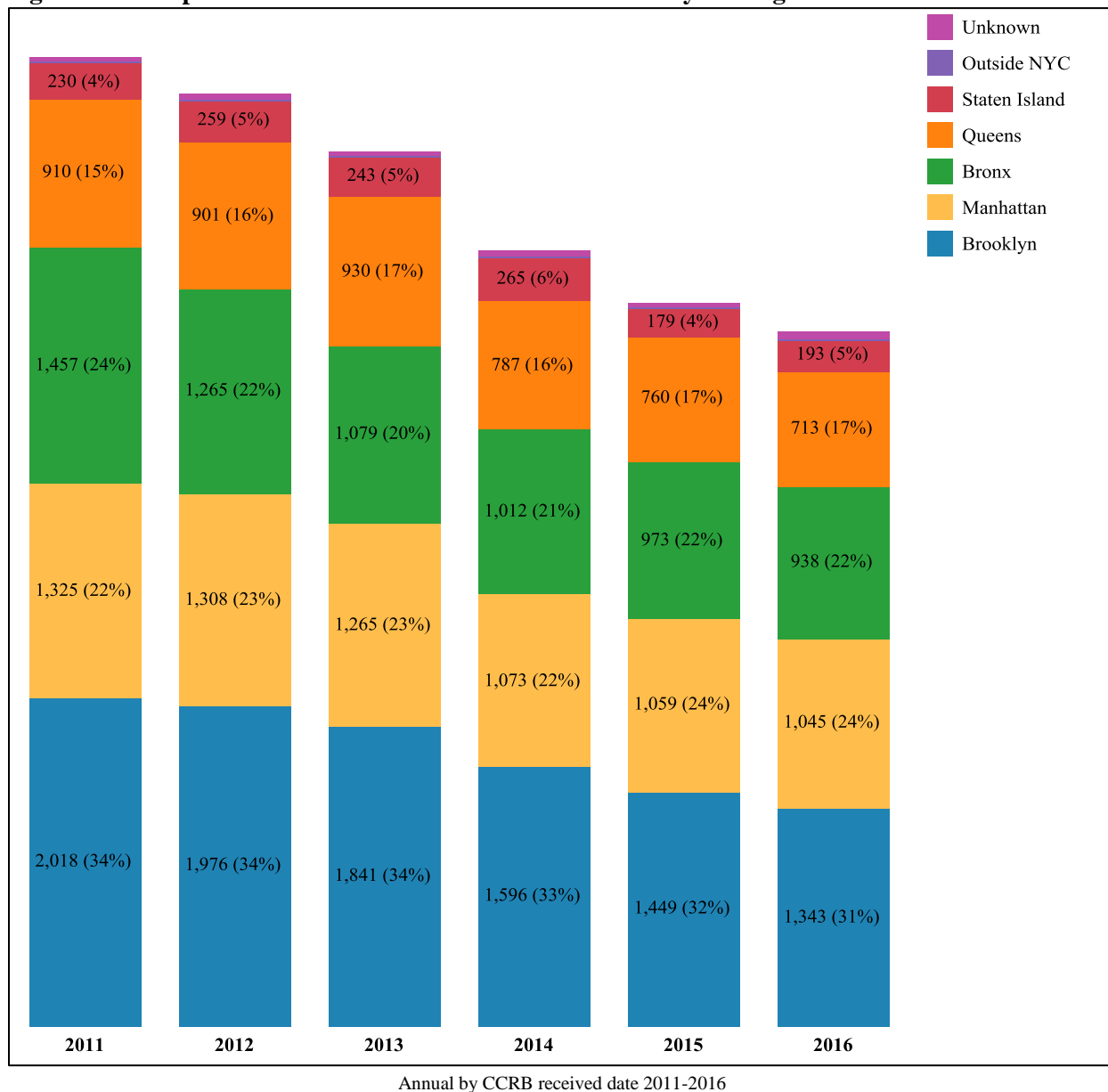
Figure 05: Complaints Received Directly to CCRB within CCRB Jurisdiction by Complaint Mode



Location of Incidents Resulting in Complaints

In 2016, 31 percent of the complaints received within the CCRB’s jurisdiction stemmed from incidents which occurred in Brooklyn.

Figure 06: Complaints Received within CCRB Jurisdiction by Borough



The CCRB's website includes a weekly-updated interactive Complaint Activity Map (<http://www1.nyc.gov/site/ccrb/policy/complaint-activity-map.page>) that provides information on complaints by precinct of occurrence. In 2016, the 75th precinct in Brooklyn generated the highest number of complaints.

Figure 07: Complaints Received within CCRB Jurisdiction by Precinct

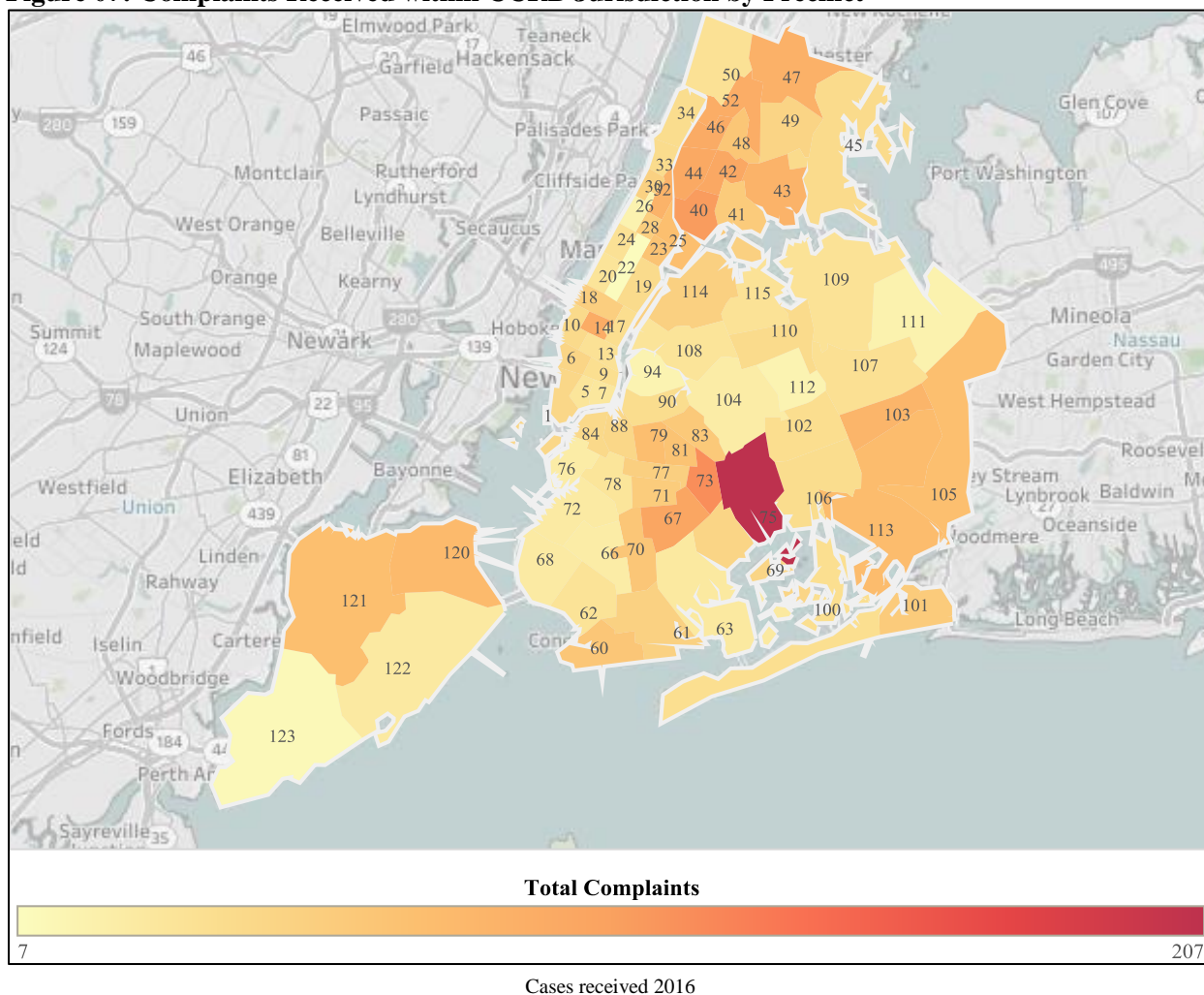


Figure 08: Top 10 Precincts with the Highest Number of CCRB Complaints

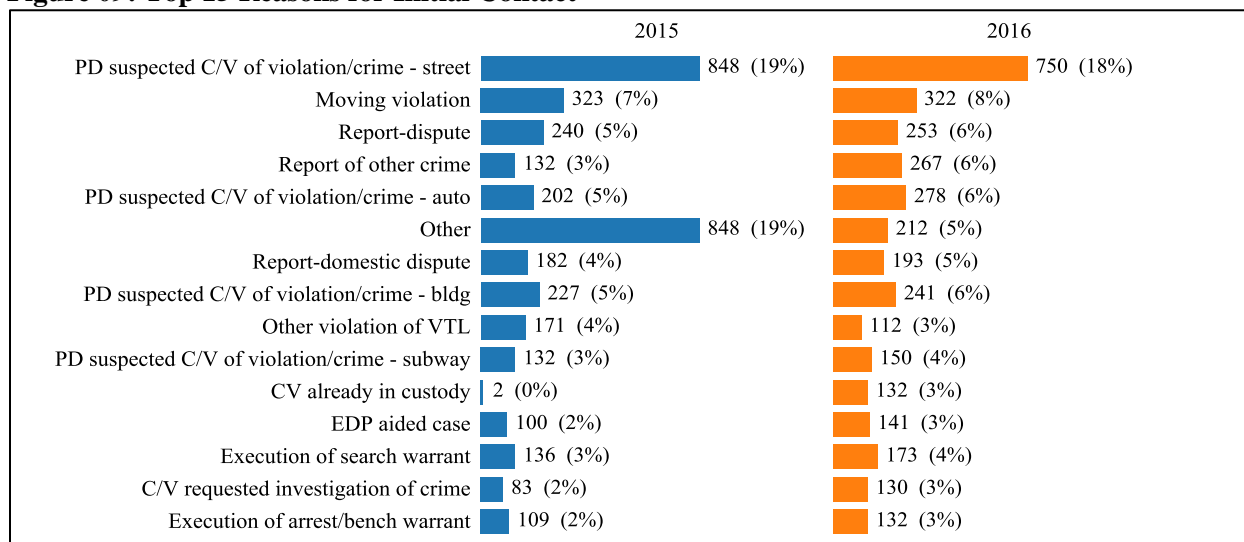
Precinct	2015	2016	Percent Change
75	215	207	-4%
73	126	120	-5%
40	141	111	-21%
67	98	102	4%
42	106	100	-6%
44	93	99	6%
46	101	96	-5%
14	87	95	9%
52	87	94	8%
47	106	90	-15%

CCRB received 2015 vs. CCRB received 2016

Characteristics of Encounters Resulting in a Complaint

When a complaint is being investigated, the CCRB tries to discern the initial reason for the contact between the civilian and the officer(s). In 2016, 18 percent of the complaints received within the CCRB jurisdiction stemmed from the officer suspecting the civilian of a violation or a crime. It is noteworthy that in 2016 the number of complaints with the reason for initial contact categorized as “Other” has fallen dramatically. This is due to the initiative of the Agency’s Intake Unit which has worked both to expand the contact reason categories available and to ensure the data is accurately recorded.

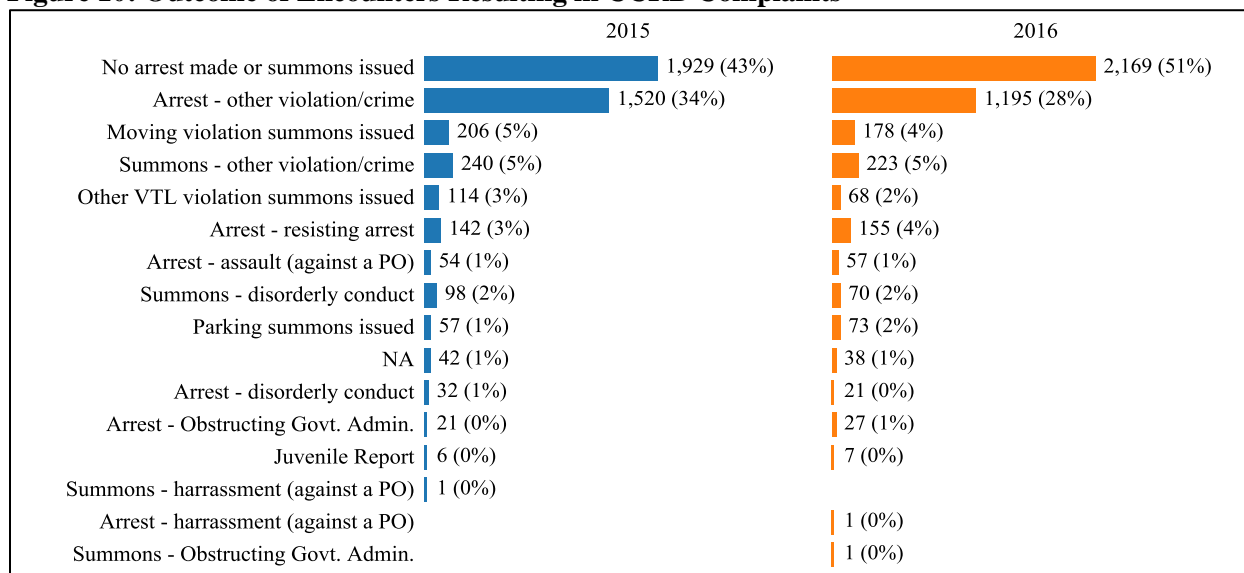
Figure 09: Top 15 Reasons for Initial Contact



CCRB received 2015 vs. CCRB received 2016

The CCRB also tracks the outcome of encounters that lead to complaints within the Agency’s jurisdiction. In 2016, 51 percent of the complaints received stemmed from encounters where no arrest was made or summons issued. This compares to 2015, when 43 percent of the complaints received stemmed from encounters where no arrest was made or summons issued.

Figure 10: Outcome of Encounters Resulting in CCRB Complaints



CCRB received 2015 vs. CCRB received 2016

Number of Allegations Received

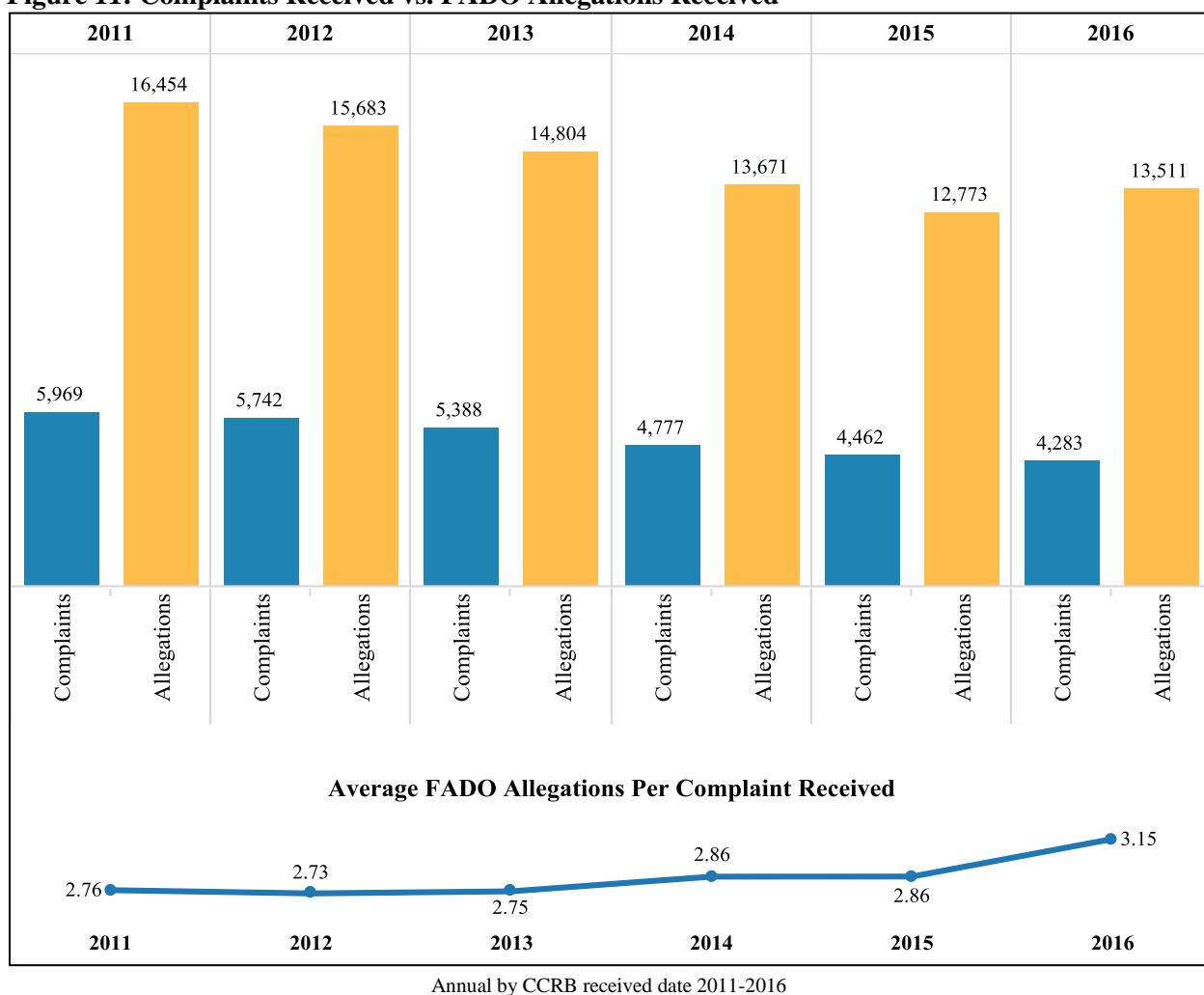
In 2016, the Agency updated the way allegations are listed in a complaint and recorded in its database. In recent years, some allegations were being entered into the database with multiple victims. In 2016, Agency policy was revised so as to make clear that a separate allegation must be recorded for each different victim of the allegation.

At the same time, the Agency re-emphasized the importance of pleading certain allegations, most notably search allegations, against all responsible officers. In prior years, investigators often pleaded search allegations against the supervising officer only. However, in situations where it is unclear whether or not an officer is acting under supervision, it is appropriate for the allegation to be pled against all responsible officers. This policy was re-emphasized in 2016 leading to a significant increase in search allegations.

As a result of the updated policy, the number of allegations the CCRB received in 2016 rose (13,511 in 2016 versus 12,773 in 2015) despite the fact that the number of CCRB complaints received fell (4,283 in 2016 versus 4,462 in 2015).

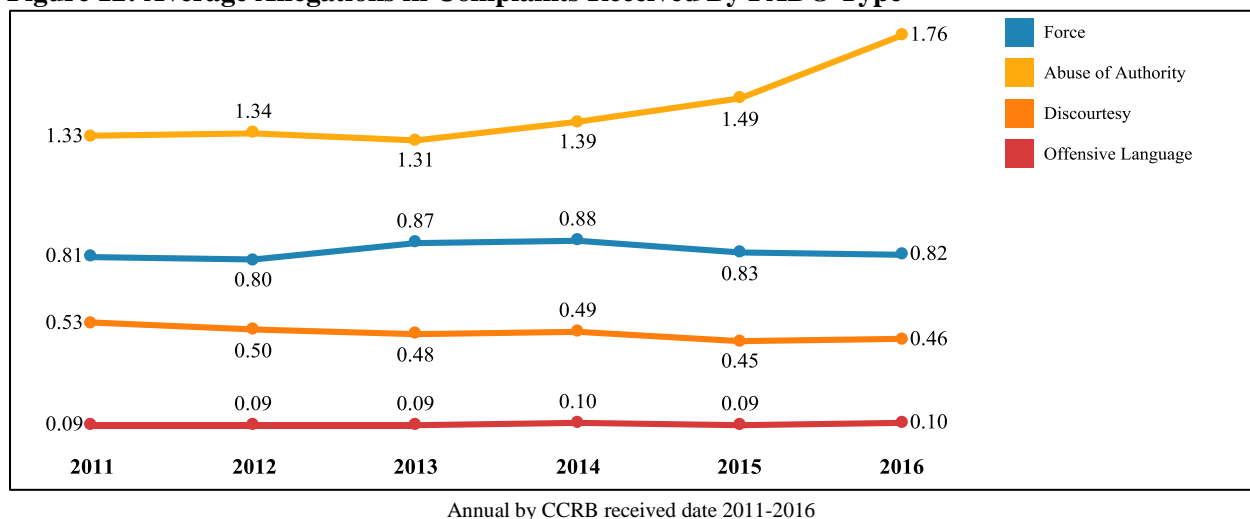
In 2016, the average number of FADO allegations per complaint was 3.15 as against a 2.86 average in 2015.

Figure 11: Complaints Received vs. FADO Allegations Received



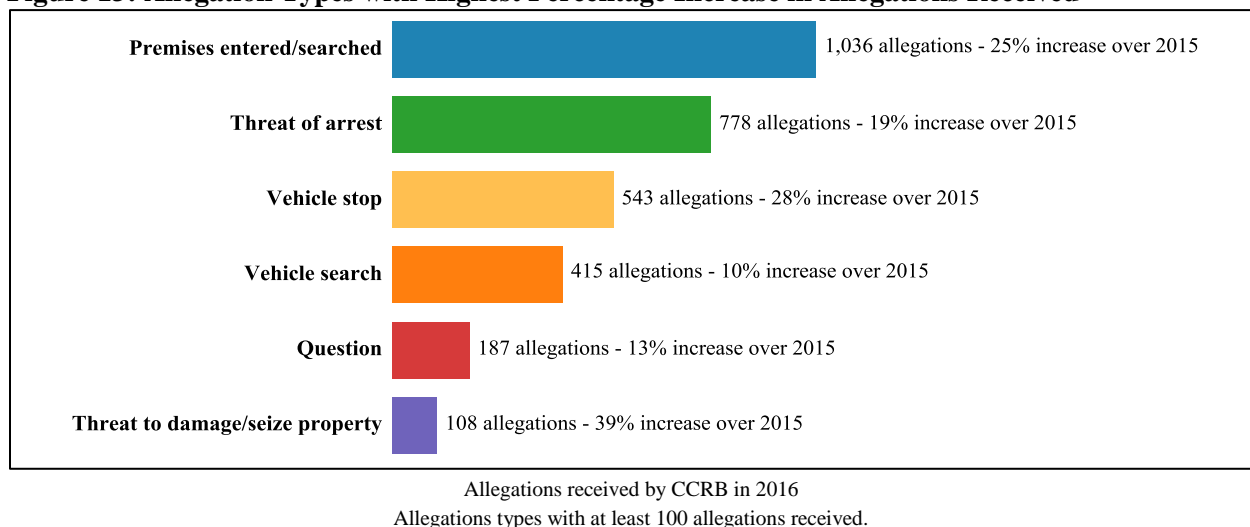
It is important to note that the change in the way allegations are recorded does not affect all FADO categories equally. The uptick in allegation counts seen in 2016 comes almost entirely from Abuse of Authority allegations.

Figure 12: Average Allegations in Complaints Received By FADO Type



The chart below shows the six allegation types that saw the highest percentage increase in 2016 (restricted to allegation types with at least 100 allegations received). All of the allegation types fall under the Abuse of Authority FADO category. Five of the allegation types that appear on the list—“Threat of arrest,” “Vehicle stop,” “Vehicle search,” “Question,” and “Threat to damage/seize property”—are such that a single act by a single officer may involve multiple victims. The remaining allegation type listed—“Premises entered/searched”—is an allegation that may previously have been pleaded against the supervising officer only, but is now being pled against all responsible officers.

