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Executive Director's Monthly Report
January 2016
(Statistics for December 2015)

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Executive Summary

The Civilian Complaint Review Board (“CCRB”) is an independent municipal agency that investigates complaints of NYPD misconduct. Every month, the CCRB prepares an Executive Director report for its public meeting. This month’s report illustrates that some of the trends noted in the CCRB’s recent Semi-Annual Report continue: investigations are being conducted more efficiently than in any period in the agency’s history; the raw number of substantiations and percentage of cases being substantiated are at historic levels; video evidence is playing a crucial role in the outcome of cases. Data for December 2015 included the following highlights:

- 1) The CCRB continues to close its cases more efficiently. Of the cases that remain in the CCRB active docket, 95% have been open for four months or less, and a record 99% have been open for seven months or less (page 10). In December, the CCRB opened 342 new cases (page 4), and currently has a docket of 1,020 cases (page 10).
- 2) The CCRB substantiated allegations in 30% of its fully investigated cases, the highest percentage in recent CCRB history (page 19). That marks the ninth straight month the CCRB has substantiated at least 20% of its cases. The CCRB substantiated 21% of its allegations (page 17).
- 3) The CCRB fully investigated 35% of the cases it closed in December and resolved (fully investigated, mediated or mediation attempted) 46% of the cases it closed in December (page 12). The Agency’s truncation rate (54%) remains high.
- 4) For December, investigations using video evidence resulted in substantiated allegations in 43% of cases – compared to 25% of substantiated cases in which video was not available (page 19).
- 5) The Monthly Report includes a breakdown of complaints and substantiations by NYPD precinct and borough of occurrence (pages 5-6).
- 6) In December, the Police Commissioner finalized discipline against 1 officer – reversing the trial judge’s verdict to rule the officer not guilty. The CCRB’s Administrative Prosecution Unit (APU), prosecutes the most serious allegations of misconduct (page 30).

Finally, the Monthly Report contains a Table of Contents, Glossary, and Appendix, all meant to assist readers in navigating this report. The CCRB is committed to producing monthly reports that are valuable to the public, and welcome feedback on how to make our data more accessible.

Glossary

In this glossary we have included a list of terms that regularly appear in our reports.

Allegation: An allegation is a specific act of misconduct. The same “complaint” can have multiple allegations – excessive force and discourteous language, for example. Each allegation is reviewed separately during an investigation.

APU: The Administrative Prosecution Unit is the division of the CCRB that has prosecuted “charges” cases since April 2013, after the signing of a 2012 Memorandum of Understanding between the CCRB and NYPD.

Board Panel: The “Board” of the CCRB has 13 members appointed by the mayor. Of the 13 members, five are chosen by the Mayor, five are chosen by the City Council, and three are chosen by the Police Commissioner. Following a completed investigation by the CCRB staff, three Board members, sitting as a Board Panel, will make a finding on whether misconduct occurred and will make a recommendation on what level of penalty should follow.

Case/Complaint: For the purposes of CCRB data, a “case” or “complaint” is defined as any incident within the Agency’s jurisdiction, brought to resolution by the CCRB. Cases/Complaints thus include truncations, fully investigated or ongoing cases, mediations, and completed investigations pending Board Panel review.

Disposition: The Board’s finding as to the outcome of a case (i.e. if misconduct occurred).

FADO: 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”.

Intake: CCRB’s Intake Unit initially handles complaints from the public. Intake takes complaints that come via live phone calls, voicemails, an online complaint form, or in-person.

Investigation: CCRB investigators gather evidence and interview witnesses to prepare reports on misconduct allegations. An investigation ends when a closing report is prepared detailing the evidence and a legal analysis, and the case is given to the Board for disposition.

Mediation: 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.

Truncation: If a case is not fully investigated due to the victim’s lack of interest or availability, the case is closed and is considered “truncated.”

Complaints Received

The CCRB's Intake Unit processes misconduct complaints from the public and referrals from the NYPD. Under the New York City Charter, the CCRB's jurisdiction is limited to allegations of misconduct related to Force, Abuse of Authority, Discourtesy and Offensive Language. All other complaints are referred to the appropriate agency. Figure 1 refers to all complaints that CCRB receives and Figures 2 and 3 refer to new cases that remain with the Agency. In December 2015, the CCRB initiated 342 new complaints.

Figure 1: Total Intake by Month (January 2014 - December 2015)

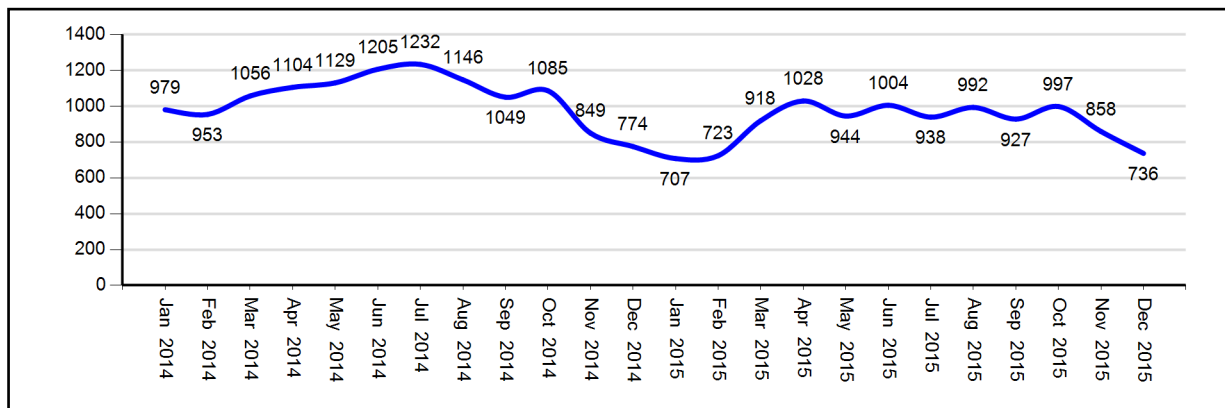


Figure 2: New CCRB Complaints by Month (January 2014 - December 2015)