Figure 13: Allegation Types with Highest Percentage Increase in Allegations Received

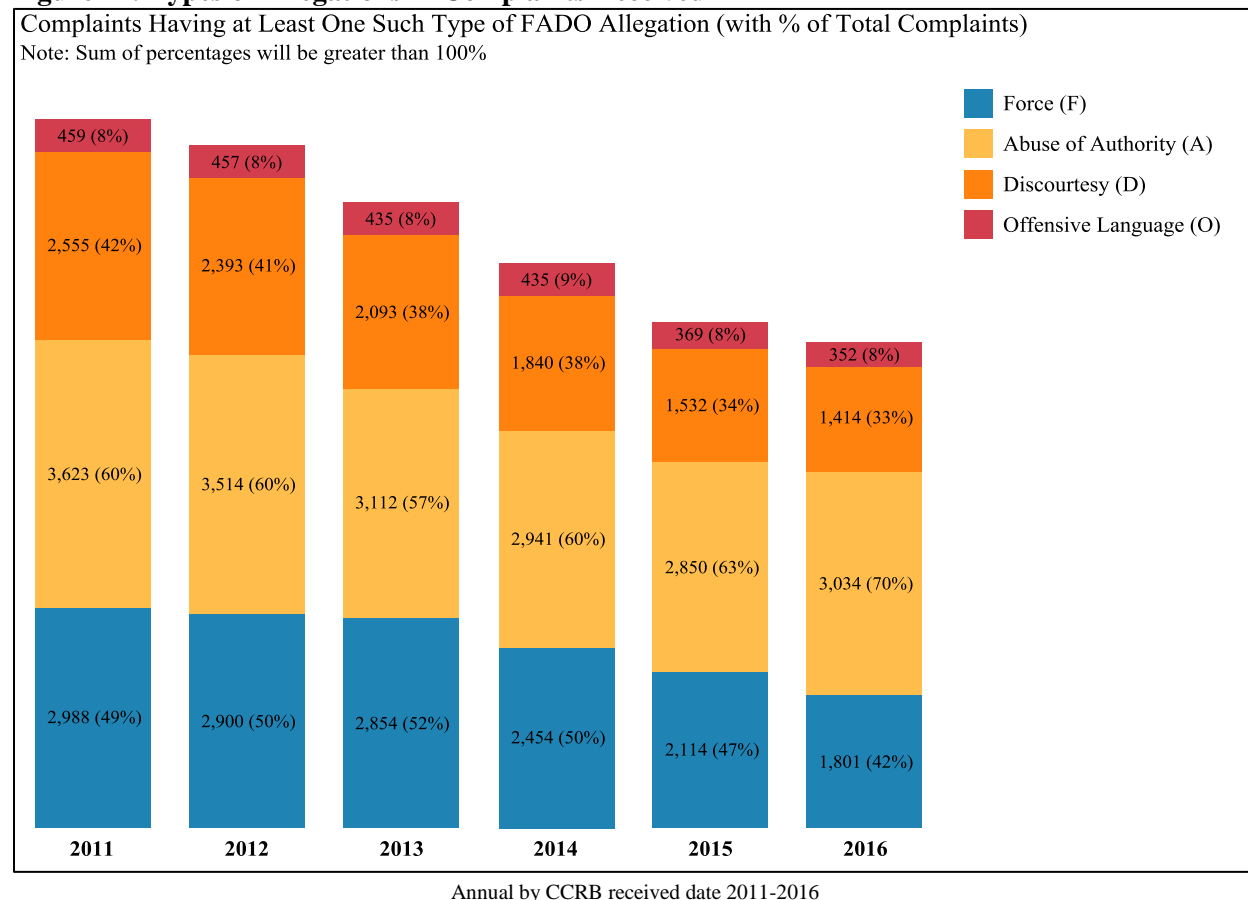


Type of Allegations in Complaints Received

To better understand complaint activity, it is important to understand the distinction between a “complaint” and an “allegation.” An individual complaint received by the CCRB may contain multiple allegations against one or more officers.

The most common types of allegations are Abuse of Authority allegations. In 2016, 70 percent of the complaints received contained at least one Abuse of Authority allegation. Force allegations are the next most common, and in 2016, 42 percent of the complaints received contained at least one Force allegation.

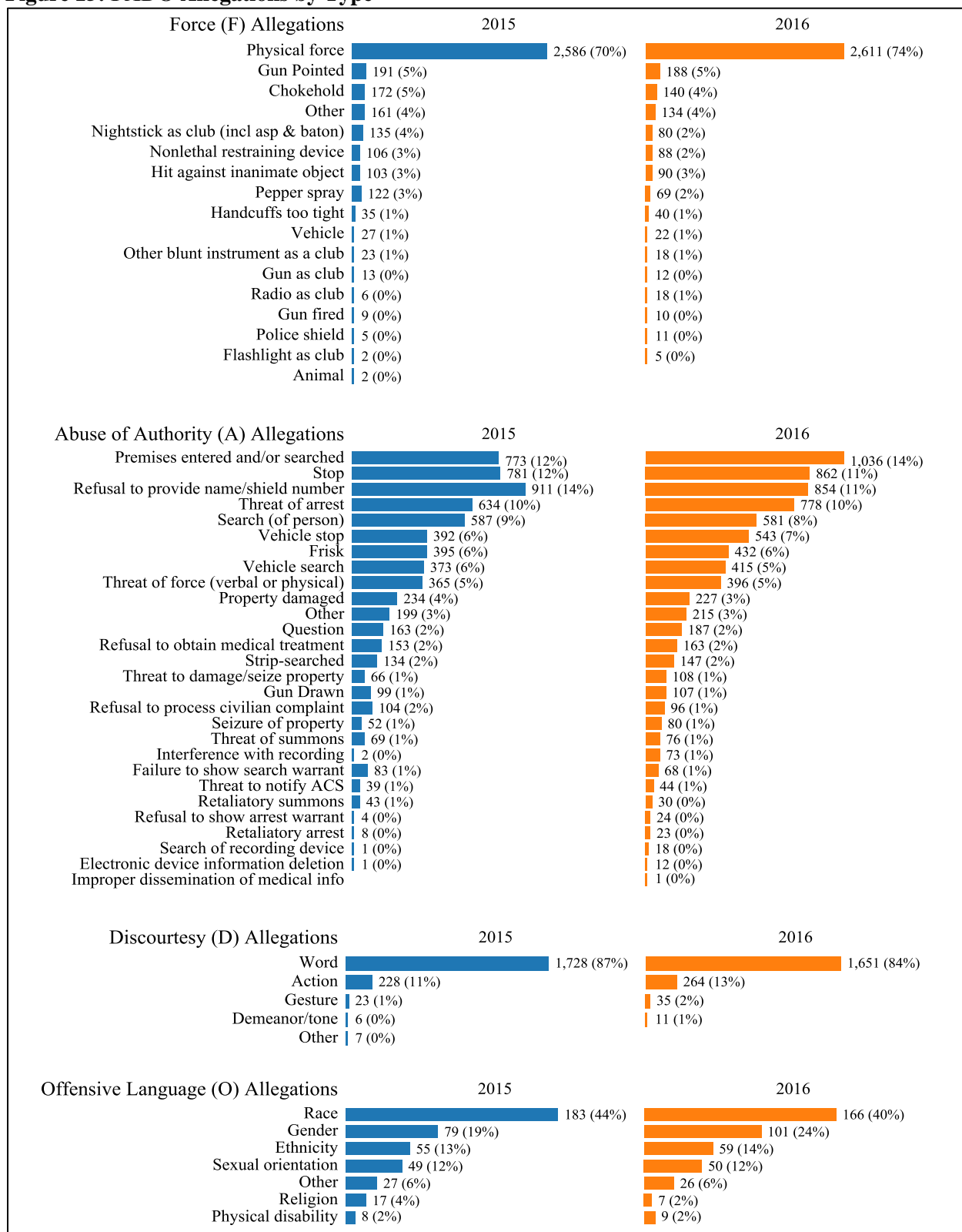
Figure 14: Types of Allegations in Complaints Received



The CCRB also keeps track of the specific type of allegations within each FADO category. In the Force category, the designation of “physical force” remains the most common allegation. This refers to an officer’s use of bodily force such as punching, shoving, kicking, and pushing. In 2016, “physical force” allegations accounted for 74 percent of all the Force category allegations.

Similarly, in 2016, the most common Abuse of Authority allegation was “Premises entered and/or searched” accounting for 14 percent of the allegations in the category; the most common Discourtesy allegation was “word” accounting for 84 percent of all Discourtesy allegations; and the most common Offensive Language allegation was “race” accounting for 40 percent of the Offensive Language allegations.

Figure 15: FADO Allegations by Type



CCRB received 2015 vs. CCRB received 2016

Stop, Question, Frisk and Search (SQF) of Person Allegations

Because of the longstanding controversy surrounding “Stop & Frisk” policing, the CCRB keeps careful track of all complaints containing an allegation of stop, question, frisk, or search of person. The number of such complaints fell 1 percent in 2016 (872 in 2016 vs. 885 in 2015), and has fallen in each of the previous five years.

Figure 16: Stop, Question, Frisk and Search of Person Complaints Received

Year	Complaints with Stop Allegation	Complaints with Search Allegation	Complaints with Frisk Allegation	Complaint with Question Allegation	Complaints with SQF Allegation	Complaints with Abuse of Authority Allegation	SQF Complaints as % of All Abuse of Authority Complaints
2011	1118	981	614	155	1655	3607	46%
2012	975	870	551	135	1493	3495	43%
2013	780	697	482	133	1259	3068	41%
2014	635	563	369	128	1003	2892	35%
2015	560	483	304	143	885	2815	31%
2016	534	444	310	154	872	3002	29%
% Change from 2015 to 2016	-5	-8	2	8	-1	7	
Change from 2015 to 2016	-26	-39	6	11	-13	187	

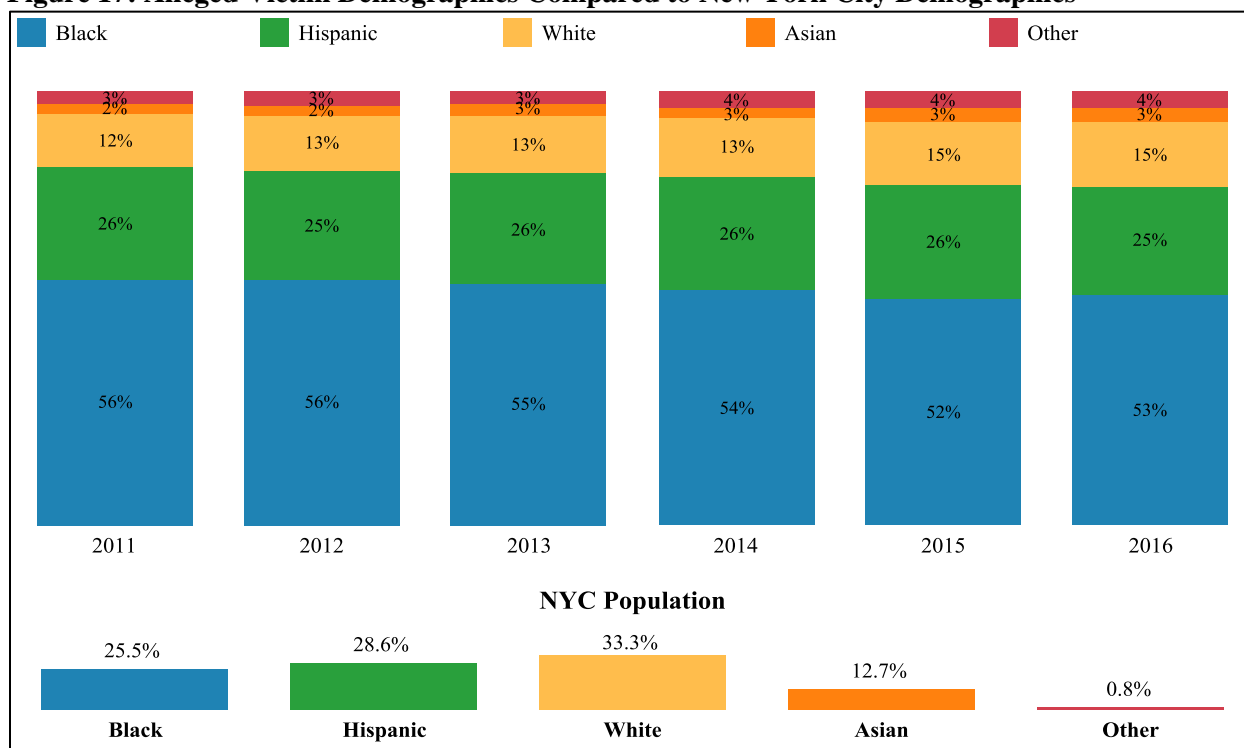
Annual by CCRB received date 2011-2016

Characteristics of Alleged Victims

The characteristics of alleged victims in terms of race and gender have been consistent over time and have categorically differed from the New York City population as reported in the most recent United States Census (<https://www.census.gov/quickfacts/fact/table/newyorkcitynewyork/PST045216>). The CCRB compares the demographic profile of the alleged victims to the demographics of the City as a whole, without controlling for any other factors such as the proportion of encounters with the police or percentage and number of criminal suspects.

In 2016, individuals who self-identified as black made up over half (53 percent) of alleged victims, while according the 2010 census, black residents make up only 25.5 percent of the city's population.

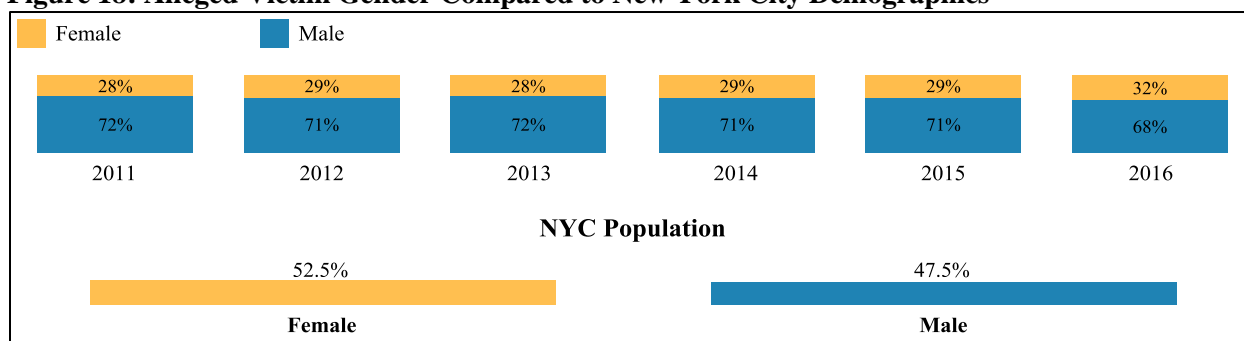
Figure 17: Alleged Victim Demographics Compared to New York City Demographics



Annual by CCRB received date 2011-2016

As regards the gender of alleged victims, in 2016, 68 percent of alleged victims were male, while men make up only 47.5 percent of the city's population.

Figure 18: Alleged Victim Gender Compared to New York City Demographics



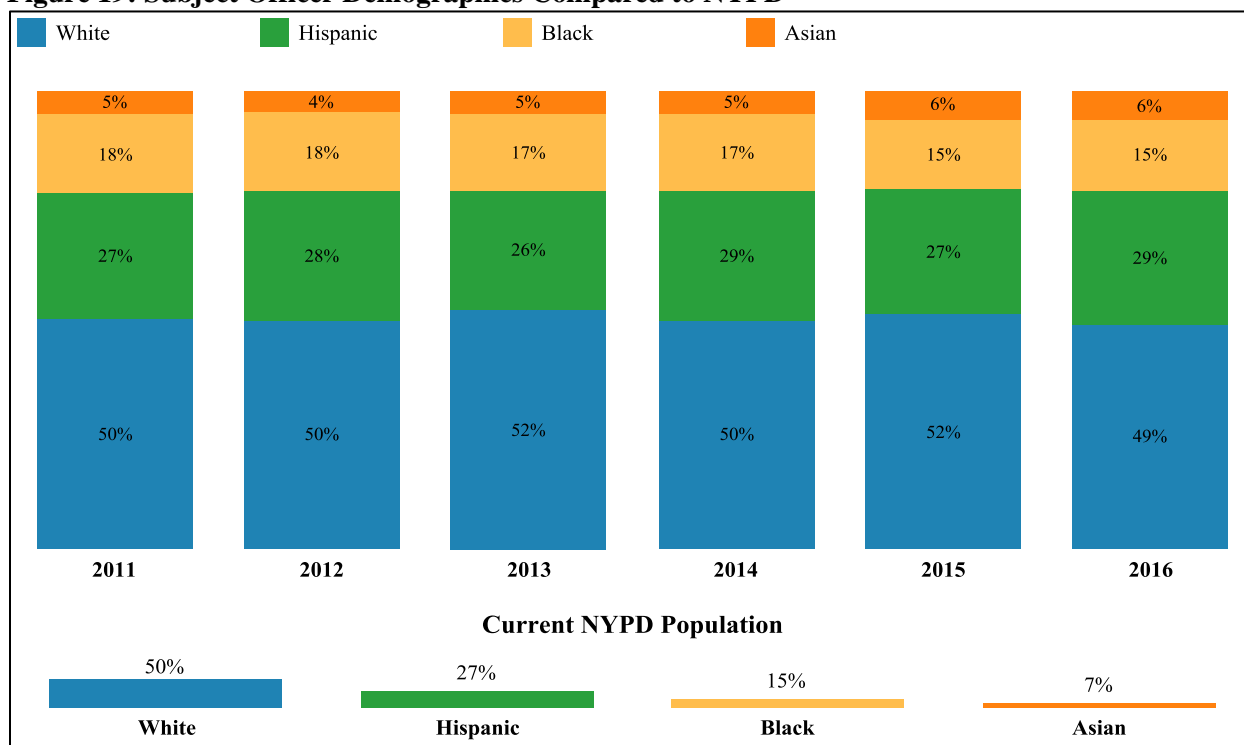
Annual by CCRB received date 2010-2016

Characteristics of Subject Officers

The demographic characteristics of the subject officers of CCRB complaints in terms of race and gender largely reflect the demographic composition of the NYPD as a whole.

In 2016, white officers accounted for 49 percent of the subject officers in CCRB complaints and 50 percent of the NYPD as a whole.

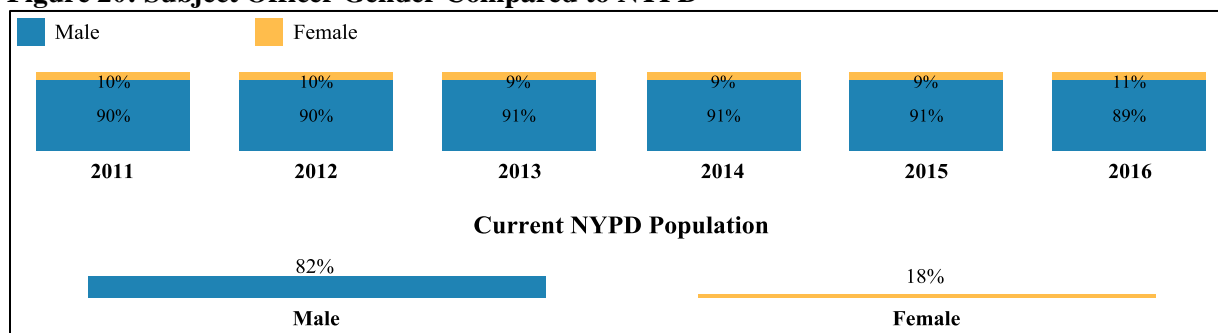
Figure 19: Subject Officer Demographics Compared to NYPD



Annual by CCRB received date 2011-2016

In 2016, male officers accounted for 89 percent of the subject officers in CCRB complaints and 82 percent of the NYPD as a whole.

Figure 20: Subject Officer Gender Compared to NYPD



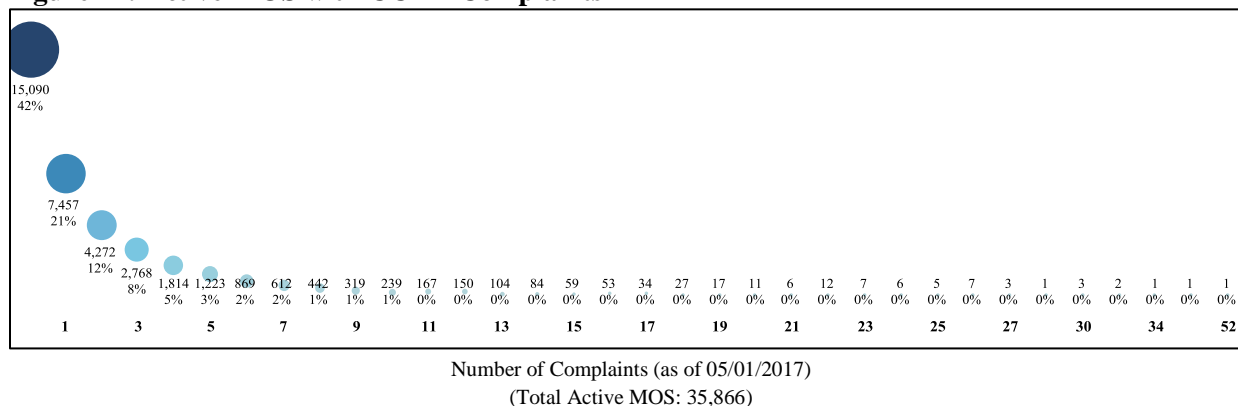
Annual by CCRB received date 2011-2016

Total Complaints Against Active Members of Service (MOS)

As of May 1, 2017, there were 35,866 active Members of Service (MOS) on the NYPD roster and it can be helpful to look at how complaints are distributed among them.

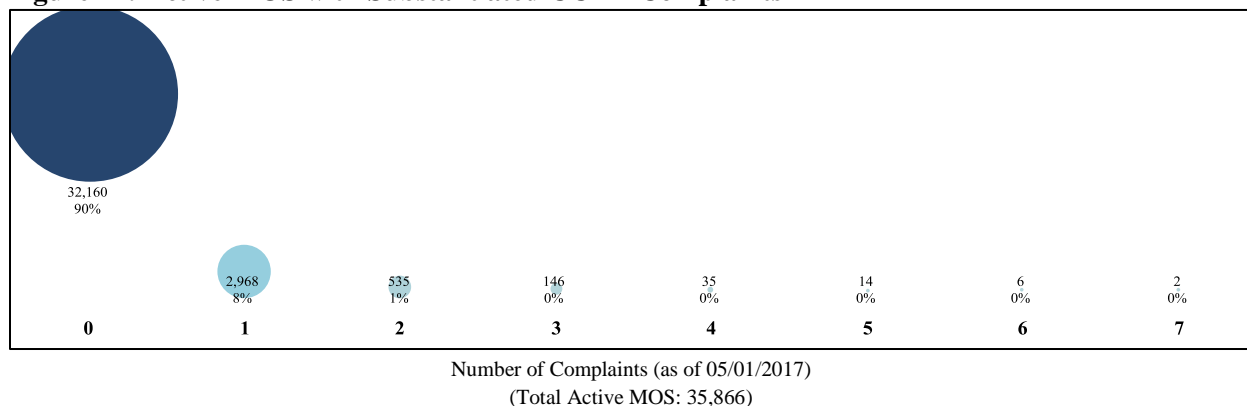
Of all the active MOS, 15,090 (42 percent) have never had a CCRB complaint made against them. At the same time, there is one active MOS against whom 52 CCRB complaints have been made.¹

Figure 21: Active MOS with CCRB Complaints



Of all the active MOS, 32,160 (90 percent) have never had a substantiated CCRB complaint made against them. However, there are two active MOS with seven substantiated complaints made against them.

Figure 22: Active MOS with Substantiated CCRB Complaints



¹ Regarding the active MOS against whom 52 complaints have been made: three of the complaints were substantiated, totaling six different substantiated allegations.

Section 2: Investigations

Investigations are the core function of the Civilian Complaint Review Board (CCRB). Every complaint that is not referred out of the CCRB will pass through an investigative team, even if it is ultimately resolved through Mediation. The goal of an investigation is to obtain the truest version of events in which an alleged act of misconduct occurred.

To begin an investigation, an investigator interviews the complainant and witnesses, collects evidence, and identifies the police officer(s) involved in the encounter, whose names are usually unknown at the outset of the investigation. Once the subject and witness officers have been identified, they are interviewed on the record, after which the investigative team makes a recommendation to the Board. A panel of three Board members then studies the case and votes on the Investigations Division's recommendations.

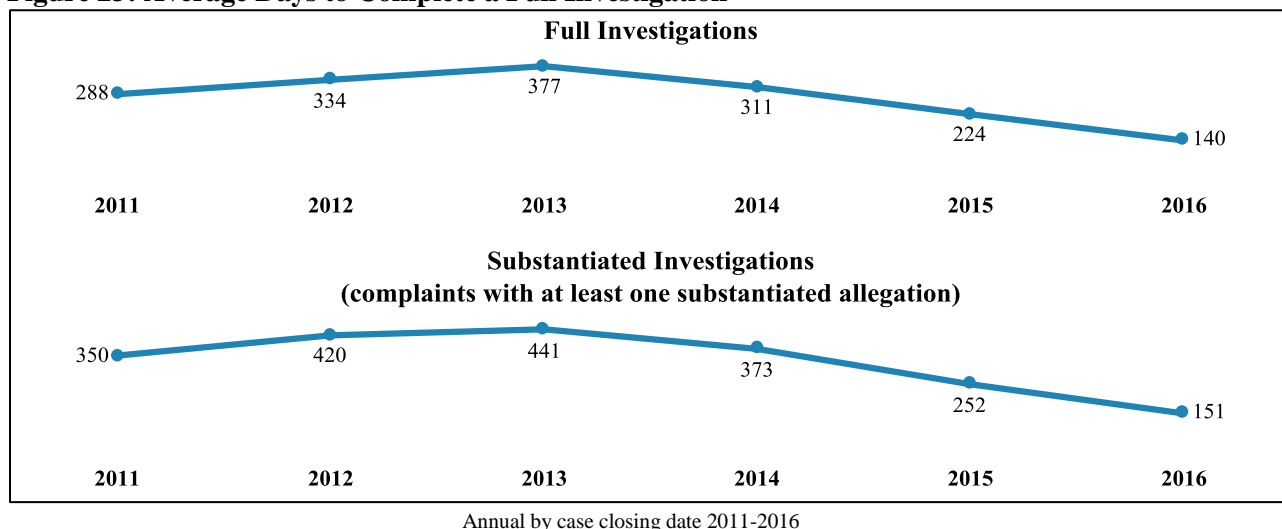
A CCRB investigation could involve a single police officer and a single complainant who captured the incident on his cell phone, or an investigation could involve a brawl on a dimly lit street corner without independent evidence. The Agency seeks to resolve all its investigations fairly and efficiently, and in order to do so the CCRB needs the cooperation of at least one complainant/victim related to the case. When a complainant/victim makes him or herself available for an interview, the agency deems the resulting investigation a "full investigation." On the other hand, when a complaint is withdrawn or there is no complainant/victim available for an interview, the investigation is "truncated." The Investigations Division always seeks to keep truncated investigations to a minimum, but its primary focus is on full investigations.

This section will cover the performance of the Investigations Division and the outcome of complaints made to the CCRB.

Investigations Division Performance

A key indicator of the performance of the Investigations Division is the time it takes to close a full investigation. This indicator measures the length of time from the date the CCRB receives a complaint to the date a complaint is closed by the Board. Of equal importance is the time it takes to close a full investigation for substantiated cases, which are typically the most complicated and time consuming. In 2016, full investigations were closed in an average of 140 days; substantiated cases were closed in an average of 151 days.

Figure 23: Average Days to Complete a Full Investigation



Another key performance indicator for the Investigations Division is the number of days before the first civilian and officer interviews take place. In 2016, the first civilian interview in full investigations took place, on average, 21 days after the CCRB received the complaint. The first officer interview took place, on average, 58 days after the complaint was received.

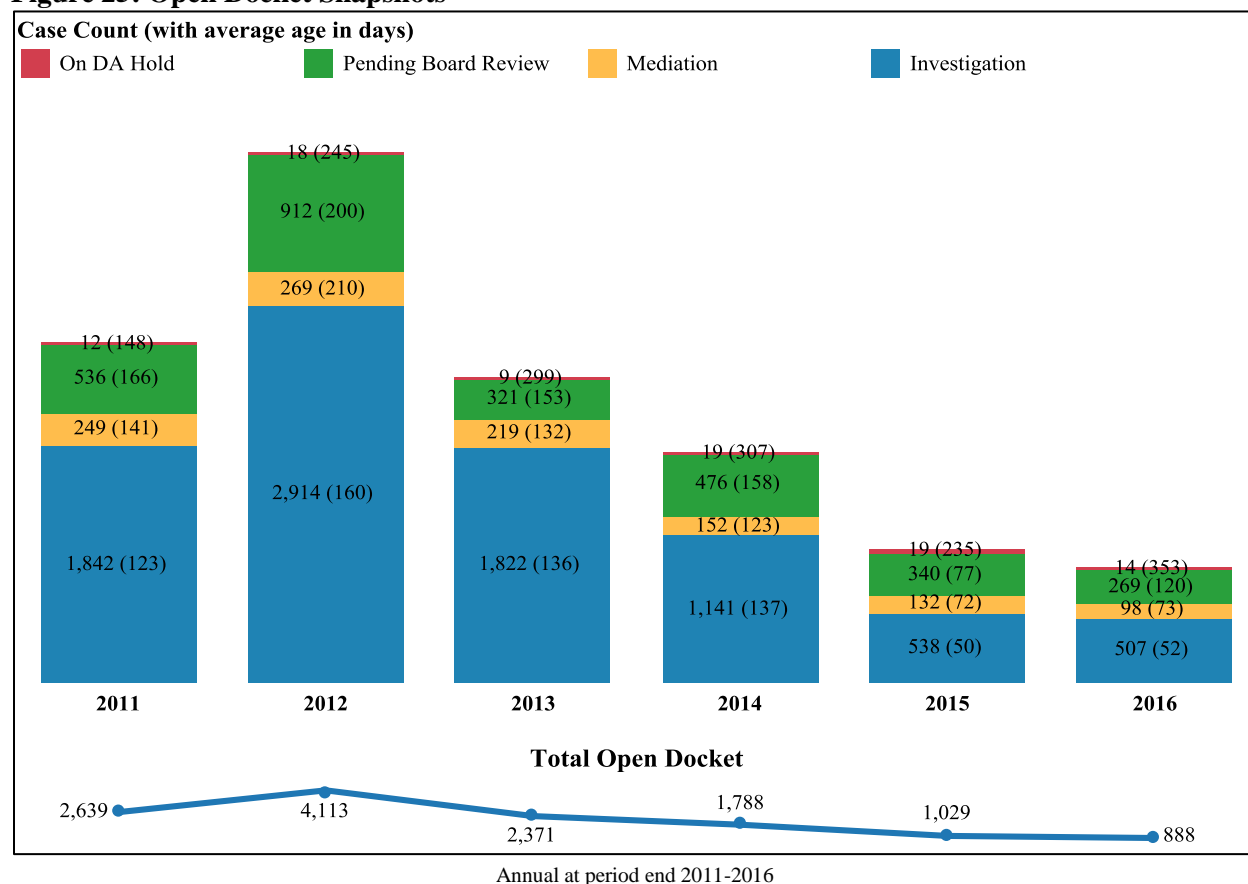
Figure 24: Average Days to First Interview (full investigations)



Open Docket and Age of Open Docket

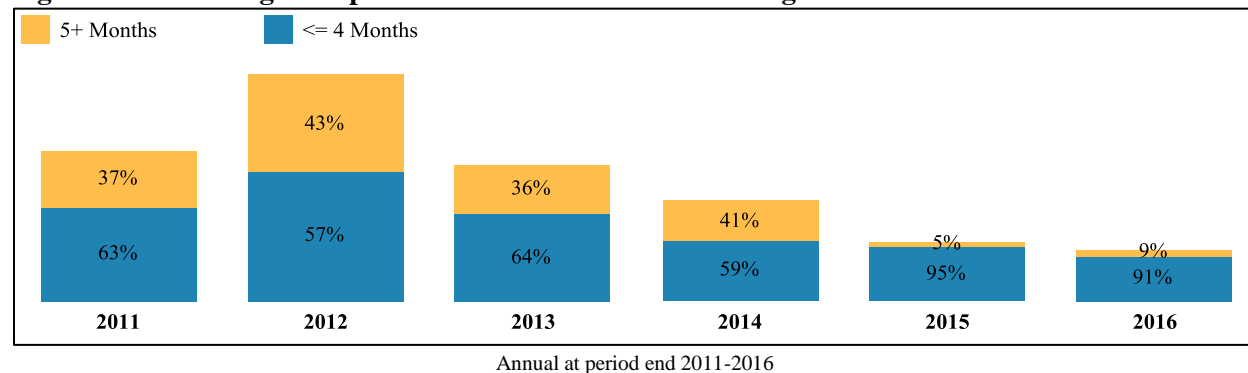
The size and age of the open docket is also a good indicator of the productivity of both the Investigations Division and the Agency as a whole. A higher percentage of newer complaints in the open docket indicates greater productivity, because the faster complaints are handled, the smaller the total open docket will be. At the end of 2016, there were 888 total cases in the open docket. In the investigative docket there were 507 open complaints, with an average age of 52 days.

Figure 25: Open Docket Snapshots



At the end of 2016, 91 percent of cases in the Agency’s open docket (excluding cases that are, or have been, placed on hold by the District Attorney due to possible or pending criminal charges) were four months old or younger.

Figure 26: Percentage of Open Docket 4 Months Old or Younger

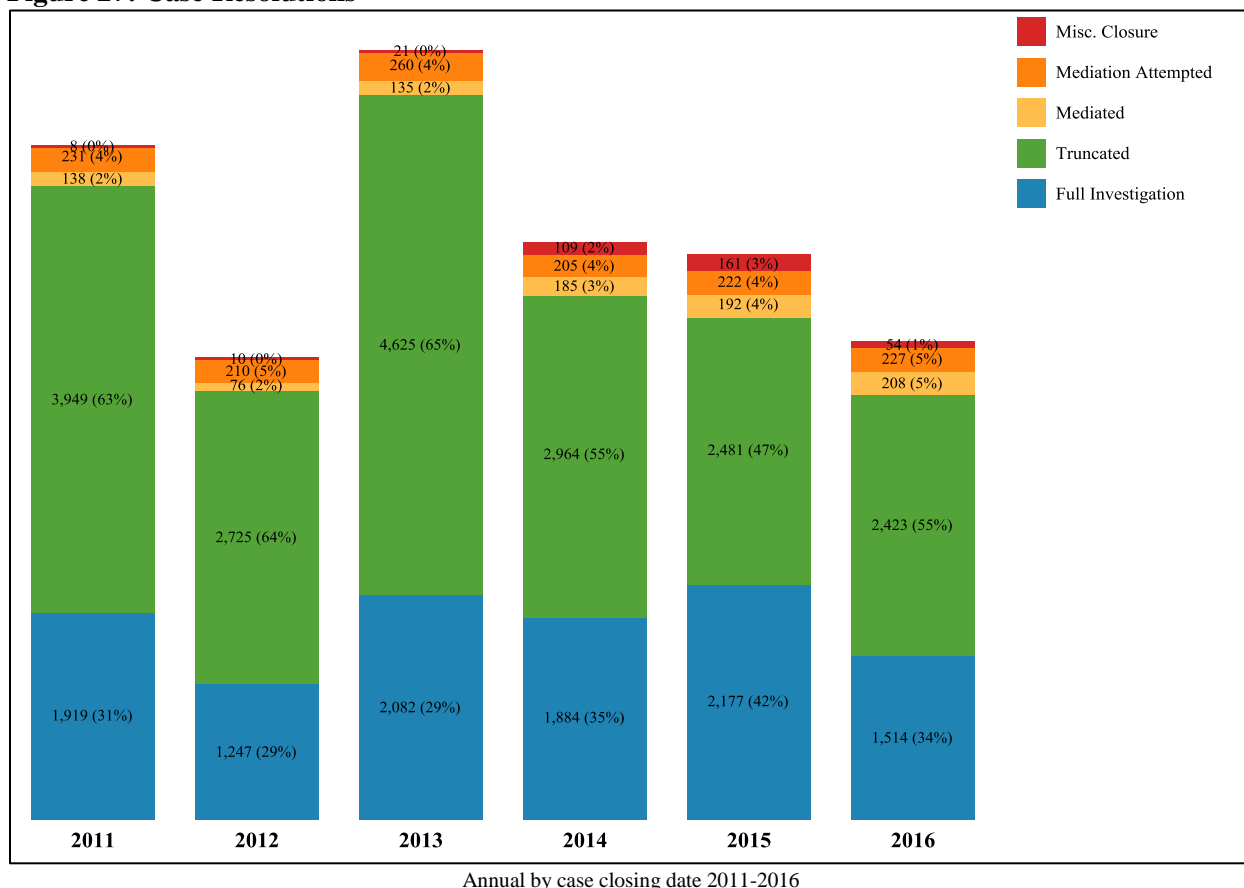


Case Resolution and Investigative Outcomes

A CCRB complaint can have many possible outcomes. The complaint may be fully investigated, mediated, closed as a truncated investigation, or closed after mediation is attempted. There is also a small number of miscellaneous closures, which include administratively closed complaints and complaints where the subject officer left the force before an investigation could be completed.

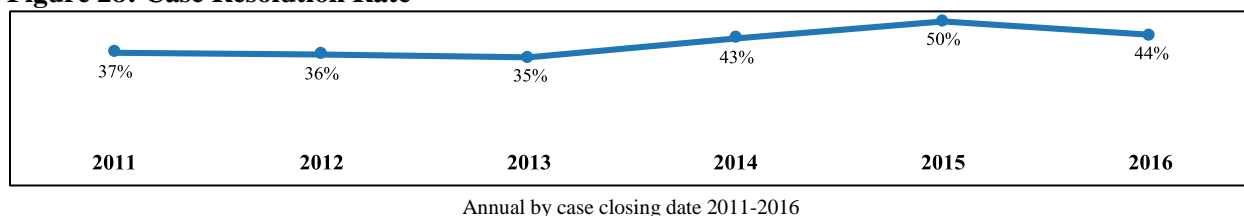
Truncated investigations have always comprised a significant percentage of CCRB complaint closures. An investigation is truncated when the complainant withdraws the complaint, the complainant is uncooperative or unavailable, or the victim cannot be identified. For complaints closed in 2016, the truncation rate was 55 percent.

Figure 27: Case Resolutions



The Agency considers a case resolved if it is closed after a full investigation, mediation or an attempted mediation. In 2016, the case resolution rate was 44 percent.

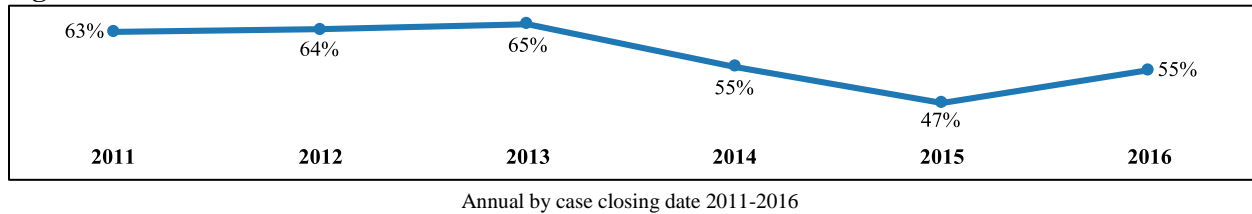
Figure 28: Case Resolution Rate



Truncations

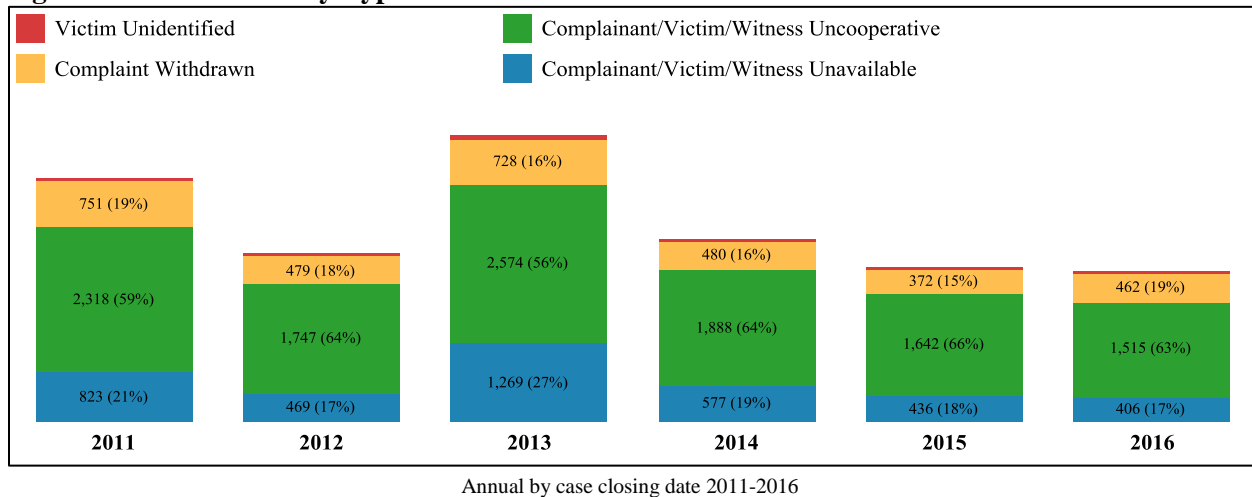
A near opposite of the case resolution rate is the truncation rate. A complaint is considered truncated when it is closed without a full investigation, or without mediation or an attempted mediation (miscellaneous closures are also excluded). The CCRB is committed to lowering the truncation wherever possible. In 2016, the Agency’s truncation rate was 55 percent.

Figure 29: Truncation Rate



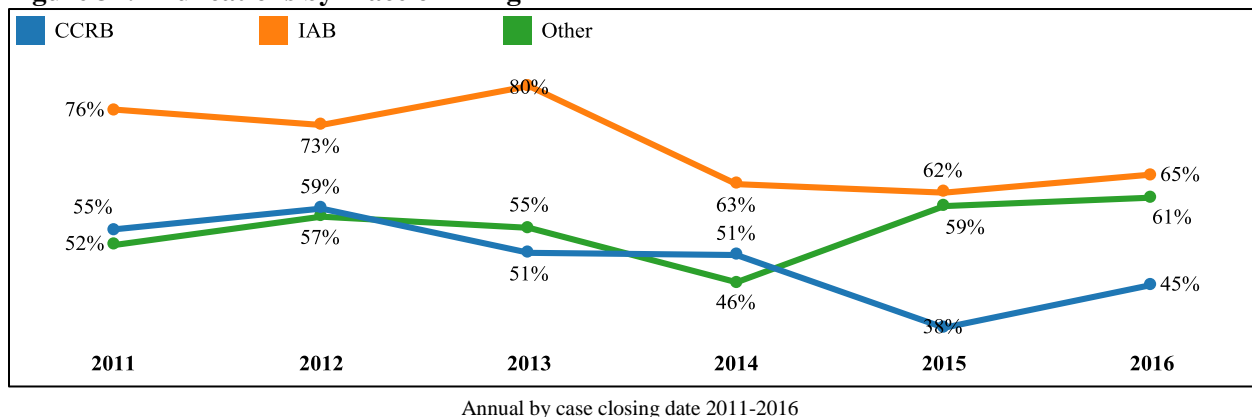
The majority of truncations are closed as “Complainant/Victim/Witness Uncooperative.” A complaint is closed as “Complainant/Victim/Witness Uncooperative” in cases where the investigator made contact with the complainant, victim, or witness but was unable to obtain an official statement.

Figure 30: Truncations by Type



The original place of filing for a complaint has a significant impact on truncation rates. Complaints filed directly with the CCRB are less likely to be truncated than other complaints. When complaints are filed elsewhere, the Agency faces the added difficulty of making initial contact with the complainant or victim.

Figure 31: Truncations by Place of Filing



Complaint and Allegation Dispositions for Fully Investigated Cases

To understand the data presented in the following section, it is important to understand the CCRB terminology used in determining complaint and allegation dispositions.

Allegations that are fully investigated by the CCRB generally receive one of five outcomes:

- An allegation is substantiated if misconduct is found to be improper based on a preponderance of the evidence.
- An allegation is unsubstantiated if there is not enough evidence to determine whether or not misconduct occurred.
- An allegation is unfounded if a preponderance of the evidence suggests that the event or alleged act did not occur.
- An allegation is exonerated if the event did occur but was not improper by a preponderance of the evidence.
- An allegation is closed as officer unidentified if the CCRB was unable to identify any of the officers accused of misconduct.

The disposition of a fully investigated CCRB complaint depends on the disposition of the fully investigated allegations within the complaint:

- A complaint is substantiated if any allegation within the complaint is substantiated.
- A complaint is unsubstantiated if there are no substantiated allegations and there is at least one unsubstantiated allegation.
- A complaint is unfounded if there are no substantiated or unsubstantiated allegations and there is at least one unfounded allegation.
- A complaint is exonerated if all the allegations made against identified officers are exonerated.
- A complaint is closed as officer unidentified if the CCRB was unable to identify any of the officers accused of misconduct.

Case Abstracts

The following case abstracts are taken from complaints closed in 2016 and serve as examples of what the different CCRB dispositions mean in practice:

1. Substantiated

Three detectives conducted a vehicle stop, reporting that the occupants seemed lost. The detectives said it was never their intention to conduct a vehicle stop and reportedly only turned on their turret lights and approached the car after it came to a halt. The driver stated that a street closure en route to his destination caused him to circle the block multiple times and he was stopped by the detectives while his vehicle was still in motion. Regardless, if the vehicle was in motion or stopped, the driver was asked to step outside of his car without reasonable suspicion of criminality established. Due to the detectives having no reason to suspect criminality and order the driver out of the vehicle, the Board recommended to substantiate the vehicle stop against the detectives.

2. Unsubstantiated

A man was riding his bike during a protest when an officer told him to clear the street. The man alleged he told the officer that he was not part of the protest and the officer responded, “I don't give a f----. Get on the sidewalk.” The officer denied making this statement to the man. Additionally, no other officers in the vicinity acknowledged hearing the statement and none of the civilians that witnessed the incident corroborated the allegation. Due to the discrepancies between the testimonies of the officer and the man, and a lack of independent testimony to corroborate either account, the Board was unable to determine by a preponderance of the evidence if the officer spoke discourteously and therefore the allegation was unsubstantiated.

3. Unfounded

An officer arrested a man for driving with a suspended license, during which time the officer smelled alcohol and reported that the man exhibited signs of intoxication. When the officer and his partner transported the man to the nearest precinct with an Intoxicated Driver Testing Unit, he became irate and started screaming at the officers. Due to the man's erratic behavior at the precinct, the desk officer recommended the man be transported to a hospital by an ambulance. The man alleged that when first placed in the police car the officer gripped his neck so hard he lost consciousness, and later when admitted to the hospital he said the officer placed a plastic bag over his face. Due to the man's inconsistent and unclear timeline of events and denial of being intoxicated during the incident—a fact directly contradicted by medical records, police documents, and the officers' testimony—his statements were deemed to lack credibility. Therefore, the Force allegations in question were unfounded by the Board.

4. Exonerated

A woman was stopped by an officer when writing down license plate numbers of vehicles parked in a restricted area on the street. When the officer initially asked what the woman was doing, she at first ignored his questions and later admitted to writing down license plate numbers. The officer asked to see the woman's identification, and upon determining she was not a threat allowed her to leave the scene. Because the officer was assigned to a unit that is tasked with preventing and handling issues related to terrorism, the Board determined he was justified to stop the woman and inquire about her intentions and exonerated the stop allegation.

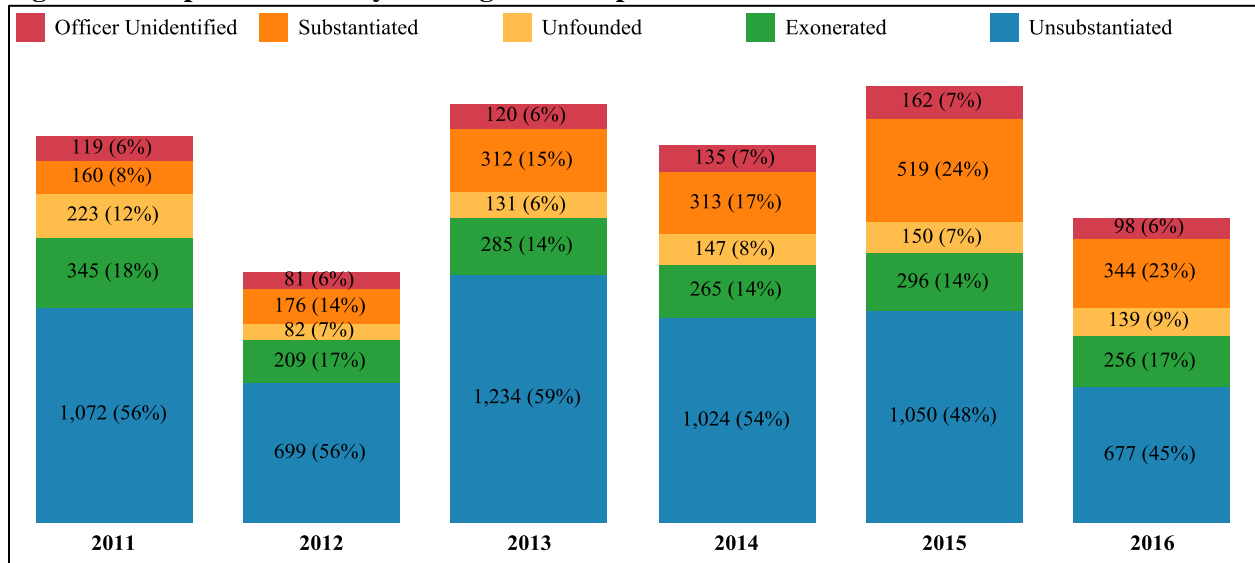
5. Officer Unidentified

Officers responded to shots fired and stopped a man near the incident. After questioning the man about the incident, the officers asked if they could search him for a gun. The man agreed to a frisk and his identification was returned when no weapons were found on his person. An additional group of officers arrived at the scene and ran in the direction of the gunshots, with one of the officers allegedly pushing the man to the ground. When the man followed the officers asking for their names and shield numbers, one officer told him, “Don't make a big deal out of it,” while three other officers threatened to arrest the man if he continued to follow them. Because the investigation was not able to determine which officers interacted with the man in the alleged manner, the Board closed the case as officer unidentified.