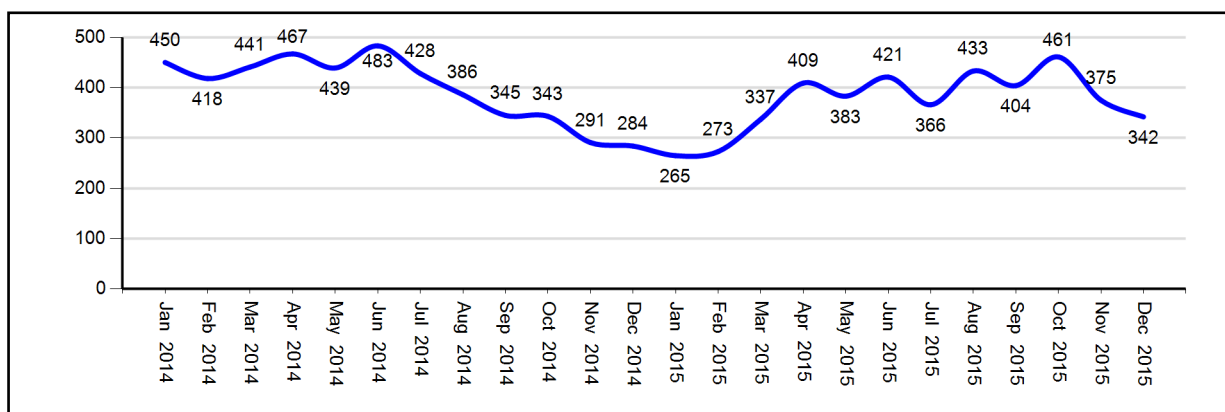
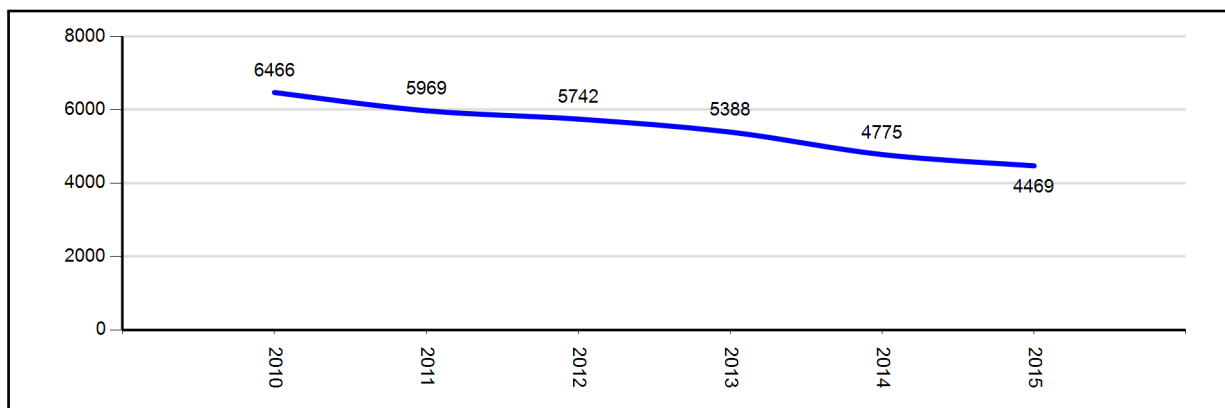


Figure 3: New CCRB Complaints by Year (2010 - 2015)



CCRB Cases Received by Borough and Precinct

Of the five boroughs, the largest number of misconduct complaints stemmed from incidents occurring in Brooklyn, followed closely by Manhattan. A leading 21 incidents took place in the 75th Precinct, which is located in Cypress Hills and covers East New York.

Figure 4: CCRB Complaints Received By Borough of Occurrence (December 2015)

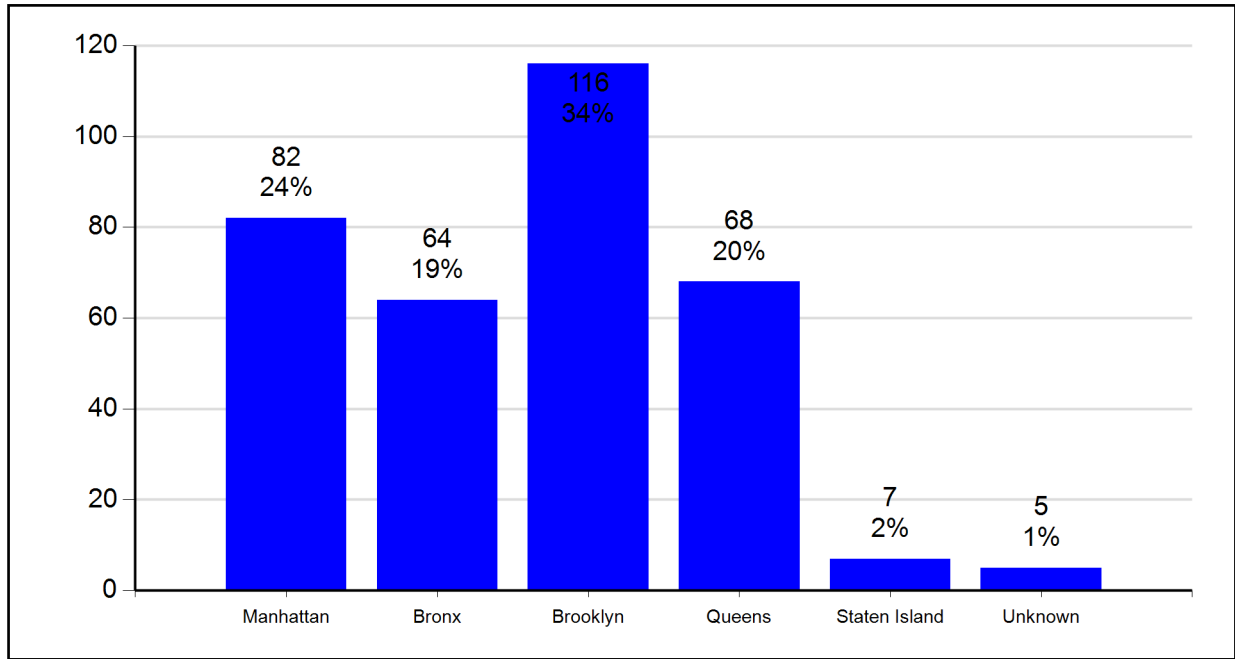


Figure 5: CCRB Complaints Received By Borough of Occurrence (YTD 2015)