Disposition of Complaints

Over the last several years, the substantiation rate (i.e., the percentage of full investigations in which the Board votes at least one substantiated allegation) has risen. The substantiation rate was 8 percent for cases closed in 2011. In 2016, the substantiation rate was 23 percent. The Board substantiated 344 complaints in 2016.

Figure 32: Disposition of Fully Investigated Complaints



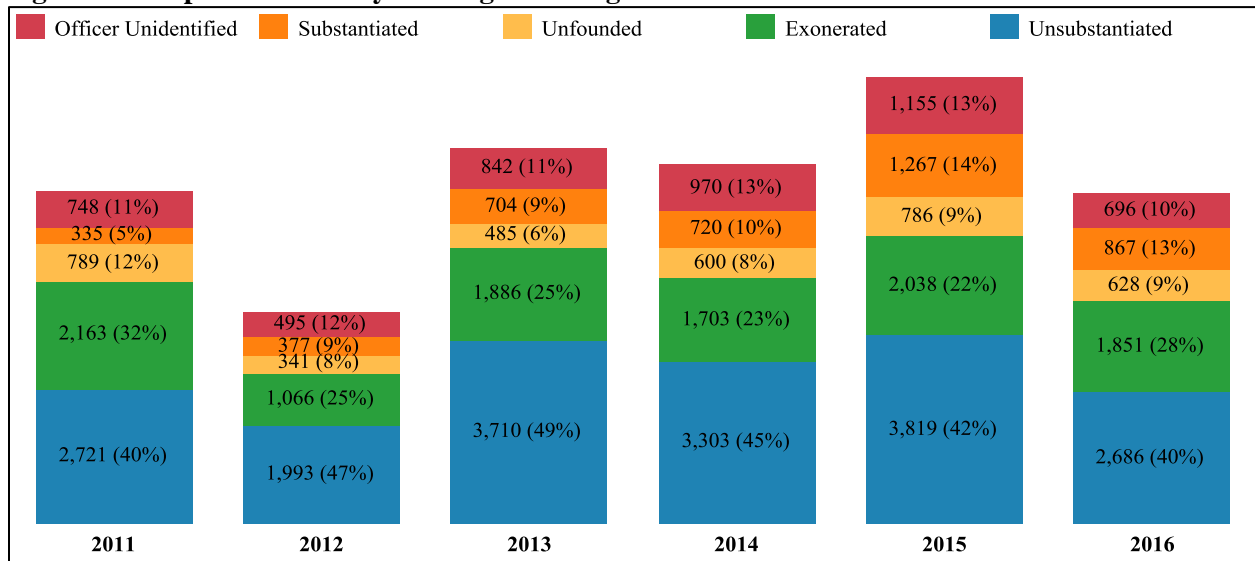
Annual by case closing date 2011-2016

Due to the reconsideration process, counts for 2016 are subject to change. See Section 6 on page 45.

Disposition of Allegations

A CCRB complaint may contain one or more allegations. The complaint disposition is a composite of the dispositions of all the distinct allegations within the complaint. In addition to complaint dispositions, the CCRB also tracks the disposition of each individual allegation. In 2016, 13 percent of all fully investigated allegations were substantiated.

Figure 33: Disposition of Fully Investigated Allegations

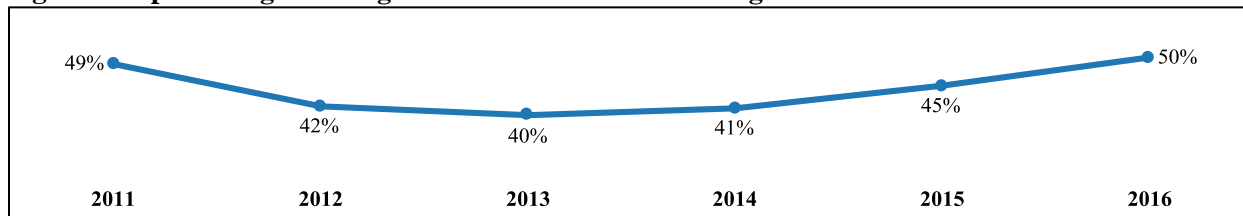


Annual by case closing date 2011-2016

Due to the reconsideration process, counts for 2016 are subject to change. See Section 6 on page 45.

When an allegation is closed with a disposition of substantiated, unfounded or exonerated, it is deemed to be a “finding on the merits.” This is in contrast to allegations closed as unsubstantiated (meaning there is not enough evidence to determine whether or not misconduct occurred) or officer unidentified, which are not “findings on the merits.” Of the allegations closed in 2016, 50 percent were closed with a “finding on the merits.”

Figure 34: percentage of Allegations Closed with a “Finding on the Merits”



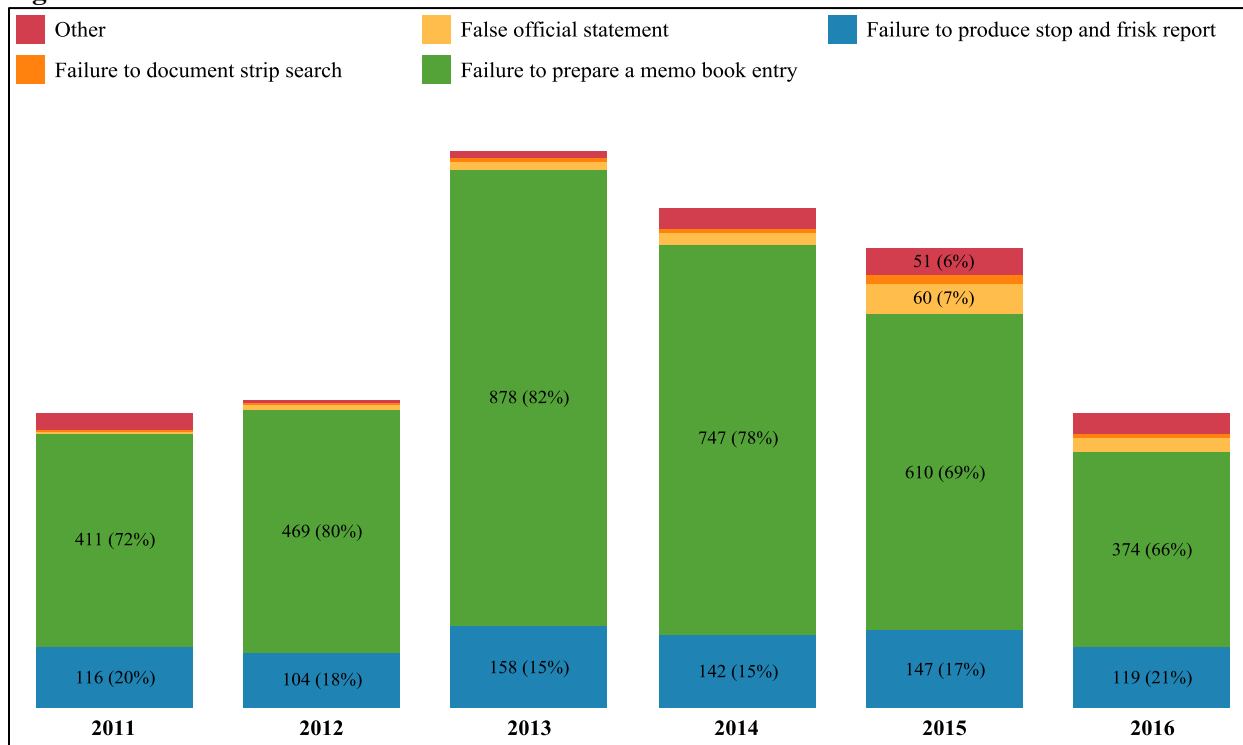
Annual by case closing date 2011-2016

Due to the reconsideration process, counts for 2016 are subject to change. See Section 6 on page 45.

Other Misconduct Noted

Where an investigation reveals that the police officer committed misconduct that falls outside of the CCRB’s jurisdiction, as defined in Chapter 18-A § 440 (c)(1) of the New York City Charter, the Board notes the “other misconduct” (OMN), and reports such alleged misconduct to the NYPD for possible disciplinary action. Examples of OMN allegations include an officer’s failure to properly document an encounter or other activity in his or her memo book as required by Patrol Guide procedure (http://www1.nyc.gov/assets/nypd/downloads/pdf/public_information/public-pguide1.pdf). Allegations of other misconduct should not be confused with allegations of corruption, which are referred to the Police Department’s Internal Affairs Bureau (IAB). The most common OMN is the failure to prepare a memo book entry, which accounted for 66 percent of all OMN allegations in cases closed during 2016.

Figure 35: Other Misconduct Noted



Annual by case closing date 2011-2016

Section 3: Disciplinary Process

When the Civilian Complaint Review Board (CCRB) substantiates an allegation of misconduct, it initiates a disciplinary process which determines the penalty the Member of Service (MOS) will face. Although the CCRB can recommend the discipline it determines appropriate, under the New York City Charter, the Police Commissioner has final approval over what discipline and what penalty the MOS receives, and has the authority to accept, reject, or modify the recommendation presented by the CCRB.

In 2013, the Administrative Prosecution Unit (APU) was created to prosecute cases where the CCRB recommended “Charges and Specifications,” the most serious discipline. The development of the APU increased the CCRB’s role in seeking appropriate discipline for misconduct.

Overview of Disciplinary Process

For each allegation of misconduct, the CCRB recommends one of five basic types of discipline, listed below by order of severity:

1. Instructions: instructions are issued by a commanding officer.
2. Formalized Training: formalized training is given at the Police Academy or the Legal Bureau.
3. Command Discipline A²: command discipline A is issued by the commanding officer and may include a penalty ranging from instructions up to the forfeit of five vacation days.
4. Command Discipline B²: command discipline B is issued by the commanding officer and may include a penalty ranging from instructions up to the forfeit of 10 vacation days.
5. Charges and Specifications: charges and specifications leads to a trial process in which a MOS may be found guilty or not guilty, or plead guilty beforehand. In all cases, the Police Commissioner has final approval of all dispositions, but generally follows the recommendation of the New York Police Department (NYPD) Deputy Commissioner for Trials (DCT).

When the CCRB recommends instructions, formalized training, or command discipline against a MOS, that recommendation is sent to the Department Advocate’s Office (DAO). The DAO is the unit within the NYPD that reviews this set of CCRB’s disciplinary recommendations and decides whether to impose or modify the discipline recommended by the CCRB.

When the CCRB recommends Charges and Specifications, the substantiated allegations are prosecuted by the CCRB’s Administrative Prosecution Unit. Following the terms of a Memorandum of Understanding signed between the CCRB and the NYPD in 2012, the APU prosecutes misconduct before the DCT. The APU and MOS may agree to a plea agreement in lieu of trial. At trial, the MOS may be found guilty or not guilty. If the trial commissioner finds the MOS guilty, the DCT will recommend a penalty. The NYPD Police Commissioner, however, is the final arbiter in all matters of police discipline and may accept, reject, or modify any trial verdict or plea.

² Prior to 2014, the Board did not distinguish between “Command Discipline A” and “Command Discipline B”. The corresponding disciplinary recommendation was simply “Command Discipline”.

CCRB Disciplinary Recommendations

In 2016, the Board substantiated 344 complaints against 515 police officers. This is down from 2015 when the Board substantiated 519 complaints against 773 police officers. A single substantiated complaint may contain substantiated allegations against more than one officer.

Figure 36: Complaints Substantiated & Officers with Substantiated Allegations

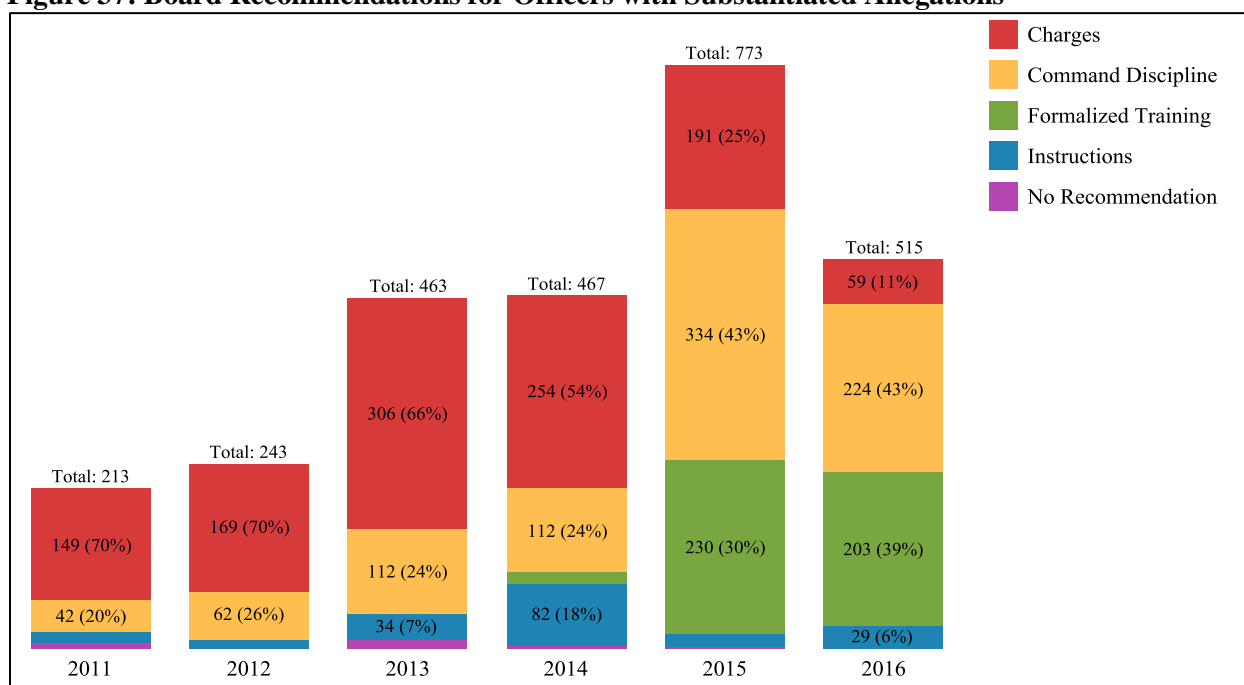


Annual by case closing date 2011-2016

Due to the reconsideration process, counts for 2016 are subject to change. See Section 6 on page 45.

In 2016, the Board recommended command discipline for 43 percent (224) of the 515 officers against whom there was a substantiated allegation. The recent trend has been for the Board to issue more command discipline recommendations and fewer charges and specifications recommendations.

Figure 37: Board Recommendations for Officers with Substantiated Allegations



Annual by case closing date 2011-2016

(Prior to 2014, the CCRB did not distinguish between Instructions and Formalized Training.)

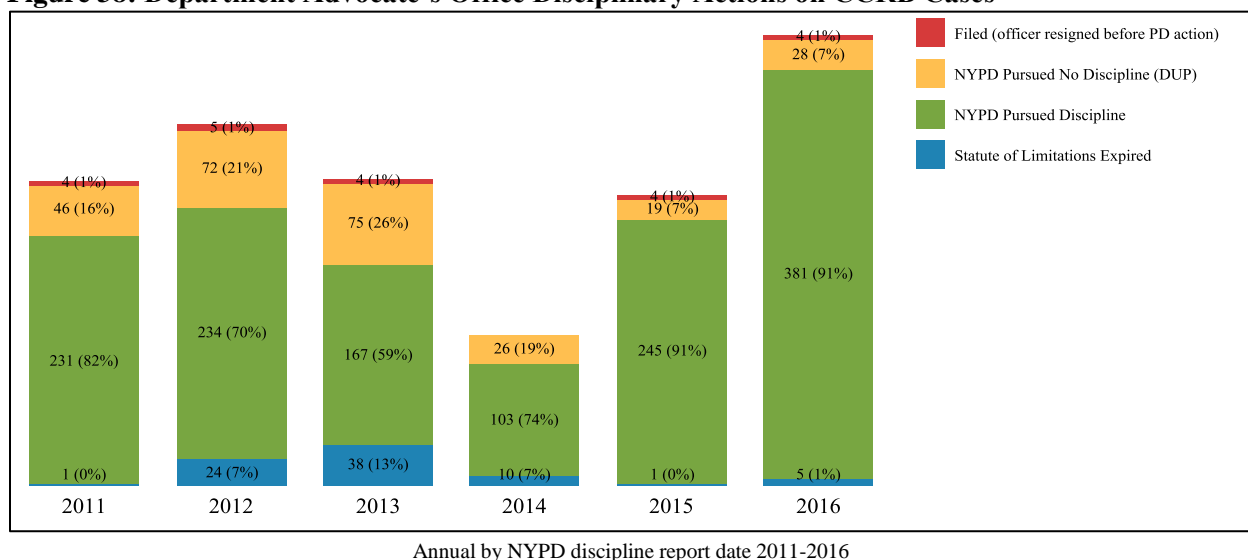
Due to the reconsideration process, counts for 2016 are subject to change. See Section 6 on page 45.

NYPD Disciplinary Decisions

There are two paths for discipline after the CCRB substantiates misconduct, depending on the type of discipline recommended for the officer. The Department Advocate's Office (DAO) handles cases where the CCRB has recommended command discipline, formalized training or instructions (or complaints closed prior to the creation of the APU in 2013 for which the Board recommended charges). The APU handles cases where the CCRB has recommended "Charges and Specifications."

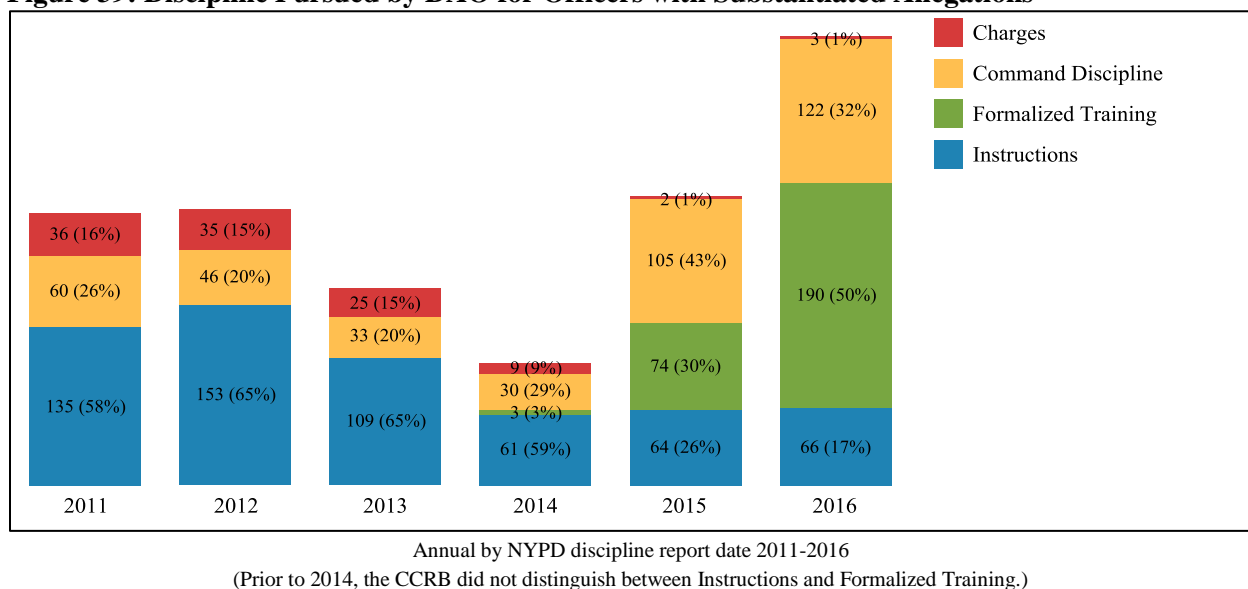
When a substantiated allegation against an officer is referred to the DAO, the DAO decides what disciplinary action to take and reports its decision back to the CCRB. In 2016, the DAO took some form of disciplinary action against 91 percent of the officers referred to it.

Figure 38: Department Advocate's Office Disciplinary Actions on CCRB Cases



In cases where the Department pursued discipline, the most common form of discipline it imposed was Formalized Training or Instructions. Of the disciplinary decisions reported in 2016, 256 (67 percent) resulted in either Formalized Training or Instructions.

Figure 39: Discipline Pursued by DAO for Officers with Substantiated Allegations

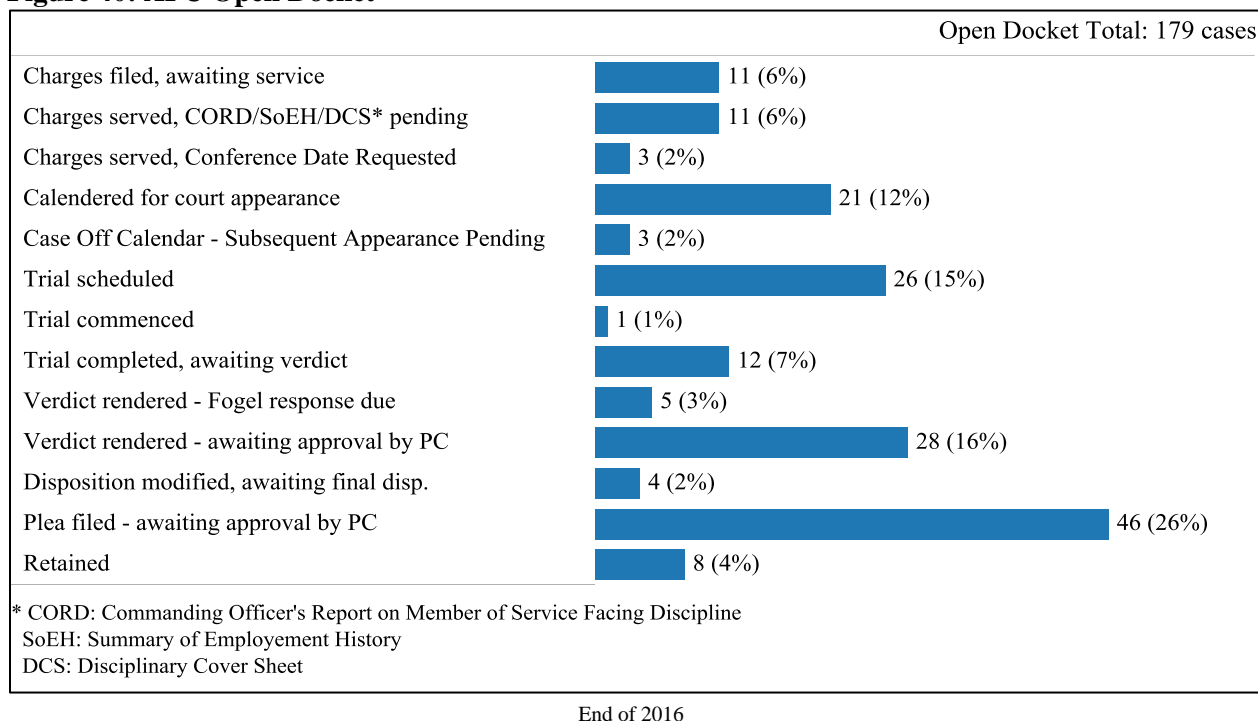


Administrative Prosecution Unit (APU)

When the Board recommends charges and specifications against an officer in a substantiated case, the APU prosecutes the case in the Department's Trial Room. The APU became operational in March 2013 and had 179 cases in its open docket at the end of 2016, including 8 retained cases. Retained cases are those in which the Department keeps jurisdiction pursuant to Section 2 of the April 2, 2012 Memorandum of Understanding between the NYPD and the CCRB. When the Department keeps jurisdiction pursuant to Section 2, it may or may not impose discipline on the officer.

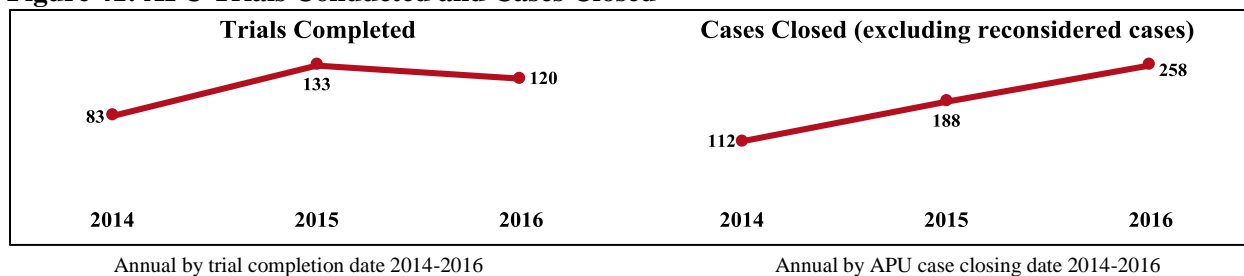
It is important to note that the APU treats each officer against whom an allegation is substantiated as a separate case, so that a single CCRB complaint may generate more than one APU case depending on how many officers the Board recommends charges against.

Figure 40: APU Open Docket



In 2016, the APU conducted 120 trials and closed a total of 258 cases (excluding cases reconsidered by the Board).