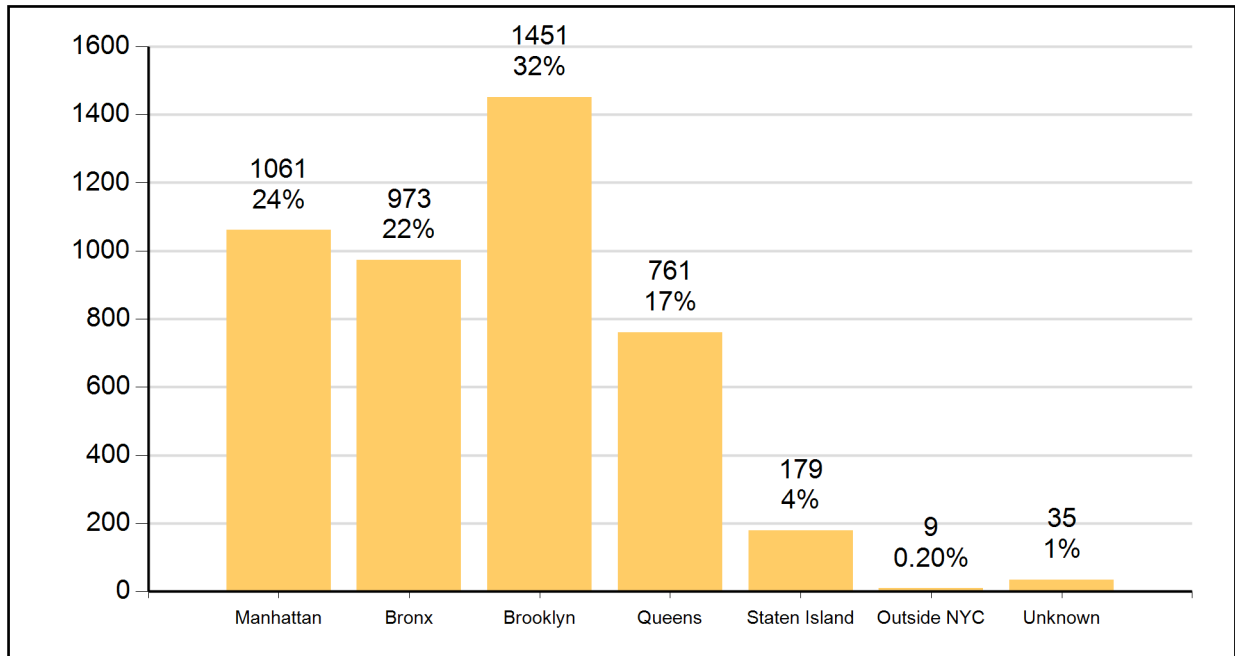


Figure 6: CCRB Complaints Received By Precinct of Occurrence (December 2015)

NYPD Precinct of Occurrence*	Number of Complaints	NYPD Precinct of Occurrence*	Number of Complaints
1	1	67	6
5	2	68	1
6	1	69	4
7	5	70	7
9	4	71	9
13	3	72	4
14	8	73	16
17	3	75	20
18	9	76	2
19	3	77	4
22	1	78	5
23	6	79	5
24	3	81	4
25	11	83	6
26	1	84	2
28	8	88	2
30	1	94	1
32	3	100	2
33	3	101	3
34	4	102	4
40	6	103	7
41	2	104	3
42	9	105	10
43	5	106	3
44	5	107	3
45	2	108	3
46	5	109	5
47	12	110	3
48	5	111	2
49	2	112	3
50	5	113	7
52	5	114	6
60	4	115	1
61	2	120	5
62	7	121	1
63	1	122	1
66	1	Unknown	5

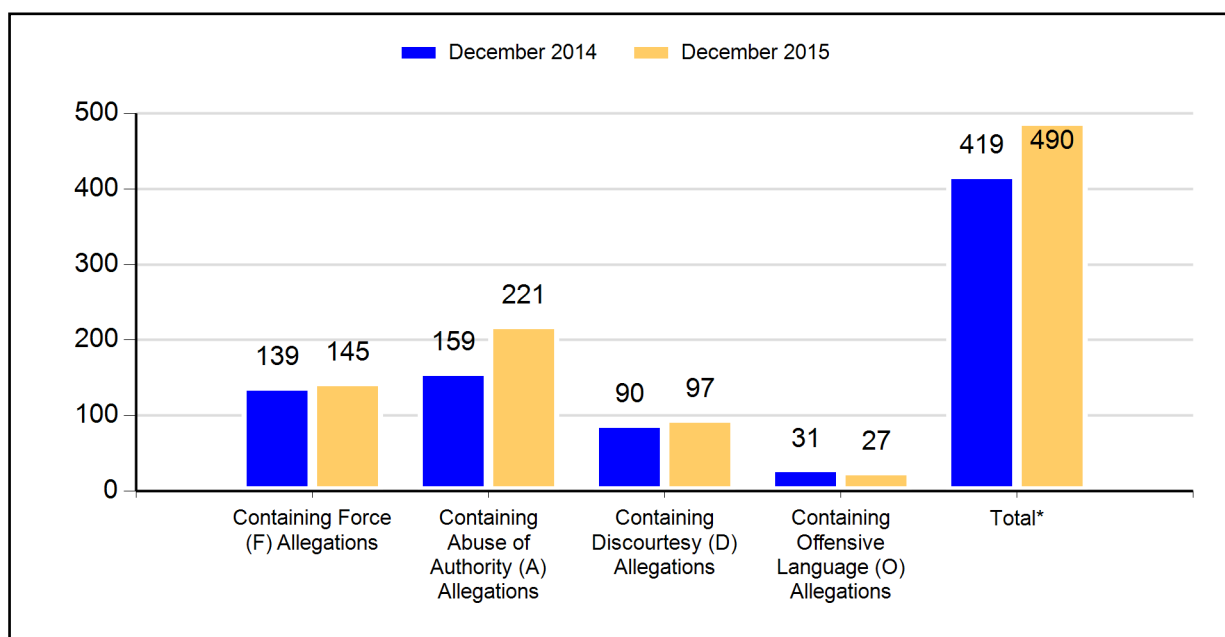
*These figures track where an incident occurred, not necessarily the Command of the officer. For example, a complaint filed against officers assigned to a Narcotics unit working in East New York would be counted as occurring in the 75th Precinct.

Allegations Received

As described in the previous section, the CCRB has jurisdiction over four categories of NYPD misconduct. In comparing December 2015 to December 2014, the number of complaints that have at least one Offensive Language allegation are down from a year ago, while the number of allegations in the other three categories are up.

Figures for the year to date comparison, show that complaints with at least one of the indicated FADO allegations are markedly down in all four categories from 2014. The total number of complaints is down 6% from 2014 to 2015 YTD, and the total number of allegations is down 10%.

Figure 7: CCRB Complaints Received By Type of Allegation (December 2014 vs. December 2015)



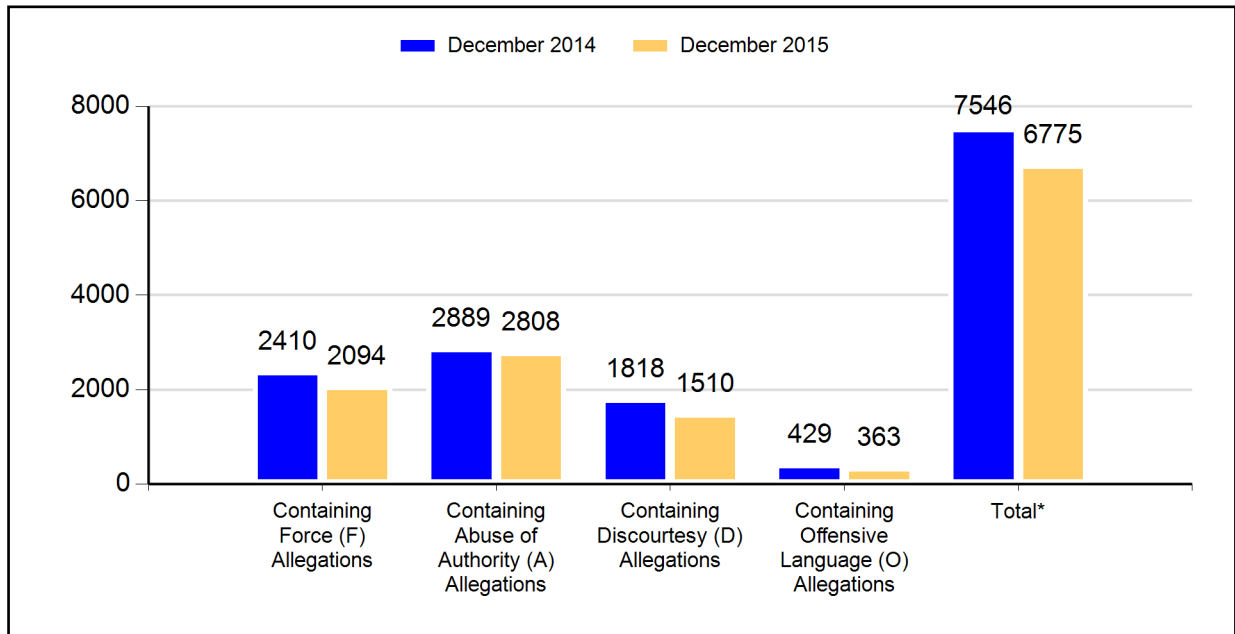
*This is the total of distinct FADO allegation types in complaints received.

Figure 8: CCRB Complaints Received By Type of Allegation (% of Complaints)

	December 2014		December 2015		Change	% Change
	Count	% of Total Complaints	Count	% of Total Complaints		
Force (F)	139	49%	145	42%	6	4%
Abuse of Authority (A)	159	56%	221	65%	62	39%
Discourtesy (D)	90	32%	97	28%	7	8%
Offensive Language (O)	31	11%	27	8%	-4	-13%
Total FADO Allegations	419		490		71	17%
Total Complaints	284		342		58	20%

Note: the number of allegations in recently received complaints typically grows somewhat as the complaints are investigated.

Figure 9: CCRB Complaints Received By Type of Allegation (YTD 2014 vs. YTD 2015)



*This is the total of distinct FADO allegation types in complaints received.

Figure 10: CCRB Complaints Received By Type of Allegation YTD (% of Complaints)

	YTD 2014		YTD 2015		Change	% Change
	Count	% of Total Complaints	Count	% of Total Complaints		
Force (F)	2410	50%	2094	47%	-316	-13%
Abuse of Authority (A)	2889	61%	2808	63%	-81	-3%
Discourtesy (D)	1818	38%	1510	34%	-308	-17%
Offensive Language (O)	429	9%	363	8%	-66	-15%
Total FADO Allegations	7546		6775		-771	-10%
Total Complaints	4775		4469		-306	-6%

Note: the number of allegations in recently received complaints typically grows somewhat as the complaints are investigated.

Figure 11: Total Allegations (% of Total Allegations)

	December 2014		December 2015		Change	% Change
	Count	%of Total Allegations	Count	%of Total Allegations		
Force (F)	139	33%	145	30%	6	4%
Abuse of Authority (A)	159	38%	221	45%	62	39%
Discourtesy (D)	90	21%	97	20%	7	8%
Offensive Language (O)	31	7%	27	6%	-4	-13%
Total Allegations	419		490		71	17%
Total Complaints	284		342		58	20%

Figure 12: Total Allegations YTD (% of Total Allegations)

	YTD 2014		YTD 2015		Change	% Change
	Count	%of Total Allegations	Count	%of Total Allegations		
Force (F)	2410	32%	2094	31%	-316	-13%
Abuse of Authority (A)	2889	38%	2808	41%	-81	-3%
Discourtesy (D)	1818	24%	1510	22%	-308	-17%
Offensive Language (O)	429	6%	363	5%	-66	-15%
Total Allegations	7546		6775		-771	-10%
Total Complaints	4775		4469		-306	-6%

The number of allegations in recently received complaints typically grows as the complaints are investigated.