Figure 41: APU Trials Conducted and Cases Closed



In 2016, the APU closed 234 adjudicated cases, 160 of which (68 percent) resulted in some form of disciplinary action.

Figure 42: APU Case Closures 2016

Disciplinary Action	Not guilty after trial but Discipline Imposed	0
	Guilty after trial	67
	Trial verdict dismissed by PC, Comm. Disc. A imposed	0
	Trial verdict dismissed by PC, Comm. Disc. B imposed	0
	Trial verdict dismissed by PC, Formalized Training imposed	0
	Trial verdict dismissed by PC, Instructions imposed	0
	Trial verdict reversed by PC, Final verdict Guilty	1
	Resolved by plea	69
	Plea set aside, Comm. Disc. B	0
	Plea set aside, Comm. Disc. A	3
	Plea set aside, Formalized Training	17
	Plea set aside, Instructions	0
	*Retained, with discipline	3
	Total	160
No Disciplinary Action	Not guilty after trial	67
	Trial verdict reversed by PC, Final verdict Not Guilty	3
	Plea set aside, Without discipline	1
	**Retained, without discipline	3
	Dismissed by APU	0
	SOL Expired in APU	0
Not Adjudicated	Total	74
	Charges not filed	0
	Deceased	0
	Other	1
	***Previously adjudicated, with discipline	5
	***Previously adjudicated, without discipline	0
	†Reconsidered by CCRB Board	16
	Retired	2
Total Closures	SOL Expired prior to APU	0
	Total	24
Total Closures		258
<p>*Retained cases are those where the Department kept jurisdiction pursuant to Section 2 of the April 2, 2012 Memorandum of Understanding between the NYPD and the CCRB.</p> <p>** When the Department keeps jurisdiction pursuant to Section 2 and does not impose any discipline on the officer, it is the equivalent of a category referred to as DUP.</p> <p>*** In some case, the Department conducts their own investigation and prosecution prior to the completion of the CCRB's investigation. In those cases, the APU does not conduct a second prosecution.</p> <p>† Under the Board's reconsideration process, an officer who has charges recommended as the penalty for a substantiated allegation may have the recommended penalty changed to something other than charges or have the allegation disposition changed to something other than substantiated. In those cases, the APU ceases its prosecution.</p>		

APU case closing date 2016

Of the 160 APU cases in which discipline was imposed in 2016, 103 resulted in a suspension or loss of vacation time of one to 10 days.

Figure 43: Discipline Imposed for Adjudicated APU Cases: 2016

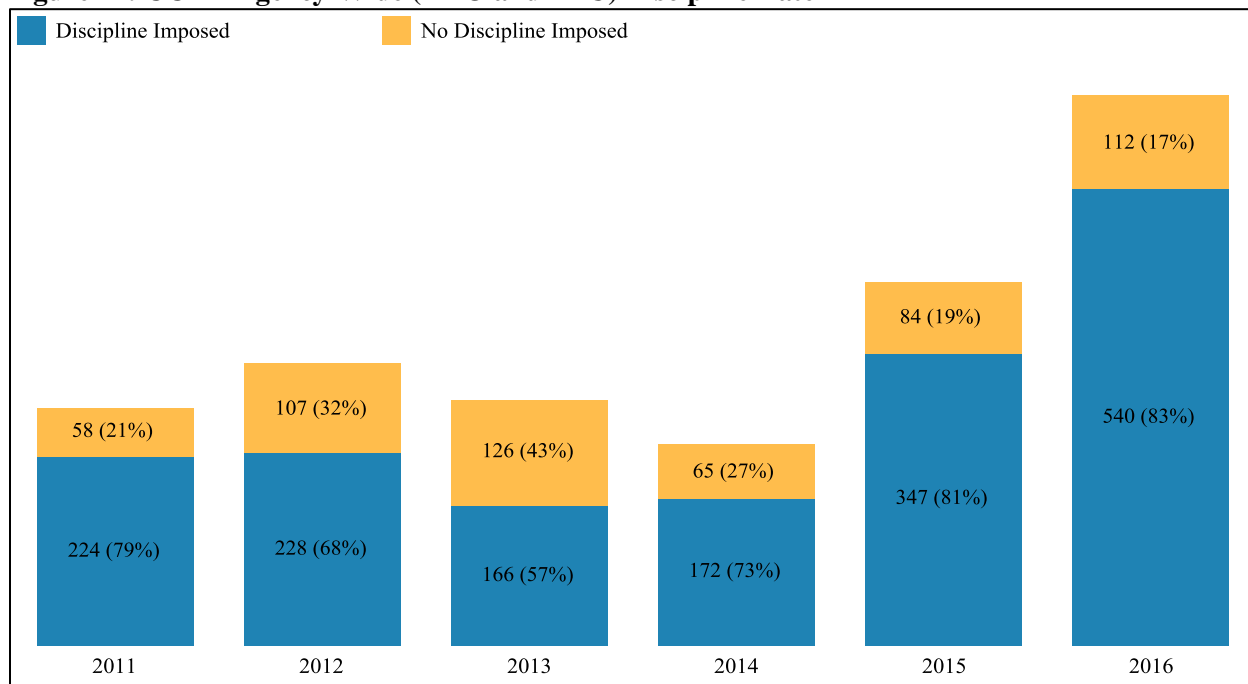
Terminated	0
Suspension for or loss of vacation time of 31 or more days and/or Dismissal Probation	2
Suspension for or loss of vacation time of 21 to 30 days	4
Suspension for or loss of vacation time of 11 to 20 days	14
Suspension for or loss of vacation time of 1 to 10 days	103
Command Discipline B	0
Command Discipline A	3
Formalized Training**	19
Instructions***	6
Warned & admonished/Reprimanded	9
Disciplinary Action Total	160
No Disciplinary Action	74
Adjudicated Total	234
Discipline Rate	68%
Closed - Not Adjudicated	24
Total Closures	258

APU case closing date 2016

CCRB Agency-Wide Discipline and Discipline Concurrence Rates

In order to arrive at the CCRB agency-wide discipline rate, we combine the discipline reported by the DAO in non-charges case with the discipline stemming from APU cases. In 2016, the Police Commissioner reported final discipline decisions on 652 officers, 540 (83 percent) of which resulted in some form of discipline.

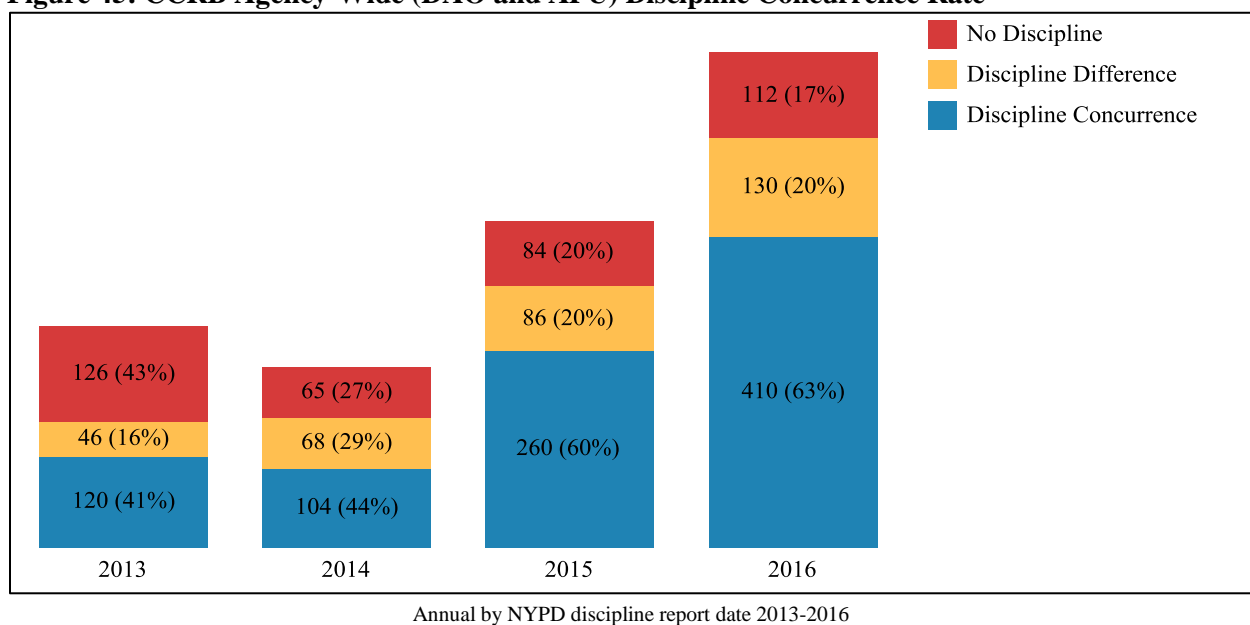
Figure 44: CCRB Agency-Wide (DAO and APU) Discipline Rate



Annual by NYPD discipline report date 2011-2016

In addition to the overall rate of discipline imposed by the PC, it is important to track whether or not the discipline imposed was in concurrence with that recommended by the CCRB. When the PC's discipline is of lesser severity than that recommended by the CCRB, the discipline is not in concurrence.

Figure 45: CCRB Agency-Wide (DAO and APU) Discipline Concurrence Rate



Section 4: Mediation

The New York City Charter mandates that the Civilian Complaint Review Board (CCRB) offers mediation as an option for resolving allegations of police misconduct. The goal of the mediation program is to allow civilians and officers to resolve the issues contained in the complaint by means of informal conciliation should they voluntarily choose to do so.

The Agency seeks to offer mediation to every civilian, in suitable cases, as soon as the civilian is contacted by an investigator. Mediation is not offered in all cases, however, because some complaints are considered unsuitable. Reasons why a complaint may be unsuitable for mediation include: the encounter led to an arrest; the encounter led to a serious physical injury or property damage; or the encounter is the subject of a pending lawsuit.

If the civilian accepts mediation, the officer involved is offered the opportunity to participate as well. Mediations only take place when both the civilian and officer have voluntarily agreed to mediate the complaint.

The Mediation Unit provides a valuable alternative method of resolving civilians' complaints of police misconduct. While an investigation is focused on evidence-gathering, fact-finding, and the possibility of discipline, a mediation session focuses on fostering discussion and mutual understanding between the civilian and the subject officer. Mediation gives civilians and officers the chance to meet as equals, in a private, neutral, and quiet space. A trained, neutral mediator contracted by the CCRB guides the session and facilitates a confidential dialogue about the circumstances that led to the complaint.

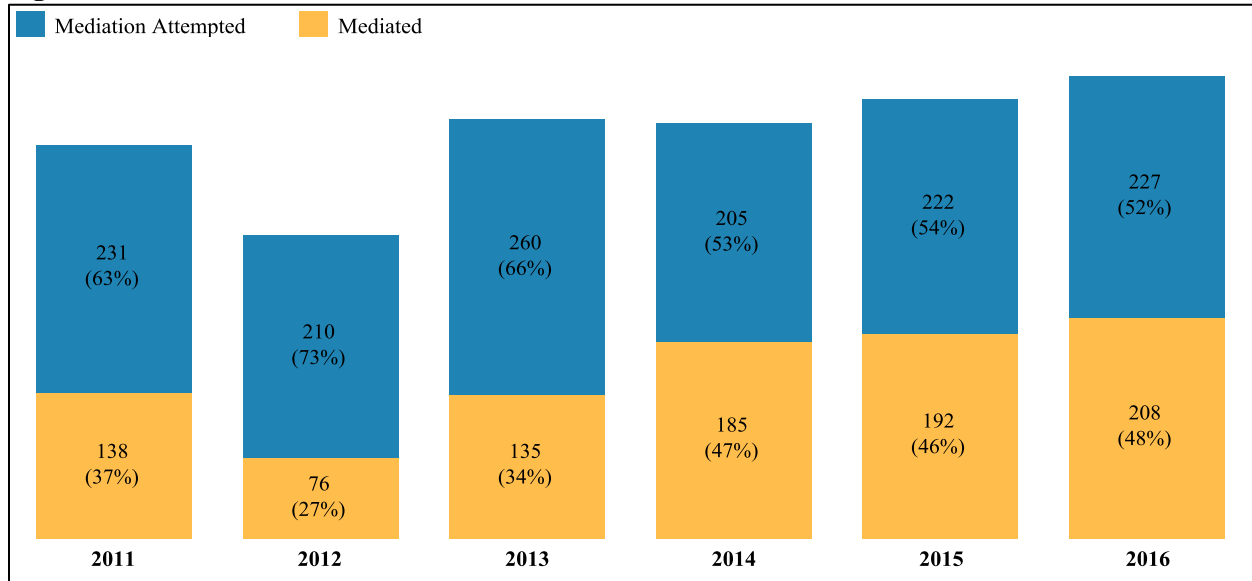
A mediation session ends when all the involved parties agree they have had an opportunity to discuss the issues of the case. In the vast majority of cases, the parties resolve the issues raised by the complaint. After a successful mediation, the complaint is closed as "mediated," meaning that there will be no further investigation and the officer will not be disciplined. If the mediation is not successful, the case returns to the Investigations Division for a full investigation. Successful mediations can benefit communities because a measure of trust and respect often develops between the parties. That, in turn, can lead to better police-community relations.

Mediation Statistics

Since 2009, one of the strategic priorities of the Board has been to strengthen and expand the mediation program.

In 2016, the Mediation Unit successfully mediated 208 cases while 227 cases were closed as mediation attempted. Mediation attempted is a designation for a case in which both the officer and the civilian agree to mediate, but the civilian fails to appear twice at the scheduled mediation session or fails to respond to attempts to schedule the mediation session. In 2016, 52 percent of all mediation closures were attempted mediations.

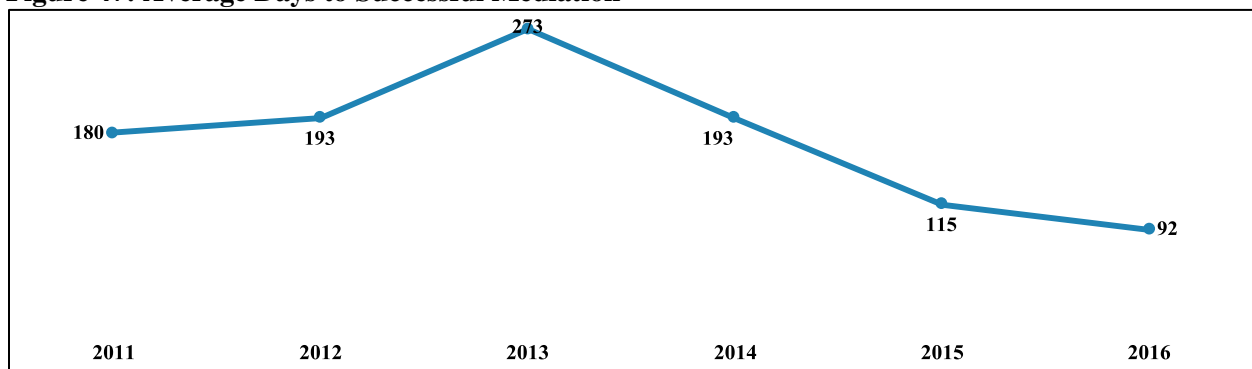
Figure 46: Mediation Closures



Annual by case closing date 2011-2016

A key measure of the Mediation Unit's productivity is the average number of days it takes to close a successfully mediated case. This measure has been improving over the last three years. In 2016, it took an average of 92 days to mediate a complaint.

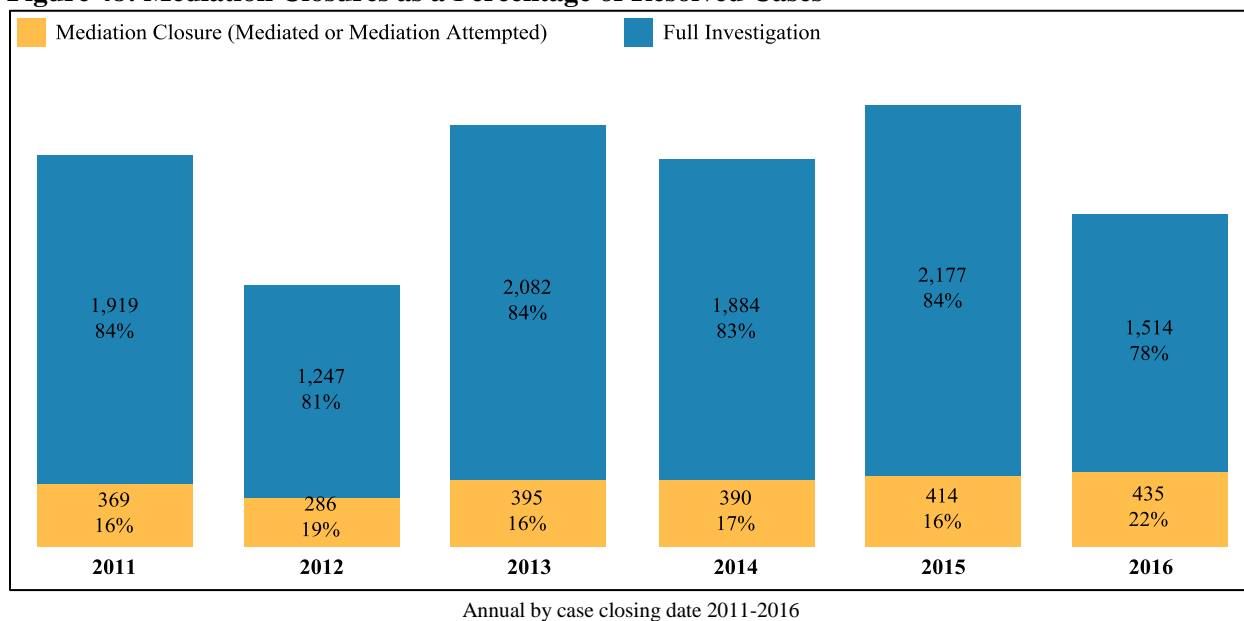
Figure 47: Average Days to Successful Mediation



Annual by case closing date 2011-2016

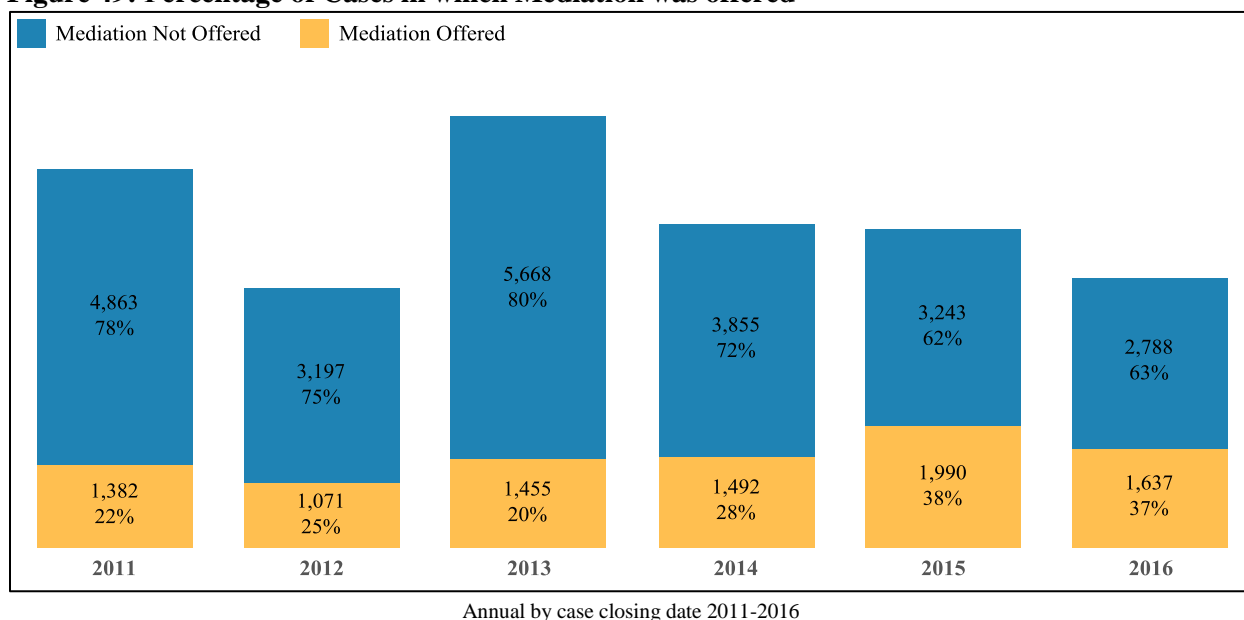
The CCRB considers a case “resolved” either when it is closed after a full investigation or when it is closed as mediated or mediation attempted. In 2016, mediation closures accounted for 22 percent of the Agency’s resolved case closures.

Figure 48: Mediation Closures as a Percentage of Resolved Cases



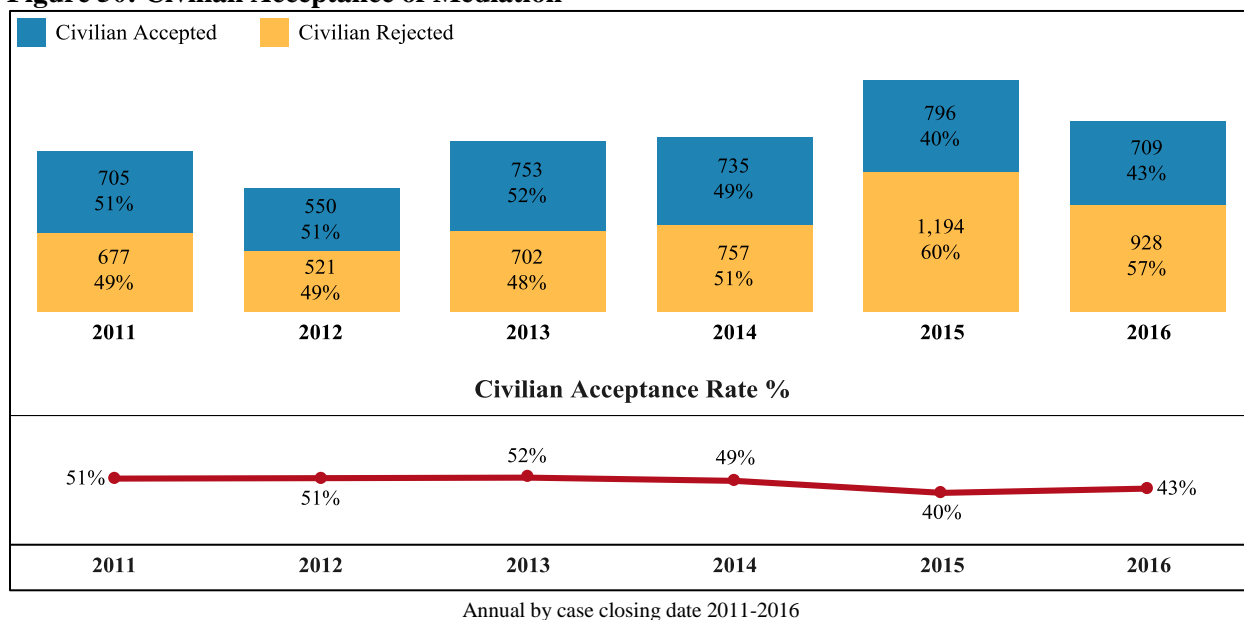
Mediation is not offered in all cases. Reasons why a complainant may not be offered mediation include: the encounter led to an arrest; the encounter led to a serious physical injury; or the encounter is the subject of a pending lawsuit. For cases closed in 2016, mediation was offered in 37 percent of those cases.

Figure 49: Percentage of Cases in which Mediation was offered



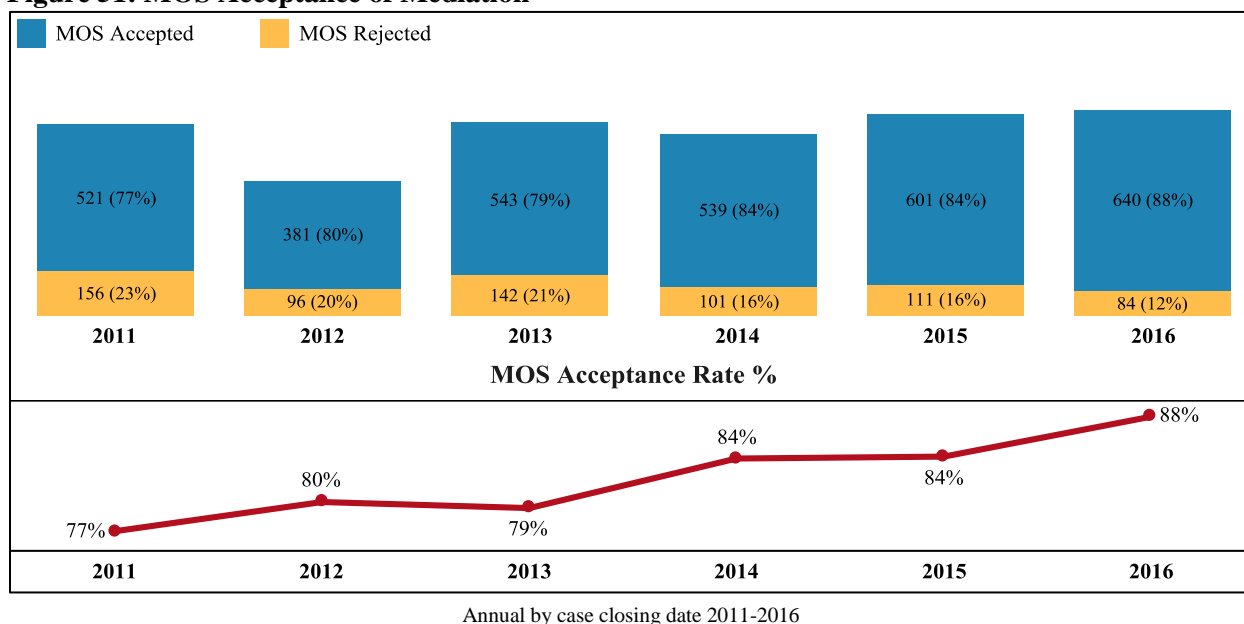
Once mediation is offered, it is up to the complainant to decide whether or not to pursue mediation. For cases closed in 2016, the mediation acceptance rate for civilians was 43 percent.