CCRB Docket

Ninety-five percent of active CCRB cases are fewer than five months old, and 99% of active cases have been open for fewer than eight months. This is an agency record.

Figure 13: Age of Active Cases Based on Received Date (December 2015)

	Count	% of Total
Cases 0-4 Months	966	94.7%
Cases 5-7 Months	43	4.2%
Cases 8-11 Months	5	0.5%
Cases 12-18 Months*	2	0.2%
Cases Over 18 Months**	4	0.4%
Total	1020	100%

*The two cases that are 12-18 months old are reopened cases.

**Four cases were reported to the CCRB over 18 months ago. One of these were removed from DA Hold and the other three are reopened cases.

Figure 14: Age of Active Cases Based on Incident Date (December 2015)

	Count	% of Total
Cases 0-4 Months	923	90.5%
Cases 5-7 Months	65	6.4%
Cases 8-11 Months	14	1.4%
Cases 12-18 Months	11	1.1%
Cases Over 18 Months	7	0.7%
Total	1020	100%

The number of active cases on the CCRB docket has decreased dramatically during the past year due to increased investigative efficiency and a decline in complaints from the public. An active case is specifically one in which the facts are still being investigated.

Figure 15: Number of Active Investigations (January 2014 - December 2015)

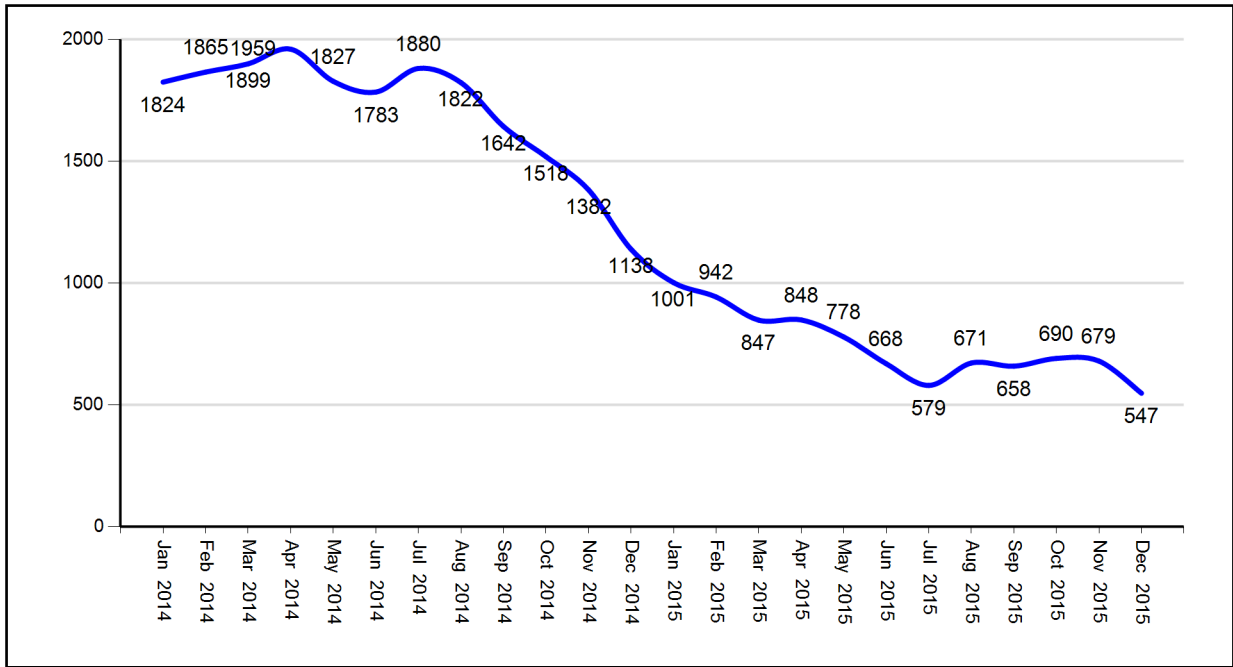


Figure 16: Open Docket Analysis

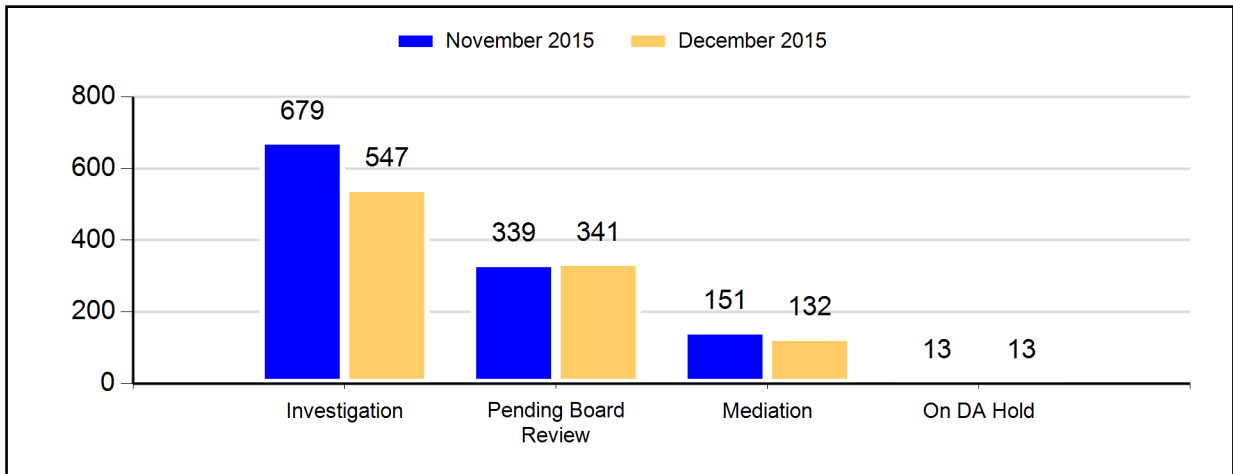


Figure 17: Open Docket Analysis with % Change

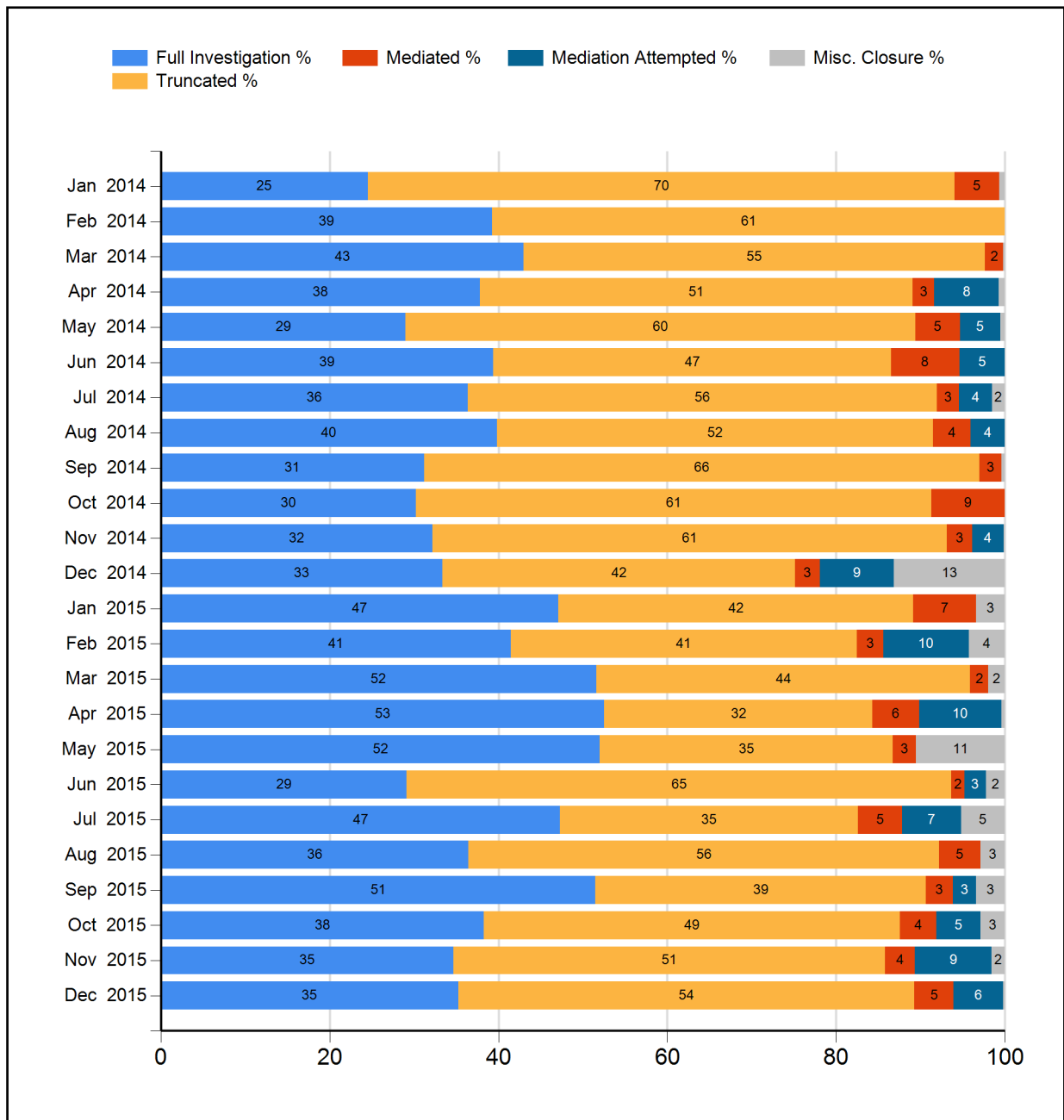
	November 2015		December 2015		Change	% Change
	Count	% of Total	Count	% of Total		
Investigations	679	57%	547	53%	-132	-19%
Pending Board Review	339	29%	341	33%	2	1%
Mediation	151	13%	132	13%	-19	-13%
On DA Hold	13	1%	13	1%	0	0%
Total	1182		1033		-149	-13%

Closed Cases

Resolving Cases

In December 2015, the CCRB fully investigated 35% of the cases it closed, and resolved (fully investigated, mediated or mediation attempted) 46% of the cases it closed. The Agency continues to face the challenge of truncations.

Figure 18: Case Resolutions (January 2014 - December 2015) (%)



Dispositions

Cases fully investigated by the CCRB generally receive one of five outcomes:

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

Additionally, a case might be **mediated**, with the subject officer and complainant discussing the incident in the presence of a neutral third-party moderator. Finally, a case that cannot be fully investigated due to victim/complainant unavailability or lack of cooperation is **truncated**.

Case Abstracts

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

1. Substantiated

Two detectives from the Manhattan Warrant Section entered and searched a woman's Manhattan apartment with the intention of arresting her son in regards to an active and valid bench warrant. The woman explained to the detectives that her son did not live there and she had not seen him in year. She refused permission for the detectives to enter and search her apartment. The detectives had researched the listed address and stated there was no reason to believe that the son would be there at the time of their entry - a requirement needed to lawfully execute a bench warrant. The detectives had written in the Warrant Investigative Data sheet that the woman refused to cooperate with the investigation, but insisted that she had provided consent during their CCRB interviews. The Board credited the woman's claim that she denied consent, and because the detectives stated that they had no reason to believe that her son was at the apartment at the time, the entry and search allegations were "Substantiated."

The "Unsubstantiated," "Exonerated," and "Unfounded" case profiles for December derive from different allegations found within one case.

2. Unsubstantiated

An intoxicated man engaged in a dispute at a Brooklyn grocery store with the store's owner. The man called the police claiming he was assaulted. The owner also requested assistance, from officers who were nearby, to help him make the man leave the store. After the intoxicated man could not provide a coherent narrative of the alleged assault, the officers told the man to leave the location at the owner's request. The man alleged that an officer told him to, "Get the f—k off the corner," and the officer denied using profanity toward the man. The owner stated that the officers told the man to leave, but didn't believe he ever heard the officers use profanity towards the man. The owner could not be considered an independent witness due to his contentious relationship with the man. The man's profanity allegation was consistent, but

because the surveillance video did not include audio, the man's overall credibility was damaged by his level of intoxication during the incident. There were no independent witnesses and the Board "Unsubstantiated" the discourtesy allegation.