Figure 50: Civilian Acceptance of Mediation



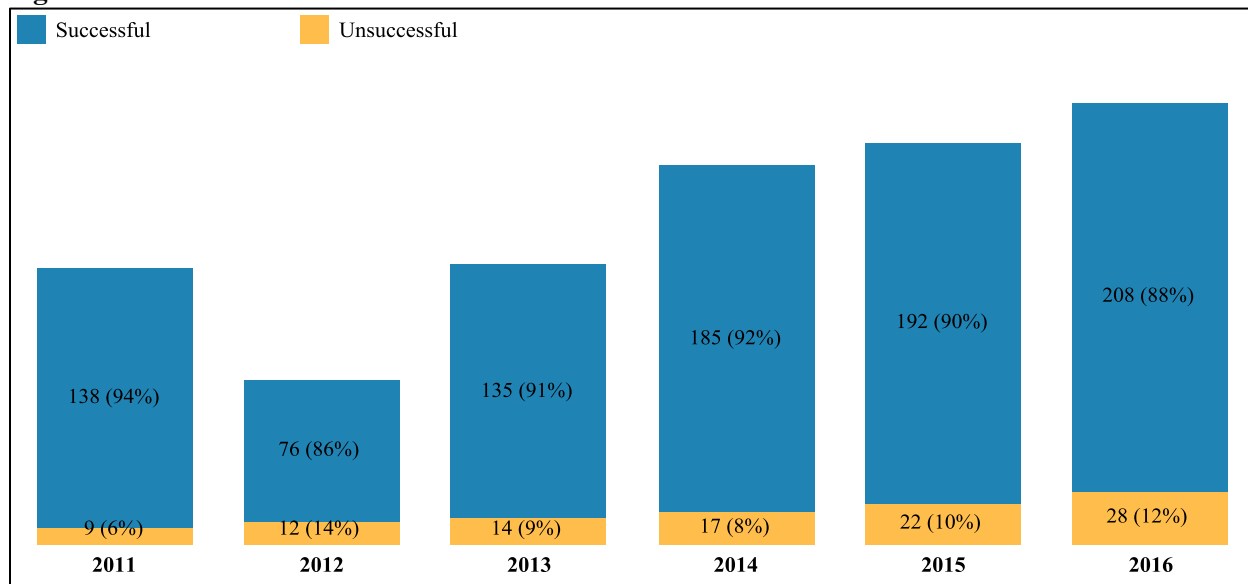
After the civilian accepts mediation, the officers involved in the encounter are offered the opportunity to mediate the complaint. Allegations contained in mediated complaints are not reflected in officers' Department disciplinary record. For cases closed in 2016, officers who were offered the chance to mediate a complaint accepted mediation 88 percent of the time.

Figure 51: MOS Acceptance of Mediation



When both parties agree to mediate, mediation is a very effective way of resolving complaints. In 2016, the Mediation Unit conducted 236 mediation sessions, resulting in 208 satisfactory resolutions and making for an 88 percent success rate. The remaining 28 complaints, where mediation was unsuccessful, were returned to an investigator and closed by the Investigations Division.

Figure 52: Mediation Success Rate



Annual by case closing date 2011-2016

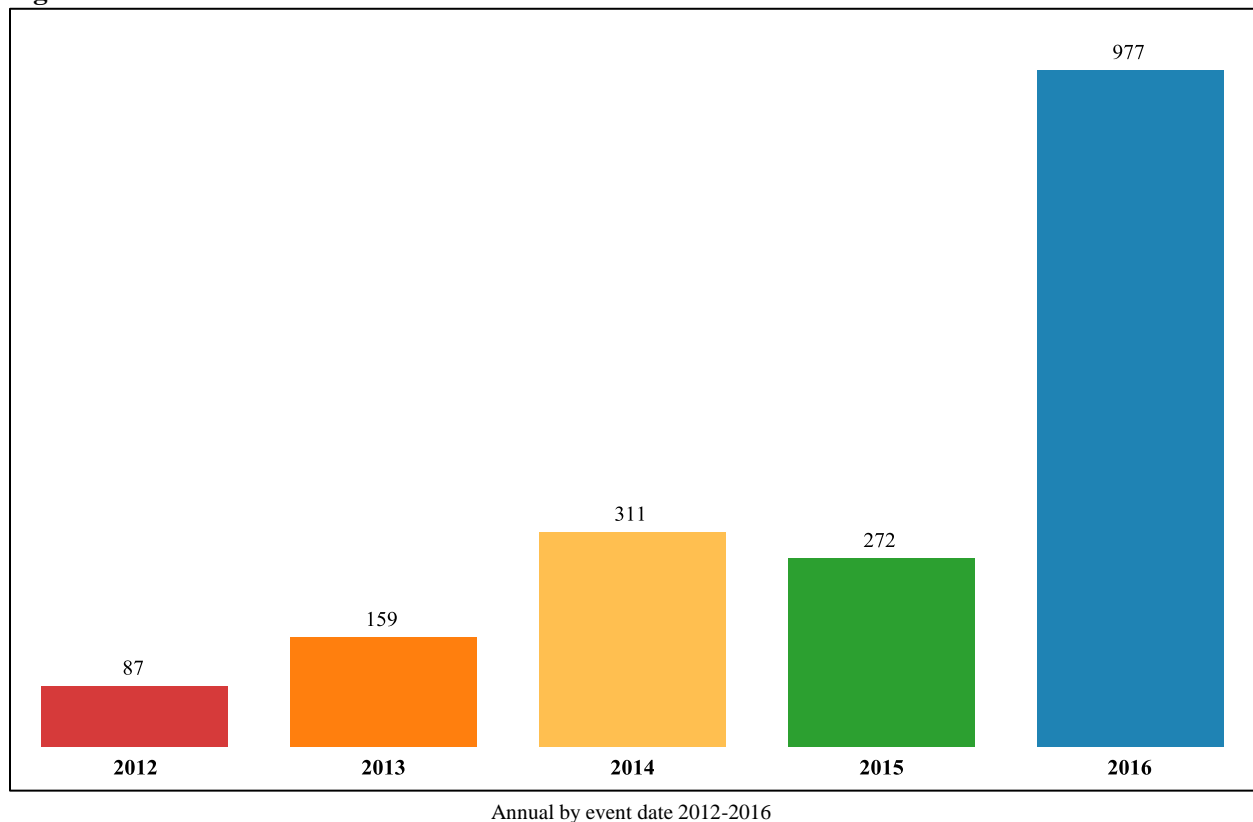
Section 5: Outreach

The Civilian Complaint Review Board (CCRB) continued to increase awareness of the Agency's mission and gain the trust of both the public and the Members of Service (MOS) in the CCRB's investigative process by increasing the scope and scale of the Outreach Program. With dedicated funding from the Mayor and City Council, in 2015, the Outreach Unit expanded from one person to a staff of six people. The CCRB now has one Outreach Coordinator for each borough to act as the main liaison for the Agency.

The Outreach Unit visits schools, public libraries, tenant associations, advocacy organizations, cultural groups, religious organizations, community boards, and precinct community councils, among other groups, in all five boroughs. Our Outreach presentations provide an overview of the CCRB process, an explanation of the basic legal contours of police encounters, and stress the importance of de-escalation.

In 2016, staff members gave 977 presentations as compared to 272 presentations in 2015.

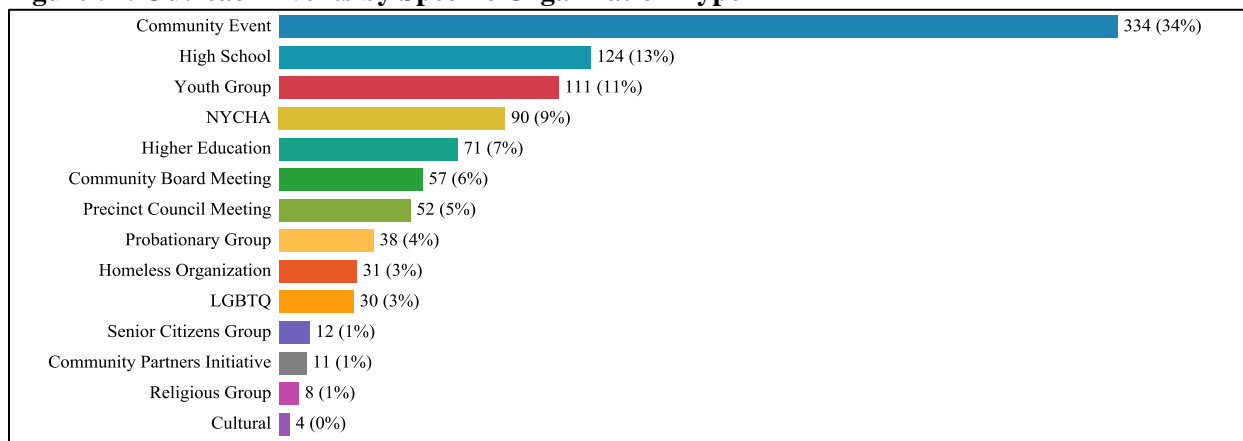
Figure 53: Number of Outreach Events



The CCRB seeks to connect with a broad diversity of groups through its outreach efforts. In 2016 the Outreach Unit has made presentations to a large variety of audiences including: school groups, precinct council meetings, probationary groups, homeless organizations, formerly incarcerated individuals, NYCHA residents, and lesbian, gay, bisexual, transgender, and queer (LGBTQ) groups.

In 2016, most presentations were given at community events (334 at 34 percent), followed by high schools (124 at 13 percent).

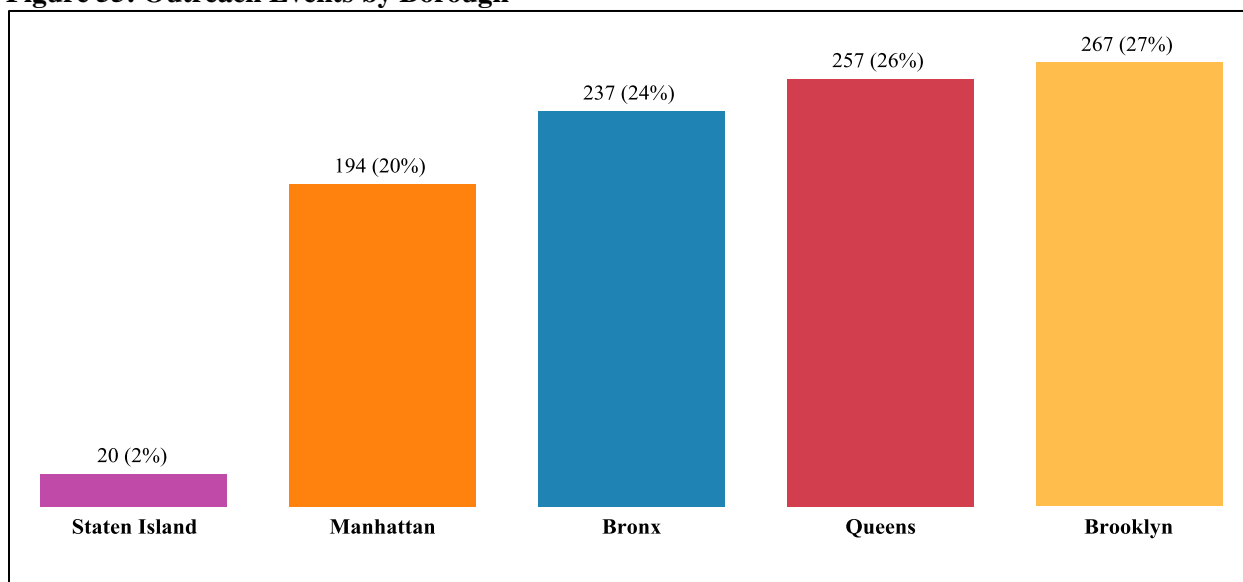
Figure 54: Outreach Events by Specific Organization Type



Outreach events held in 2016

The Outreach Unit also seeks to reach out to the city's diverse geography. In 2016, the Agency made presentations in all five boroughs. The largest number of presentations were made in Brooklyn (267) followed by Queens (257).

Figure 55: Outreach Events by Borough



Outreach events held in 2016

Section 6: Reconsiderations

CCRB-NYPD Reconsideration Process

The Civilian Complaint Review Board (CCRB)-New York Police Department (NYPD) reconsideration process allows the Department Advocate's Office (DAO) to request that the Board reconsider its findings and/or discipline recommendations for a previously substantiated allegation. Since December 2014, the CCRB and the DAO have engaged in a formal reconsideration process. To initiate this process, the DAO must write a letter to the Board requesting that the Board reconsider the discipline recommendation and/or disposition of an allegation.

The goal of the reconsideration process is to ensure that police officers are treated fairly while, at the same time, providing an appeal procedure intended to enhance the NYPD's respect for both the CCRB's substantiation decisions and disciplinary recommendations. This does not mean, however, that the Board will automatically reverse its decisions upon the DAO's request. As an independent oversight agency, the CCRB is committed to reversing substantiation decisions only when doing so is in the interest of fairness.

The Board may change its decision on a previously substantiated case *only* if:

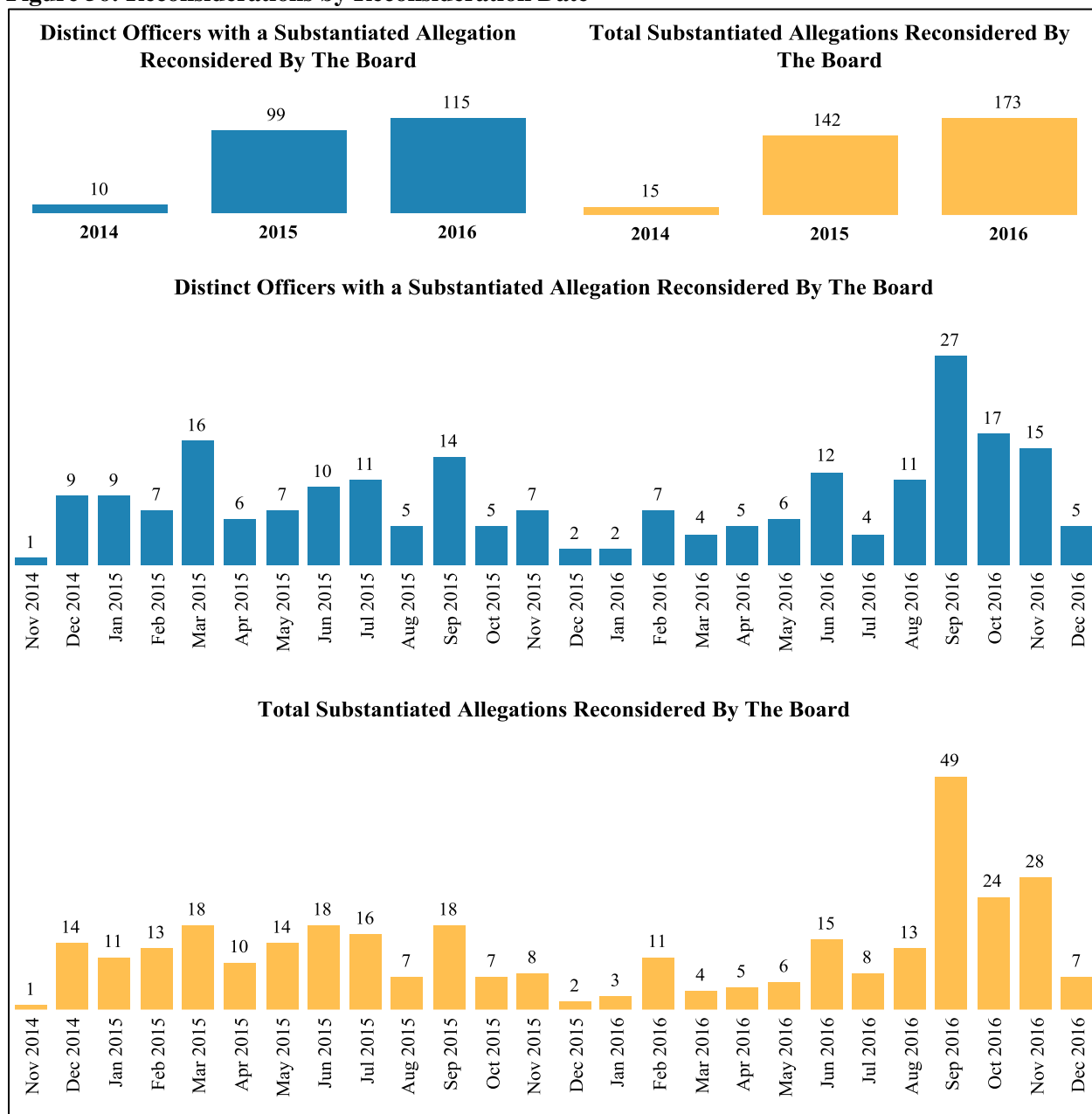
- (a) the discipline recommended against any subject officer is determined upon reconsideration to be inappropriate or excessive; or
- (b) there are new facts or evidence that were not previously known to the Board panel, and such facts or evidence could reasonably lead to a different finding or recommendation in the case; or
- (c) there are matters of fact or law which are found to have been overlooked, misapprehended or incorrectly applied to a particular case by the deciding panel.

Although some reconsideration requests are the product of new information that was unavailable to the CCRB at the time of the original investigation, others may represent differing views between the CCRB and NYPD with respect to legal standards, civilian credibility, and appropriate discipline. Accordingly, the CCRB takes reconsideration requests very seriously and does not compromise the integrity of the agency's independent investigative findings when deciding whether to reverse the disposition of a case.

In analyzing the data relating to the CCRB-NYPD reconsideration process, it becomes apparent that there has been an increase in reconsideration requests received by the CCRB in the past two years. This trend is illustrated in Figure 57, on the following page. However, the increase has not been nearly as sharp as the data visualization suggests. When viewing the following figures, it should be noted that the CCRB only implemented its reconsideration procedures in November, 2014. As a result, what may appear to be a dramatic leap from 15 reconsidered allegations in 2014 to 173 reconsidered allegations in 2016 can be explained by the fact that in 2014, the reconsideration process was in its infancy.

As illustrated below, the CCRB has had an overall increase in reconsideration requests received since 2014. Since the NYPD may request reconsideration of multiple substantiated allegations against a single officer involved in a complaint, the total number of allegations reconsidered will exceed the distinct officers whose allegations are reconsidered.

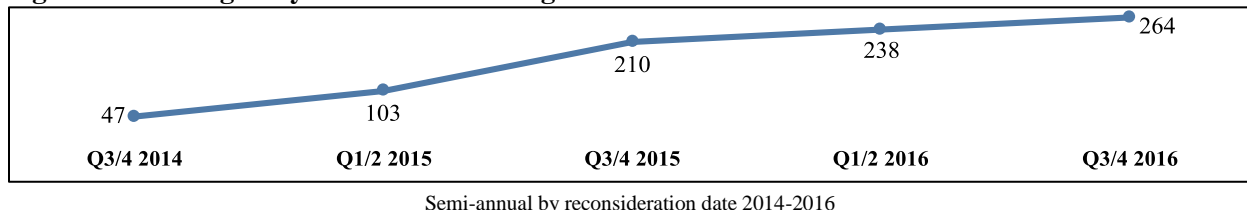
Figure 56: Reconsiderations by Reconsideration Date



By reconsideration date 2014-2016

One of the most significant difficulties facing the CCRB with respect to the reconsideration process is the time it takes for the DAO to review newly substantiated allegations and decide whether or not to request reconsideration by the Board. As illustrated in the following figure, there has been a consistent increase in the amount of time it takes the DAO to request reconsideration following the Board's decision to substantiate an allegation.

Figure 57: Average Days from Case Closing to Reconsideration Date



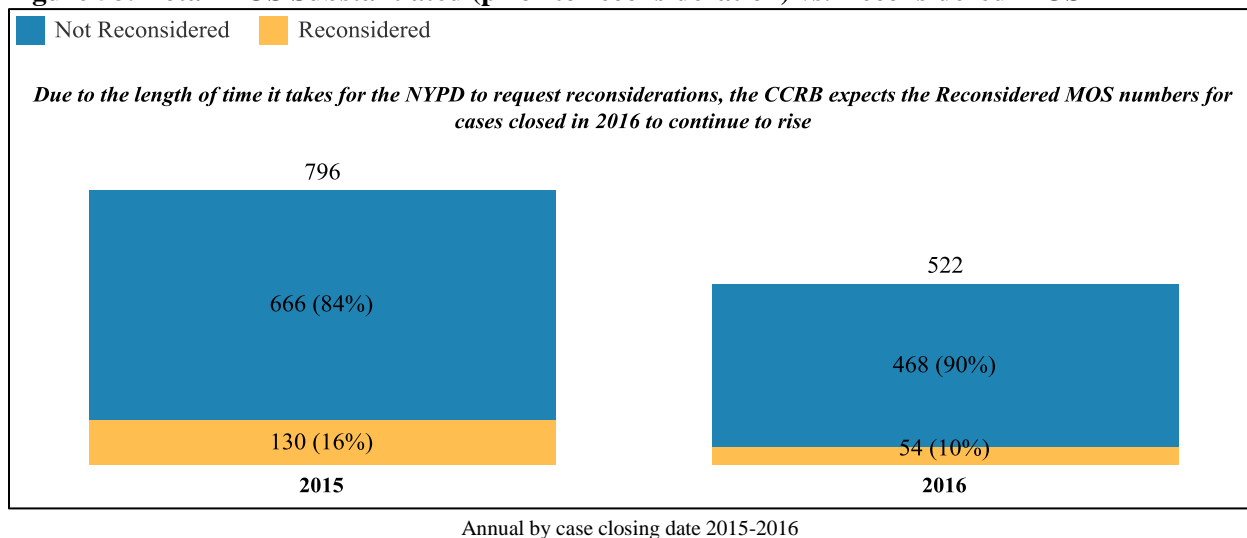
In the second half of 2016, the DAO took an average of 264 days to request reconsideration following the Board's decision.

How Many MOS with Substantiated Allegations Are Being Reconsidered?

One of the vital questions about the reconsideration process is: how many Members of Service (MOS) with substantiated allegations will have their substantiated allegations reconsidered? Unfortunately, due to the time it presently takes for the DAO to request reconsiderations we do not have final numbers to answer this question.

However, looking at the complaints closed in 2015, we see that of the 796 distinct MOS against whom an allegation was initially substantiated, the NYPD requested reconsideration for 130 MOS (16 percent). To date (05/01/2017) the NYPD has requested reconsideration for only 10 percent of the MOS against whom an allegation was substantiated in 2016, but the agency expects that figure to rise as more reconsideration requests come in. The delay creates uncertainty about the CCRB's process and is partly why it is so important to speed up the reconsideration request process.