3. Unfounded

After the alleged threat of arrest was made during the above incident, the man claimed that officers pushed him against the side of their police car. The man stated that one of the officers then put him in a chokehold and pulled him backwards onto the ground, causing a laceration on the back of his head. The EMS responders noted in the Ambulance Call Report that the man was verbally abusive and claimed he had been struck in the head with a bat. The store owner stated that he saw the man physically harassing the officers, and that an officer pushed the man which caused him to fall backwards. Video showed that the officers alleged to have initially pushed the man and put him a chokehold were in their police car at the time that the man was pushed back by a different officer - an action that was exonerated due to the threat level that the man was displaying toward that officer. The Board "Unfounded" the allegations that the officers pushed the man against the car and put him in a chokehold due to the surveillance video and corroborating statements of the officers and store owner.

4. Exonerated

Continuing from the above case, the man claimed an officer told him that he would be arrested if he did not leave the location. The officer claimed that he told the man that they did not want to arrest him and he needed only to leave the scene. Although the officers did not consider the man under arrest initially, he was later arrested and charged with disorderly conduct based on his refusal to move on, the volume of his voice, and cursing which caused a crowd to gather around the scene. The Board credited that the man could have been arrested for disorderly conduct at the time the threat was allegedly made, so if the threat was made it would have been a statement of fact, causing the threat to arrest allegation to be "Exonerated."

5. Officer Unidentified

A man claimed that he was working at his restaurant in Staten Island when a female officer dressed in plainclothes walked in and requested to use the restaurant restroom. The man told the woman that the restroom was for costumers only, after which the woman displayed a gold badge and told the man that she was a "cop." The man reiterated that the restroom was for costumers only. When the woman left, the man saw her gesture her middle finger at him, and he wrote down her car's license plate number. A search was done for the license plate number, but yielded a car which belonged to a man whose name was not listed as an NYPD officer. Given the limited information provided, the fact that the officer was dressed in plainclothes (possibly off-duty or not a NYPD officer), and the fact that the search for a potential subject officer yielded negative results, the Board closed the case as "Officer Unidentified."

Dispositions - Full Investigations

Figure 19: Disposition Counts of Full Investigations (December 2015)

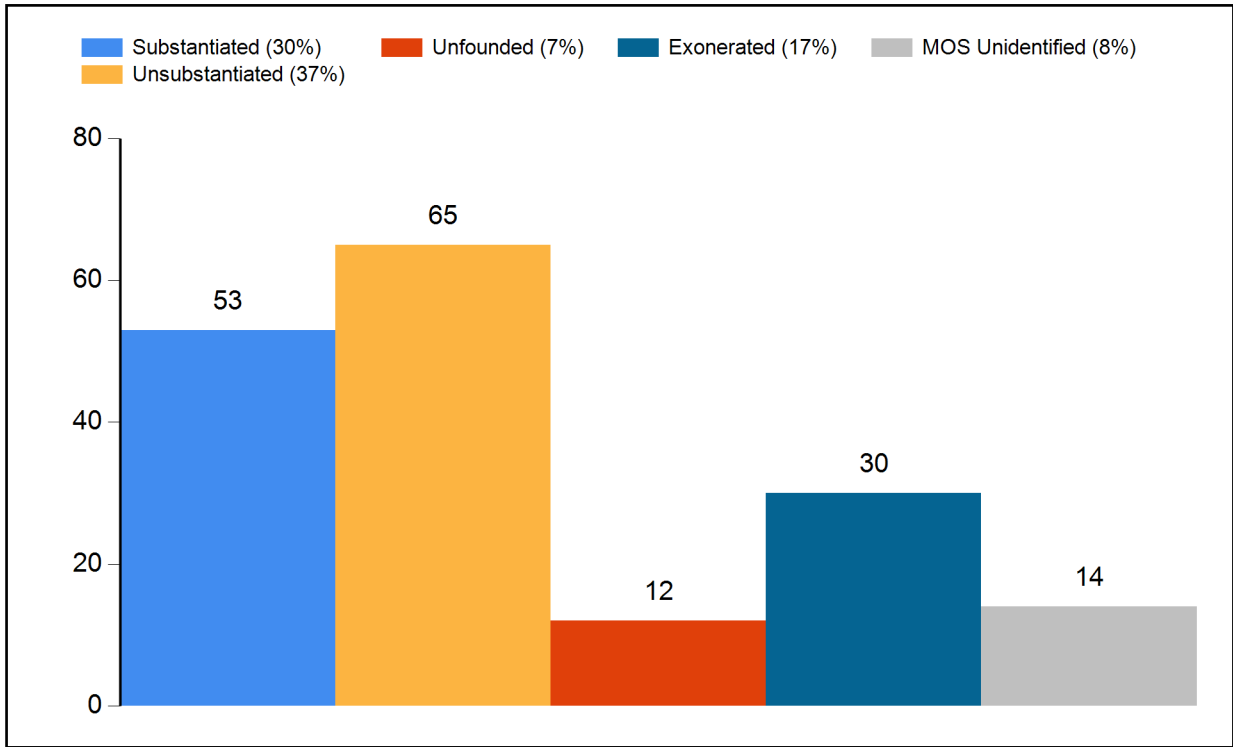
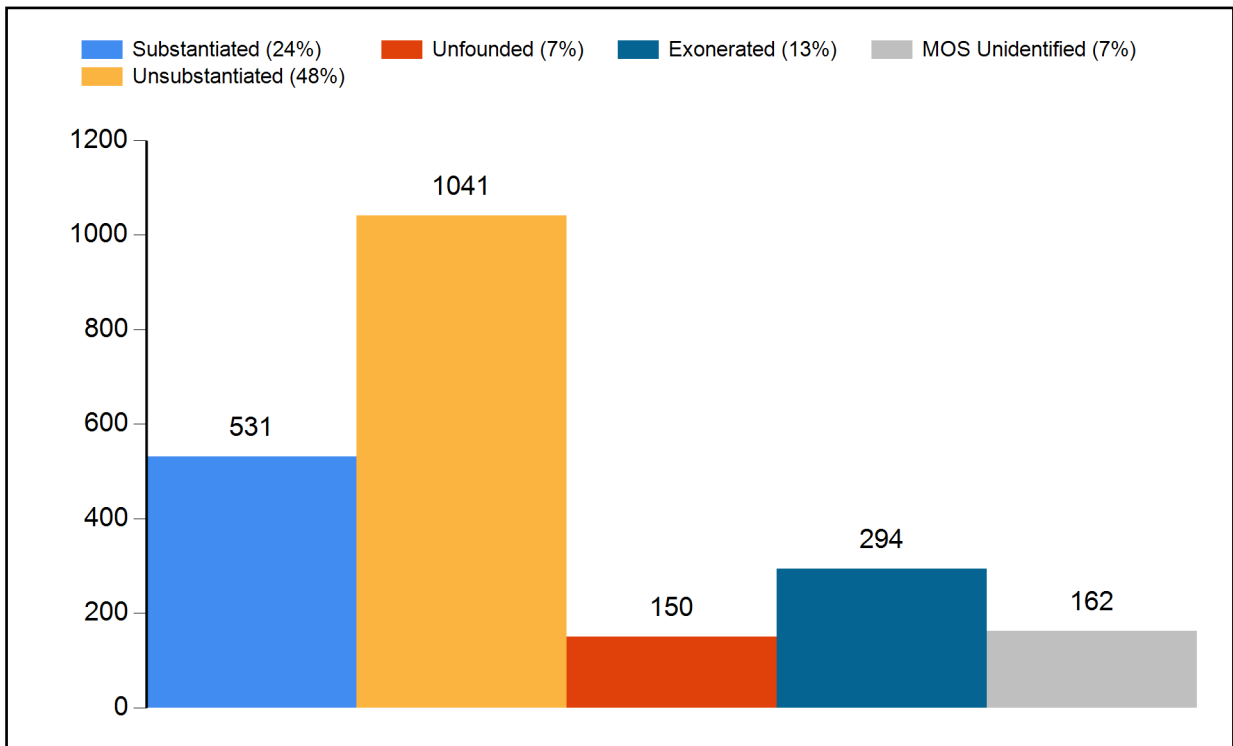