Figure 58: Total MOS Substantiated (prior to reconsideration) vs. Reconsidered MOS

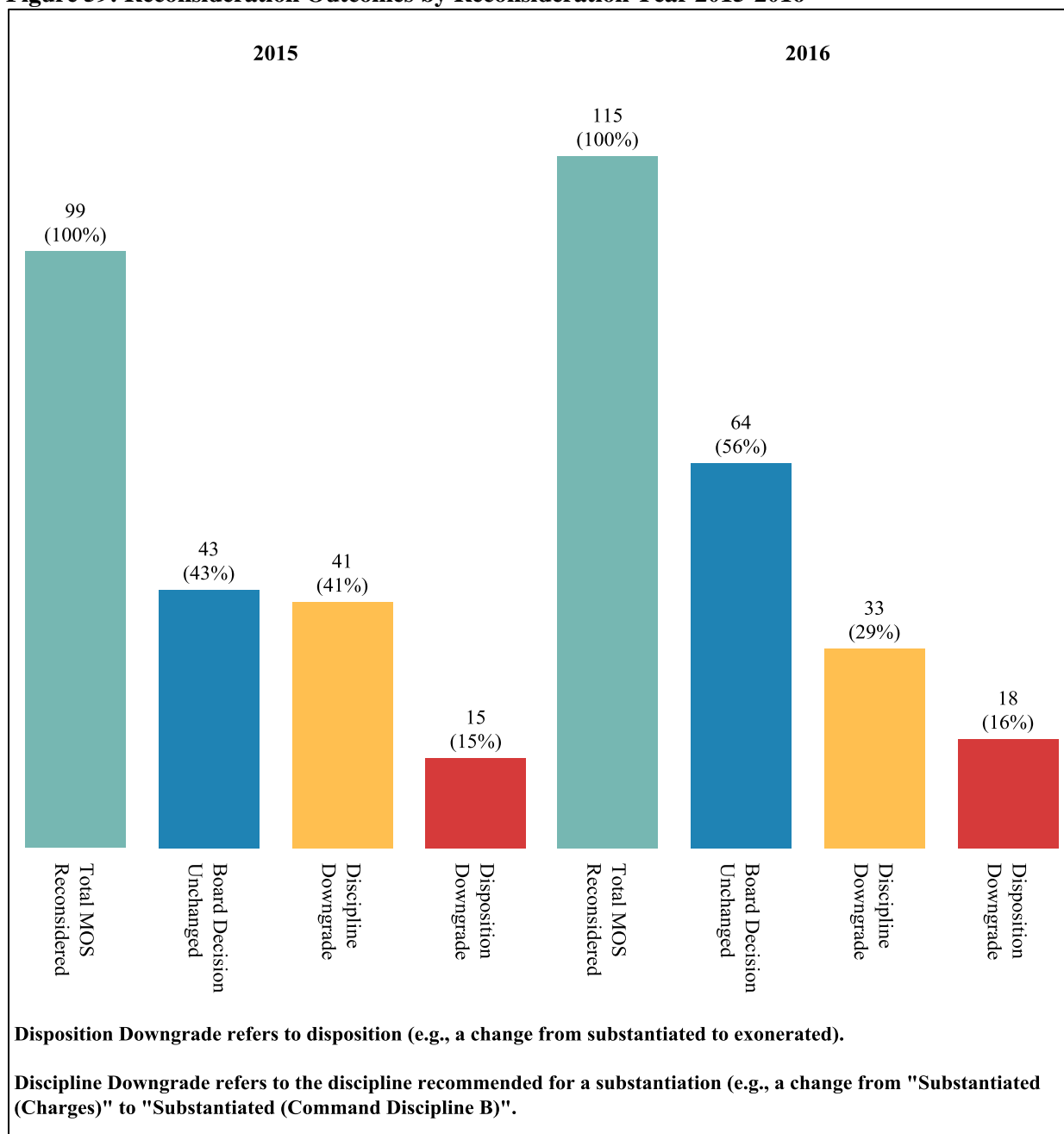


Outcome of Board Reconsiderations

Beyond determining how many MOS have their Board decisions reconsidered, the next question goes to the outcome of Board reconsiderations.

Of the 115 MOS whose substantiated allegations were reconsidered in 2016 (a case reconsidered in 2016 may have been closed in a previous year), the Board downgraded the disposition for 18 (16 percent) officers, downgraded the discipline recommendation for 33 (29 percent) officers and maintained the original decision for 64 (56 percent) officers.

Figure 59: Reconsideration Outcomes by Reconsideration Year 2015-2016



Annual by reconsideration date 2015-2016

The table below gives a complete breakdown of the changed Board decisions over the last three years. For example, the first row of the table shows that since the reconsideration process was introduced, the Board change the vote on substantiated allegations from “Substantiated (Charges)” to “Substantiated (Command Discipline B)” with respect to three MOS (two in 2015 and one in 2016).

Figure 60: Reconsideration Decision Detail

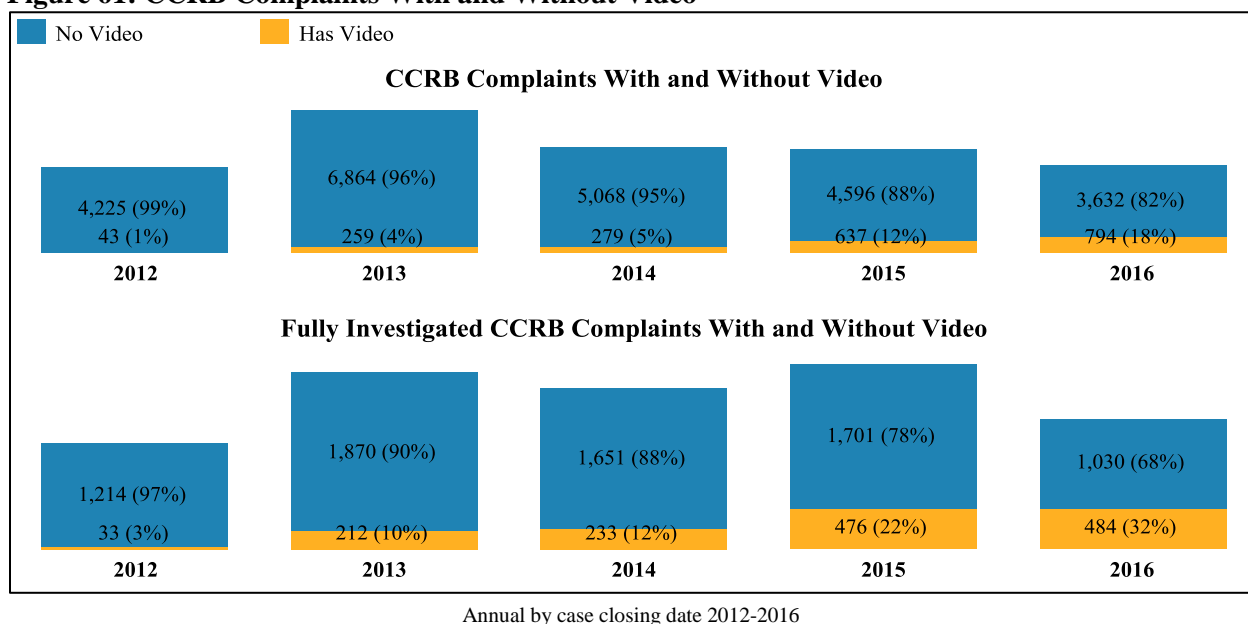
Initial Disposition to Final Disposition (after Reconsideration)	2014	2015	2016
Substantiated (Charges) to Substantiated (Command Discipline B)		2	1
Substantiated (Charges) to Substantiated (Command Discipline A)		1	1
Substantiated (Charges) to Substantiated (Formalized Training)		3	4
Substantiated (Charges) to Substantiated (Instructions)			1
Substantiated (Charges) to Substantiated (No Recommendations)		1	
Substantiated (Charges) to Exonerated			2
Substantiated (Charges) to Unsubstantiated	1	1	1
Substantiated (Command Discipline) to Substantiated (Formalized Training)	6	13	
Substantiated (Command Discipline) to Substantiated (Instructions)		3	
Substantiated (Command Discipline) to Exonerated		1	
Substantiated (Command Discipline) to Unsubstantiated		6	
Substantiated (Command Discipline B) to Substantiated (Command Discipline A)		3	10
Substantiated (Command Discipline B) to Substantiated (Formalized Training)		3	7
Substantiated (Command Discipline B) to Substantiated (Instructions)		1	
Substantiated (Command Discipline B) to Substantiated (No Recommendations)		1	
Substantiated (Command Discipline B) to Unsubstantiated			1
Substantiated (Command Discipline A) to Substantiated (Formalized Training)		10	4
Substantiated (Command Discipline A) to Substantiated (Instructions)			2
Substantiated (Command Discipline A) to Exonerated			2
Substantiated (Command Discipline A) to Unsubstantiated		3	4
Substantiated (Formalized Training) to Substantiated (Instructions)			3
Substantiated (Formalized Training) to Exonerated			4
Substantiated (Formalized Training) to Unsubstantiated			4
Substantiated (Instructions) to Exonerated		1	
Substantiated (Instructions) to Officer(s) Unidentified		1	
Substantiated (Instructions) to Unsubstantiated		2	
Grand Total	7	56	51

Annual by reconsideration date 2014-2016

Section 7: The Impact of Video

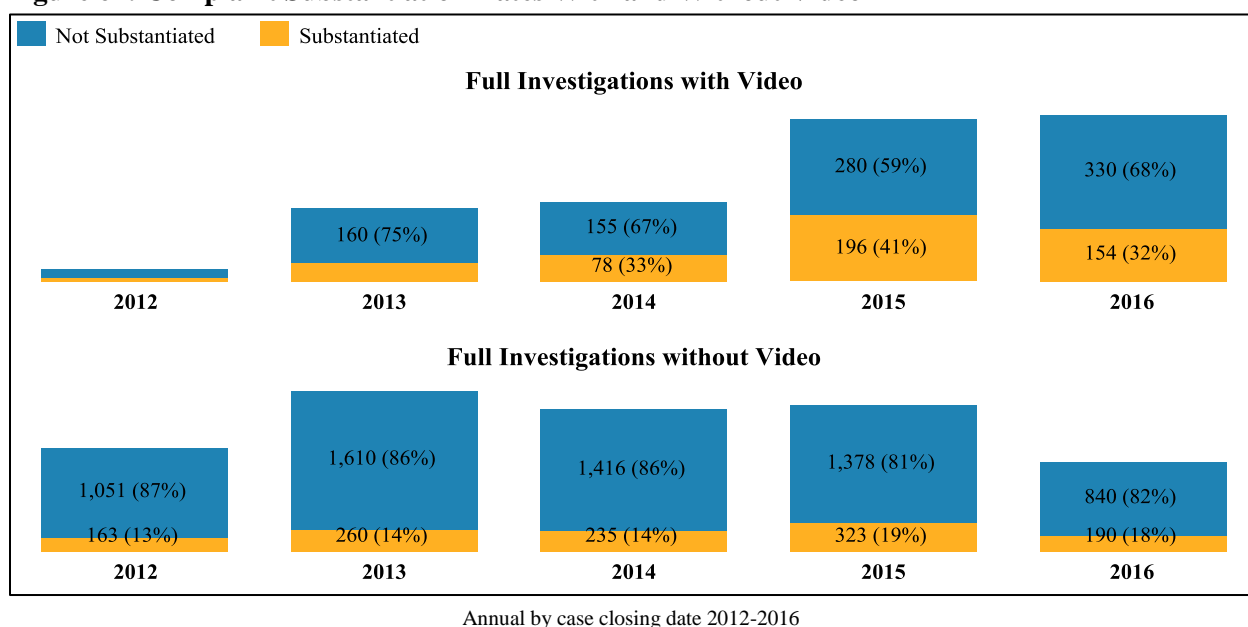
Over the last few years, the amount of video evidence collected by the Civilian Complaint Review Board (CCRB) has increased dramatically. In 2012, only 1 percent of the complaints closed by the Agency included some form of video evidence; in 2016, 18 percent of all the complaints closed included video evidence. The increase is even more striking when we focus just on full investigations. In 2012, 3 percent of the fully investigated complaints closed included video evidence; in 2016, complaints with video evidence accounted for 32 percent of the full investigations closed.

Figure 61: CCRB Complaints With and Without Video



CCRB data suggests that video evidence can have an impact on the final outcome of an investigation. In 2016, the Board substantiated 32 percent of full investigations where there was video evidence as compared to 18 percent where there was no video evidence.

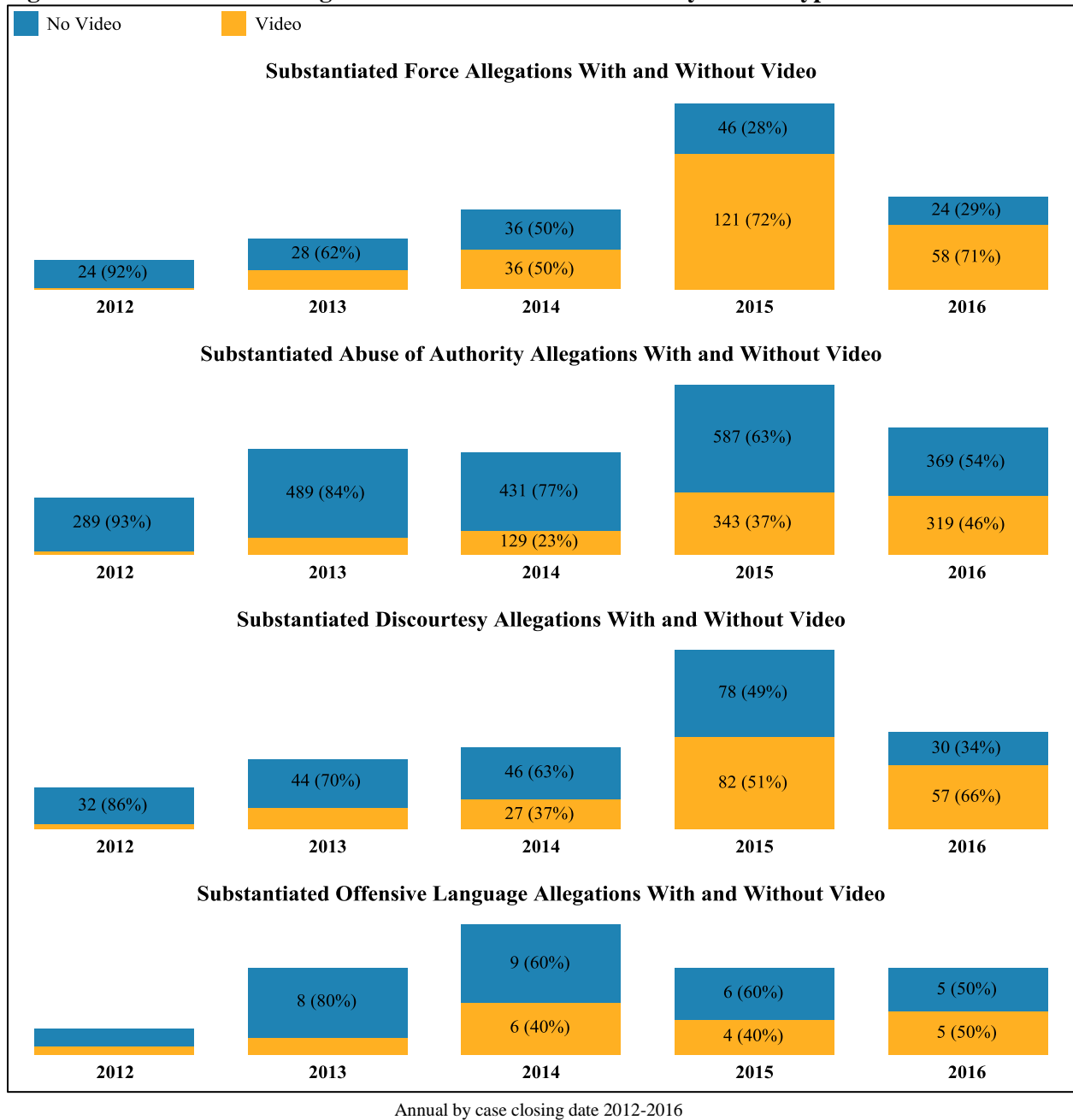
Figure 62: Complaint Substantiation Rates With and Without Video



Interestingly, the impact of video evidence on substantiation rates does not appear to be uniform across the different types of FADO allegations. In 2016, 71 percent of the substantiated Force allegations stemmed from complaints where video evidence was collected. In contrast, 46 percent of the substantiated Abuse of Authority allegations, 66 percent of the substantiated Discourtesy allegations, and 50 percent of the substantiated Offensive Language allegations, stemmed from complaints where video evidence was collected.

The disparity suggests that video evidence plays a greater role in determining the disposition of Force allegations than it does for other types of FADO allegations.

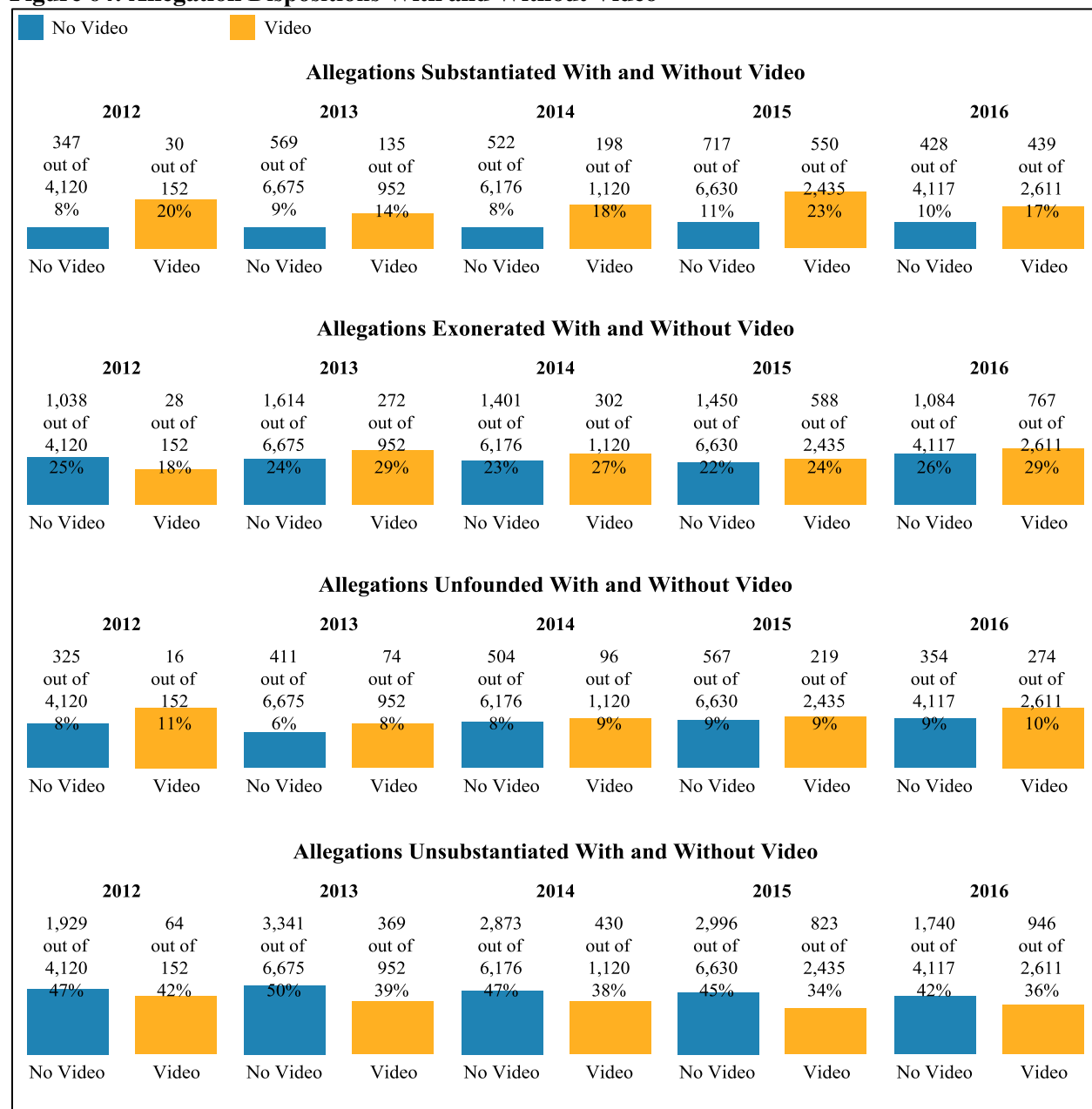
Figure 63: Substantiated Allegations With and Without Video by FADO Type



While there is an ongoing debate about the use of Body-Worn Cameras, it is particularly important to note that video evidence does not influence only substantiation rates. When video evidence is available the Board is also more likely to exonerate an allegation or deem it unfounded as well. For example, in 2016, 29 percent of allegations with video were exonerated as against 26 percent without video.

In fact, the availability of video makes all types of “decisions on the merits” more likely, and only the rate of unsubstantiated allegations rises when we compare allegations with and without video evidence. (When an allegation is unsubstantiated it means that there was not enough evidence for the Board to reach an affirmative decision.)

Figure 64: Allegation Dispositions With and Without Video



Annual by case closing date 2012-2016

Section 8: New Initiatives

The Civilian Complaint Review Board (CCRB) always strives to improve its responsiveness and effectiveness and 2016 has been an important year for the Agency. In 2016, the CCRB introduced its Data Transparency Initiative, greatly expanded its Outreach program and created a new Training Unit to ensure quality and uniformity in its investigative practices. The Agency also updated the manner in which some allegations are pleaded.

Data Transparency Initiative

In 2016, the CCRB set a national benchmark for transparency by becoming the first major police oversight organization in the United States to make key complaint data available to the public. The web-based Data Transparency Initiative (DTI) presents descriptive data on four main areas of the Agency's work: 1) Complaints, 2) Allegations, 3) Victims and Alleged Victims, and 4) Members of Service (MOS). By utilizing over 10 years of data from more than 67,000 complaints of police misconduct, the CCRB has created 50 distinct data visualizations, all of which are publicly accessible on the Agency's website, and each of which provides comprehensive information on more than 198,000 misconduct allegations. In addition, the data pertaining to all complaints and allegations closed since 2006 is available to download. Finally, in order to ensure that the DTI remains responsive to the community's needs, the website provides a public feedback form, allowing the CCRB to continue to incorporate public input.

Outreach

The Agency continued to develop and expand its outreach program in 2016, the goals of which are to increase community awareness of the CCRB's mission and to gain public trust in the CCRB's investigative process. In 2016, the Outreach Unit more than tripled the number of presentations given in 2015. Staff members from the Outreach Unit made 977 presentations last year throughout New York City's five boroughs in venues such as schools, churches, public libraries, and New York City Housing Developments. These presentations provide members of the community with an overview of the CCRB's complaint intake process and its investigative process. The CCRB's Outreach coordinators also explain some of the legal aspects of civilian encounters with police, giving presentations that inform civilians of their rights while emphasizing the importance of de-escalation.

Training Unit

The CCRB employs more than 80 investigators, each of whom is responsible for a sizeable caseload of police misconduct complaints. The CCRB's Training Unit is tasked with teaching and reinforcing investigative skills and technique throughout investigators' tenure at the CCRB. All new investigators participate in a comprehensive, multi-week, in-house training program that utilizes multiple teaching modalities and techniques consistent with what are now considered best practices in facilitating adult learning. New investigators are introduced to key concepts and taught to execute investigative tasks through a combination of substantive lectures, readings and other assignments. Lectures include individual and group simulations, and exercises designed to replicate scenarios that investigators will be faced with during their own investigations. Throughout training, new investigators will shadow and observe experienced investigators, and will report to the class on these observations through frequent structured debriefing and reflection. The New Investigator Training program covers all aspects of the job in which investigators are expected to be proficient through the duration of their probationary period and beyond, including field work, forensic interviewing skills, video analysis, search and seizure doctrine, use of force doctrine, legal research and analysis, and much more.

In addition, the Training Unit facilitates on-going training and professional development programs for experienced investigators. This continued training reinforces and supplements both the new investigator training curriculum as well as the lived experiences of CCRB investigators. Content is approached in a progressively more sophisticated manner appropriate for investigators' level of experience. The Training Unit also collaborates with the New York Police Department (NYPD) so that CCRB investigators have opportunities to gain insight into how MOS are trained. This perspective provides valuable context for investigators when evaluating complaints against MOS.

Moreover, the Training Unit regularly hosts external speakers to share their expertise with CCRB staff. These guest presenters include noted academics, activists, scholars, thinkers, and practitioners with expertise in policing, forensics, investigative skills, police-community relations, criminal justice, civil rights, cultural competency, mental health and many other areas. These outside speakers serve the dual function of providing concrete and practical instruction related to investigators' day-to-day work as well broadening investigators' perspectives about the many ways that CCRB's work intersects with a range of other issues in the lives of individuals and communities most directly impacted by policing practices.

Updated Method of Pleading Allegations

With the goal of ensuring that MOS are accountable to each civilian affected by their misconduct, the CCRB made a change in 2016 to update the way allegations of police misconduct are pleaded. Previously, the Agency employed a conduct-based analysis and pleaded a single allegation of misconduct for each police action. For example, if a police officer shouted profanity at a group of five civilians, the complaint would include one Discourtesy allegation against the Officer. The new pleading methodology, however, is not limited to the officer's actions, but instead is based on the civilians who are impacted by the officer's misconduct. Accordingly, in the above example, the complaint against the same officer would include five allegations of Discourtesy – one allegation for every civilian who was subjected to the officer's profanity.

At the same time, the Agency re-emphasized the importance of pleading certain allegations, most notably search allegations, against all responsible officers. In prior years, investigators often pleaded search allegations against the supervising officer only. However, in situations where it is unclear whether or not an officer is acting under supervision, it is appropriate for the allegation to be pled against all responsible officers. This policy was re-emphasized in 2016, leading to a significant increase in search allegations.

The Agency's updated methods of pleading allegations will help ensure that each civilian who feels wronged by police conduct is given a voice.

Section 9: Update on 2016 Policy Reports & Forthcoming 2017 Policy Reports

Throughout the year, the Civilian Complaint Review Board (CCRB) issues monthly, semi-annual, and annual reports to fulfill its mandate to inform the public and New York City elected officials about the Agency's operations, complaint activity, case dispositions and Police Department discipline.

The CCRB also issues special subject reports on points of interest concerning New York Police Department (NYPD) policies, procedures, and training. In 2016, the CCRB issued two such ad hoc reports, both of which are available on the Agency's website (<http://www1.nyc.gov/site/ccrb/policy/issue-based-reports.page>).

Tasers: An Evaluation of Taser-Related Complaints from January 2014 Through December 2015

The Agency's Taser report, published in October 2016, examined Taser-related CCRB complaints and how Tasers are being used by the NYPD.

In 2017, the CCRB will issue an update to include statistics gathered from the 2016 Taser-related CCRB complaints.

Pride, Prejudice and Policing: An Evaluation of LGBTQ-Related Complaints from January 2010 Through December 2015

The CCRB's 2016 report on LGBTQ policing and LGBTQ-related complaints sought to raise awareness about the issues facing the NYPD and its relationship with the LGBTQ community.

To accompany the report, in June 2016, the CCRB hosted a symposium entitled, "The Rainbow Crossing: Police Accountability and the lesbian, gay, bisexual, transgender, and queer (LGBTQ) Community" at the Lesbian, Gay, Bisexual, Transgender Community Center in New York City. With four panels on Policy, Law Enforcement, Grassroots, and a Debrief session, the event produced a number of civilian-generated recommendations for improving LGBTQ community and police relations. Attendees included representatives from the Citizens Complaint Review Board of Newark, NJ; the Citizens Police Complaint Commission of Long Beach, CA; and the Police Advisory Commission of Philadelphia, PA.

In order to be better able to track complaints coming from the LGBTQ community, in 2016, the CCRB began collecting information (when voluntarily given) about the sexual orientation of complainants. The Agency also expanded the types of gender data it collects, allowing complainants to self-identify as a transgender man or transgender woman, when applicable.

Background of CCRB and Glossary

The Charter of the City of New York establishes the Civilian Complaint Review Board (CCRB) and empowers it to receive and investigate complaints from members of the public concerning misconduct by officers of the New York Police Department (NYPD). See NYC Charter § 440(a). The CCRB is required to conduct its investigations “fairly and independently, and in a manner in which the public and the police department have confidence.” Id. Under the City Charter, the CCRB has jurisdiction to investigate the following categories of police misconduct: Force, Abuse of Authority, Discourtesy, and Offensive Language, collectively known as **FADO**. Id. § 440(c)(1). The CCRB will also note **other misconduct** when it uncovers certain conduct by NYPD officers during the course of its investigation that falls outside its jurisdiction, but that the Department has requested be noted or remains important to bring to the Department’s attention. Examples of other misconduct include failures by officers to enter necessary information in their activity logs (memo books), failures to complete required documentation of an incident, and evidence suggesting that officers have made false official statements.

The **Board** consists of 13 individuals. Of the 13 members, five are chosen by the Mayor, five are chosen by the City Council, and three members with experience as law enforcement professionals are chosen by the NYPD Police Commissioner. Apart from the members selected by the Police Commissioner, none of the Board members may have experience as law enforcement professionals or be former employees of the NYPD. The Mayor selects one of the 13 members to serve as Board Chair.

The **Executive Director** is appointed by the Board and is the Chief Executive Officer, who is responsible for managing the day-to-day operations of the Agency and overseeing its 180 employees. The Agency consists of a 110-member **Investigations Division** responsible for investigating allegations of police misconduct within the Agency’s jurisdiction (**FADO**), and for making investigative findings. The most serious police misconduct cases are prosecuted by a 16-member **Administrative Prosecution Unit**. The prosecutors within the Unit are responsible for prosecuting, trying and resolving the most serious misconduct cases before a Deputy Commissioner of Trials at One Police Plaza. The Agency also includes a **Mediation Unit** with trained mediators who may be able to resolve less serious allegations between a police officer and a civilian. The **Outreach Unit** acts as a liaison with various entities, and is responsible for intergovernmental relations, outreach presentations, and community events throughout the five boroughs of New York City.

Members of the public who file complaints regarding alleged misconduct by NYPD officers are referred to as **complainants**. Other civilians involved in the incident are categorized as **victims** or **witnesses**. Officers who commit the actions that are alleged to be misconduct are categorized as **subject officers**, while those who witnessed or were present for the alleged misconduct are categorized as **witness officers**. The CCRB’s **Intake Unit** receives the complaints filed by the public in-person, or by telephone, voicemail, an online complaint form, or referred to the Agency by the NYPD’s Internal Affairs Bureau.

When a **complaint** is filed with the CCRB, the CCRB assigns it a unique complaint identification number. The CCRB also refers to complaints as **cases**. The vast majority of complaints regarding improper entries, searches, or warrant executions involve only a single incident of entry or search, but a few complaints involved more than one entry or search (occurring on the same day or on different days). A single complaint or case may contain multiple **allegations** relating to Force, Abuse of Authority, Discourtesy, and/or Offensive Language. Allegations regarding improper entries, searches, or failures to show a warrant are considered allegations falling within the CCRB’s Abuse of Authority jurisdiction. A

single complaint or case may contain multiple allegations of improper entries, searches, and/or failures to show warrants. Each allegation is reviewed separately during an investigation.

During an **investigation**, the CCRB's civilian investigators gather documentary and video evidence and conduct interviews with complainants, victims, civilian witnesses, subject officers and witness officers in order to determine whether the allegations occurred, and whether they constitute misconduct. At the conclusion of the investigation, a **closing report** is prepared summarizing the relevant evidence and providing a factual and legal analysis of the allegations. The closing report and investigative file is provided to the Board for disposition. A panel of three Board members (a **Board Panel**) reviews the material, makes findings for each allegation in the case, and if allegations are substantiated, provides recommendations as to the discipline that should be imposed on the subject officers.

The **Disposition** is the Board's finding of the outcome of a case (i.e., if misconduct occurred). The Board is required by its rules to use a **preponderance of the evidence** standard of proof in evaluating cases. Findings **on the merits** result when CCRB is able to conduct a full investigation and obtain sufficient credible evidence for the Board to reach a factual and legal determination regarding the officer's conduct. In these cases, the Board may arrive at one of the following findings on the merits for each allegation in the case: **substantiated**, **exonerated**, or **unfounded**. Substantiated cases are those where there was a preponderance of evidence that the acts alleged occurred and constituted misconduct. Exonerated cases are those where there was a preponderance of the evidence that the acts alleged occurred but did not constitute misconduct. Unfounded cases are those where there was a preponderance of the evidence that the acts alleged did not occur. **Unsubstantiated** cases are those where the CCRB was able to conduct a full investigation, but there was insufficient evidence to establish whether or not there was an act of misconduct. In many cases, the CCRB is unable to conduct a full investigation or mediation and must **truncate** the case.³

A complainant may **mediate** his or her case with the subject officer, in lieu of an investigation, with the CCRB providing a neutral, third-party mediator.

The CCRB's **Administrative Prosecution Unit (APU)** prosecutes cases in which the Board has substantiated misconduct and recommended discipline in the form of Charges and Specifications. The APU began operating in April 2013, after the CCRB and the NYPD signed a Memorandum of Understanding establishing the unit.

³ Fully investigated cases comprise complaints disposed of as substantiated, unsubstantiated, exonerated, unfounded, officers unidentified, or miscellaneous. Miscellaneous cases are those where an officer retires or leaves the Department before the Board receives the case for decision. Truncated cases are disposed of in one of the following ways: complaint withdrawn, complainant/victim uncooperative, complainant/victim unavailable, and victim unidentified.

New York City Charter

Chapter 18-A

Civilian Complaint Review Board

§ 440 Public complaints against members of the police department.

(a) 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 as a body comprised solely of members of the public with the authority to investigate allegations of police misconduct as provided in this section.

(b) Civilian complaint review board.

1. The civilian complaint review board shall consist of thirteen members of the public appointed by the mayor, who shall be residents of the city of New York and shall reflect the diversity of the city's population. The members of the board shall be appointed as follows: (i) five members, one from each of the five boroughs, shall be designated by the city council; (ii) three members with experience as law enforcement professionals shall be designated by the police commissioner; and (iii) the remaining five members shall be selected by the mayor. The mayor shall select one of the members to be chair.

2. No member of the board shall hold any other public office or employment. No members, except those designated by the police commissioner, shall have experience as law enforcement professionals, or be former employees of the New York City police department. For the purposes of this section, experience as a law enforcement professional shall include experience as a police officer, criminal investigator, special agent, or a managerial or supervisory employee who exercised substantial policy discretion on law enforcement matters, in a federal, state, or local law enforcement agency, other than experience as an attorney in a prosecutorial agency.

3. The members shall be appointed for terms of three years, except that of the members first appointed, four shall be appointed for terms of one year, of whom one shall have been designated by the council and two shall have been designated by the police commissioner, four shall be appointed for terms of two years, of whom two shall have been designated by the council, and five shall be appointed for terms of three years, of whom two shall have been designated by the council and one shall have been designated by the police commissioner.

4. In the event of a vacancy on the board during the term of office of a member by reason of removal, death, resignation, or otherwise, a successor shall be chosen in the same manner as the original appointment. A member appointed to fill a vacancy shall serve for the balance of the unexpired term.

(c) Powers and duties of the board.

1. The board shall have the power to receive, investigate, hear, make findings and recommend action upon complaints by members of the public against members of the police department that allege misconduct involving excessive use of Force, Abuse of Authority, Discourtesy, or use of Offensive Language, including, but not limited to, slurs relating to race, ethnicity, religion, gender, sexual orientation and disability. The findings and recommendations of the board, and the basis therefore, shall be submitted to the police commissioner. No finding or recommendation shall be based solely upon an unsworn complaint or statement, nor shall prior unsubstantiated, unfounded or withdrawn complaints be the basis for any such finding or recommendation.

2. The board shall promulgate rules of procedure in accordance with the city administrative procedure act, including rules that prescribe the manner in which investigations are to be conducted and recommendations made and the manner by which a member of the public is to be informed of the status of his or her complaint. Such rules may provide for the establishment of panels, which shall consist of not less than three members of the board, which shall be empowered to supervise the investigation of complaints, and to hear, make findings and recommend action on such complaints. No such panel shall consist exclusively of members designated by the council, or designated by the police commissioner, or selected by the mayor.

3. The board, by majority vote of its members, may compel the attendance of witnesses and require the production of such records and other materials as are necessary for the investigation of complaints submitted pursuant to this section.

4. The board shall establish a mediation program pursuant to which a complainant may voluntarily choose to resolve a complaint by means of informal conciliation.

5. The board is authorized, within appropriations available therefore, to appoint such employees as are necessary to exercise its powers and fulfill its duties. The board shall employ civilian investigators to investigate all complaints.

6. The board shall issue to the mayor and the city council a semi-annual report which shall describe its activities and summarize its actions.

7. The board shall have the responsibility of informing the public about the board and its duties, and shall develop and administer an on-going program for the education of the public regarding the provisions of this chapter.

(d) Cooperation of police department.

1. It shall be the duty of the police department to provide such assistance as the board may reasonably request, to cooperate fully with investigations by the board, and to provide to the board upon request records and other materials which are necessary for the investigation of complaints submitted pursuant to this section, except such records or materials that cannot be disclosed by law.

2. The police commissioner shall ensure that officers and employees of the police department appear before and respond to inquiries of the board and its civilian investigators in connection with the investigation of complaints submitted pursuant to this section, provided that such inquiries are conducted in accordance with department procedures for interrogation of members.

3. The police commissioner shall report to the board on any action taken in cases in which the board submitted a finding or recommendation to the police commissioner with respect to a complaint.

(e) The provisions of this section shall not be construed to limit or impair the authority of the police commissioner to discipline members of the department. Nor shall the provisions of this section be construed to limit the rights of members of the department with respect to disciplinary action, including but not limited to the right to notice and a hearing, which may be established by any provision of law or otherwise.

(f) The provisions of this section shall not be construed to prevent or hinder the investigation or prosecution of members of the department for violations of law by any court of competent jurisdiction, a grand jury, district attorney, or other authorized officer, agency or body.

Board Members

Mayoral Designees

Maya D. Wiley, Esq., Chair to the Board

Chair Wiley is former Counsel to the Mayor of New York City where she advised the Mayor on legal matters pertaining to City Hall and the Mayor's policy agenda. She was the City's Director of Minority and Women-Owned Business Enterprise, the lead on broadband access, and liaison to the Mayor's Advisory Committee on the Judiciary. Ms. Wiley also oversaw the Commissions on Human Rights and Women's Issues. Prior to being appointed Counsel to the Mayor in 2014, she was founder and president of the Center for Social Inclusion, a policy advocacy organization dedicated to ending racial inequities through structural reform. In addition, Ms. Wiley worked for the NAACP Legal Defense and Education Fund, the American Civil Liberties Union National Legal Department, and was Senior Advisor on race and poverty to the Director of U.S. Programs of the Open Society Institute. Ms. Wiley is a mayoral designee appointed Chair to the Board by Mayor Bill de Blasio.

J.D., Columbia University School of Law; B.A., Dartmouth College

Deborah N. Archer, Esq.

Deborah N. Archer is the Associate Dean for Academic Affairs at New York Law School and a Professor of Law. She was previously an Assistant Counsel at the NAACP Legal Defense and Educational Fund where she litigated at the trial and appellate level in cases involving affirmative action in higher education, employment discrimination, school desegregation, and voting rights. She was also a Marvin H. Karpatkin Fellow with the American Civil Liberties Union where she was involved in federal and state litigation on issues of race and poverty. Prior to joining New York Law School, Ms. Archer was a Litigation Associate at Simpson, Thacher & Bartlett LLP. Ms. Archer is also Director of the New York Law School Racial Justice Project, Co-Director of the Impact Center for Public Interest Law, the Civil Rights Clinic, and has participated as amicus counsel in several cases before the U.S. Supreme Court and U.S. Courts of Appeal, including *Ricci v. DeStefano*, *Fisher v. University of Texas*, and *Shelby County v. Holder*. Ms. Archer clerked for Judge Alvin Thompson in the United States District Court for the District of Connecticut. Ms. Archer is a mayoral designee to the Board appointed by Mayor Bill de Blasio.

J.D., Yale Law School; B.A., Smith College

Angela Fernández

Angela Fernández is the Executive Director and Supervising Attorney of Northern Manhattan Coalition for Immigrant Rights. Ms. Fernández is a first generation Dominican whose mother migrated to the United States from Baitoa of Santiago de los Caballeros, Dominican Republic. She brings to the Board 20 years of experience in law, media, non-profit management, government, policy development, and advocacy. Her legal experience has been primarily focused on representing and advocating for immigrants and refugees in the United States and abroad. Ms. Fernández founded and managed elementary schools in the South Bronx and in Washington D.C., taught Women's Studies in Spanish to female detainees at Rikers Island Correctional Center, and was a staffer for U.S. Senator Bill Bradley and District Chief of Staff for U.S. Representative Jose Serrano. Ms. Fernández co-led the effort to end New York State's participation in the Secure Communities program, and co-developed the first-in-the-nation, universal court appointed representation program for detained immigrants. She is Chair of the Dominican Day Parade, an Executive Committee Member of the New York Immigration Coalition, and an Executive Committee Member of CommonWise Education. Fernandez is a mayoral designee to the Board appointed by Mayor Bill de Blasio.

J.D., Columbia University School of Law; B.A., Boston University

Fred Davie

Fred Davie serves as the Executive Vice President for the Union Theological Seminary located in New York City, which prepares students to serve the church and society. Additionally, he is a member of the Mayor's Clergy Advisory Council (CAC) and is co-convener of their public safety committee, which is focused on building community safety and improving police-community relations. Before working at Union Theological Seminary, Mr. Davie served as Interim Executive Director and Senior Director of the Social Justice and LGBT Programs at the Arcus Foundation, which funds organizations world-wide that advance an inclusive, progressive public policy agenda. Mr. Davie served on President Barack Obama's transition team and was later appointed to the White House Council of Faith-based and Neighborhood Partnerships. Mr. Davie has served the City as Deputy Borough President of Manhattan and Chief of Staff to the Deputy Mayor for Community and Public Affairs. Mr. Davie is a mayoral designee to the Board appointed by Mayor Bill de Blasio.

M. Div., Yale Divinity School; B.A., Greensboro College

John Siegal, Esq.

John Siegal is a partner in BakerHostetler, a national business law firm, where he handles litigations, arbitrations, and appeals for clients in the financial services, media, and real estate industries. Mr. Siegal's practice also includes constitutional, civil rights, Article 78, and other cases against government agencies. He has been admitted to practice law in New York since 1987. Mr. Siegal's public service experience includes working as an Assistant to Mayor David N. Dinkins and as a Capitol Hill staff aide to Senator (then Congressman) Charles E. Schumer. Throughout his legal career, Mr. Siegal has been active in New York civic, community, and political affairs. Mr. Siegal is a mayoral designee to the Board appointed by Mayor Bill de Blasio.

J.D., New York University School of Law; B.A., Columbia College

City Council Designees

Joseph A. Puma

Joseph Puma's career in public and community service has been exemplified by the various positions he has held in civil rights law, community-based organizations, and local government. As a paralegal with the NAACP Legal Defense and Education Fund, Mr. Puma handled cases involving criminal justice, voting rights, employment discrimination, and school desegregation. Prior to joining NAACP LDF, he worked for over six years at the NYC Office of Management and Budget where he served in roles in intergovernmental affairs, policy, and budget. From 2003 to 2004, he served as a community liaison for former NYC Council Member Margarita López. Since 2007, Mr. Puma has been involved with Good Old Lower East Side (GOLES), a community organization helping residents with issues of housing, land use, employment, post-Sandy recovery and long-term planning, and environmental and public health. A lifelong City public housing resident, Mr. Puma currently serves on GOLES's Board of Directors, and has participated in national public housing preservation efforts. Mr. Puma is a city council designee to the Board first appointed by Mayor Michael Bloomberg and reappointed by Mayor Bill De Blasio.

Certificate, Legal Studies, Hunter College, City University of New York; B.A., Yale University

Ramon Peguero, Esq.

Ramon A. Peguero is the Executive Director of Southside United HDFC (Los Sures), the largest multi-service organization in Williamsburg, Brooklyn focused on developing affordable housing, preventing tenant displacement, running a senior center and food pantry, and managing affordable housing projects. His organization currently works with over 6,000 neighborhood residents. Ramon spent 15 years working in grassroots organizations that tackled the most challenging issues facing low income residents in New York: HIV and AIDS awareness, child and substance abuse, child development issues, and health and nutrition education. Mr. Peguero also serves on several boards of organizations focused on enhancing the lives of New Yorkers. He is a mayoral appointee to the Board of Directors of the Brooklyn Navy Yard Development Corporation; founder and director of an annual community Thanksgiving

Dinner; founder and director of an Annual Dominican Independence Day Celebration; Board Chair of Nuestros Ninos Preschool Center; and was the first President of the Community Education Council (formerly the School Board); and past Board Member of Brooklyn Legal Services Corp. A. Mr. Peguero is a city council designee to the Board appointed by Mayor Bill de Blasio.

J.D., CUNY School of Law, Queens College; M.A., Metropolitan College; B.A., Stony Brook University, State University of New York

Youngik Yoon, Esq.

Youngik Yoon is a partner at Yoon & Hong, a general practice law firm in Queens. His areas of practice include immigration, matrimonial, real estate and business closings, and criminal defense. Mr. Yoon has provided legal services to the diverse communities of Queens and beyond since 1994. Mr. Yoon is a city council designee to the Board appointed by Mayor Michael Bloomberg.

J.D., Albany Law School; B.A., City College, City University of New York

Marbre Stahly-Butts

Marbre Stahly-Butts is a former Soros Justice Fellow and now Policy Advocate at the Center for Popular Democracy. Her Soros Justice work focused on developing police reforms from the bottom up by organizing and working with families affected by aggressive policing practices in New York City. Ms. Stahly-Butts also works extensively on police and criminal justice reform with partners across the country. While in law school, Ms. Stahly-Butts focused on the intersection of criminal justice and civil rights, and gained legal experience with the Bronx Defenders, the Equal Justice Initiative, and the Prison Policy Initiative. Before law school Ms. Stahly-Butts worked in Zimbabwe organizing communities impacted by violence, and taught at Nelson Mandela's alma mater in South Africa. Ms. Stahly-Butts is a city council designee to the Board appointed by Mayor Bill de Blasio.

J.D., Yale Law School; M.A., Oxford University; B.A., Columbia University

Police Commissioner Designees

Lindsey Eason

Lindsay Eason currently works as Director of Field Operations for Grand Central Partnership, a not-for-profit organization. From 2011-2012, Mr. Eason served as an International Police Training Manager for The Emergence Group in Tajikistan, where he was contracted to design and implement training for police departments. Mr. Eason was appointed to New York City Sheriff in 2002, where he developed and implemented SherriffStat, leading to new procedures that promoted greater accountability and professional development. Mr. Eason began his career in law enforcement as a uniformed member of the NYPD. Mr. Eason is a police commissioner designee the Board appointed by Mayor Bill de Blasio.

B.S., John Jay College of Criminal Justice, City University of New York; Graduate, Federal Bureau of Investigation National Academy

Salvatore F. Carcaterra

Salvatore F. Carcaterra began his law enforcement career in 1981 with the NYPD, where he served for 21 years. Starting as a Patrol Officer, he was promoted through the ranks to the position of Deputy Chief. As a Deputy Chief he served as the Executive Officer to the Chief of Department, where, among many duties, he organized and implemented the NYPD's overall response to the threat of terrorism following the 9/11 attack on the World Trade Center. Prior to that, Mr. Carcaterra was a Deputy Inspector in command of the Fugitive Enforcement Division. As a Deputy Inspector he also served in the Office of the Deputy Commissioner for Operations, managing COMPSTAT, and commanding the Hate Crimes Task Force increasing its arrest rate by over 50 percent. He served in the NYPD Detective Bureau as a Captain in the 70th Precinct and as Deputy Inspector in the 66th Precinct. After retiring from the NYPD, Mr. Carcaterra became the president of a security firm and now heads his own security company, providing personal and physical protection to individuals and corporations. Mr. Carcaterra is a police commissioner designee to the Board appointed by Mayor Bill de Blasio.

B.S., John Jay College of Criminal Justice, City University of New York; Graduate, Federal Bureau of Investigation National Academy; Graduate, Columbia University Police Management Institute

Frank Dwyer

Frank Dwyer, a Brooklyn native and current Queens resident, consults with and teaches at police departments and educational institutions throughout the United States. In 1983, he joined the NYPD and served in Queens, Brooklyn, and Manhattan in a variety of assignments including as a Police Academy Law Instructor, the Commanding Officer of the 7th precinct on the lower eastside of Manhattan, and the Commanding Officer of the Office of the Deputy Commissioner for Operations. He worked in lower Manhattan on 9/11 and in months that followed. Retiring in 2012 at the rank of Deputy Inspector, Mr. Dwyer is currently pursuing a doctorate in Criminal Justice. He has consulted for several police departments including Newark, New Jersey, and Wilmington. He has also taught at or consulted to the following educational institutions: John Jay College of Criminal Justice, Teachers College, Boston College, Morgan State University, and the University of San Diego. Mr. Dwyer is a police commissioner designee to the Board appointed by Mayor Bill de Blasio.

M.S.W., Hunter College, City University of New York; M.St., Cambridge University; M.P.A., Harvard University; M.A., Fordham University; B.A., Cathedral College

Executive and Senior Staff

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Senior Advisor & Secretary to the Board: Jerika Richardson
General Counsel: Matt Kadushin, Esq.
Chief Prosecutor: Andrea Robinson, Esq.
Co-Chief of Investigations: Chris Duerr
Co-Chief of Investigations: Winsome Thelwell
Deputy Executive Director of Administration: Jeanine Marie

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Director of Intake and Field Evidence Collection Unit: Jacqueline Levy
Director of Mediation: Lisa Grace Cohen, Esq.
Director of NYPD Relations: Jayne Cifuni
Director of Training: Monte Givhan
Deputy Director of Human Resources: Naeem Pervaiz

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Squad #02: Alexander Opoku-Agyemang
Squad #03: Dane Buchanan
Squad #04: Ariel Courage
Squad #05: Christopher DeNitto
Squad #06: Jessica Peña
Squad #07: Diana Townsend
Squad #08: Vanessa Rosen
Squad #09: Ethan De Angelo
Squad #10: Mildred Varela
Squad #12: Nicholas Carayannis
Squad #13: Daniel Casados
Squad #14: Laura Kastner
Squad #15: Edwin Peña
Squad #16: Carlmais Johnson