Figure 20: Disposition Counts of Full Investigations (YTD 2015)



Dispositions - All CCRB Cases

In addition to full investigations, CCRB cases can also be closed through mediation and truncation. The following table list all the CCRB case closures for the current month and year-to-date.

Figure 21: Disposition of Cases (2014 vs 2015)

	Dec 2014		Dec 2015		YTD 2014		YTD 2015	
Full Investigations	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Substantiated	48	21%	53	30%	315	17%	531	24%
Exonerated	21	9%	30	17%	265	14%	294	13%
Unfounded	20	9%	12	7%	147	8%	150	7%
Unsubstantiated	117	51%	65	37%	1024	54%	1041	48%
MOS Unidentified	22	10%	14	8%	134	7%	162	7%
Total - Full Investigations	228		174		1885		2178	
Mediation Closures	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Mediated	20	25%	23	44%	185	47%	192	46%
Mediation Attempted	60	75%	29	56%	205	53%	222	54%
Total - ADR Closures	80		52		390		414	
Resolved Case Total	308	45%	226	46%	2275	43%	2592	49%
Truncations / Other Closures	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Complaint withdrawn	46	12%	55	21%	481	16%	372	14%
Complainant/Victim/Witness uncooperative	191	51%	171	64%	1888	61%	1649	62%
Complainant/Victim/Witness unavailable	46	12%	37	14%	577	19%	436	16%
Victim unidentified	3	1%	4	1%	19	1%	31	1%
Miscellaneous	1	0%	1	0%	20	1%	14	1%
Administrative closure*	89	24%	0	0%	89	3%	146	6%
Total - Other Case Dispositions	376		268		3074		2648	
Total - Closed Cases	684		494		5349		5240	

*Administrative closure is a special category that deals with NYPD's Internal Affairs Bureau-referred cases or spin off cases with no complainant/victim, and in which CCRB attempts to locate or identify a complainant/victim has yielded no results.

Dispositions - Allegations

“Allegations” are different than “cases.” A case or complaint is based on an incident and may contain one or more allegations of police misconduct. The allegation substantiation rate is 21% for the month of December 2015, and the allegation substantiation rate is 14% year to date. The type of allegation the CCRB is most likely to substantiate is Abuse of Authority – substantiating 27% of such allegations during December 2015, and 20% for the year.

Figure 22: Disposition of Allegations (2014 vs 2015)

	Dec 2014		Dec 2015		YTD 2014		YTD 2015	
Fully Investigated Allegations	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Substantiated	115	12%	144	21%	721	10%	1295	14%
Unsubstantiated	433	46%	243	36%	3303	45%	3810	42%
Unfounded	91	10%	64	10%	601	8%	786	9%
Exonerated	150	16%	155	23%	1703	23%	2031	22%
MOS Unidentified	151	16%	64	10%	969	13%	1159	13%
Total - Full Investigations	940		670		7297		9081	
Mediation Closures	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Mediated	42	24%	56	43%	382	47%	372	44%
Mediation Attempted	130	76%	73	57%	424	53%	478	56%
Total - ADR Closures	172		129		806		850	
Truncations / Other Closures	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Complaint withdrawn	84	10%	115	17%	893	13%	775	13%
Complainant/Victim/Witness uncooperative	520	60%	461	69%	4693	67%	4062	68%
Complainant/Victim/Witness unavailable	81	9%	74	11%	1077	15%	788	13%
Victim unidentified	6	1%	12	2%	66	1%	80	1%
Miscellaneous	9	1%	7	1%	134	2%	80	1%
Administrative closure	171	20%	0	0%	171	2%	208	3%
Total - Other Case Dispositions	871		669		7034		5993	
Total - Closed Allegations	2098		1535		16098		16811	

Figure 23: Disposition of Allegations By FADO Category (December 2015)

	Substantiated	Unsubstantiated	Exonerated	Unfounded	Officers Unidentified	Total
Force	26 14%	48 26%	72 39%	23 13%	15 8%	184 100%
Abuse of Authority	101 27%	140 38%	80 22%	19 5%	30 8%	370 100%
Discourtesy	17 17%	47 47%	3 3%	15 15%	18 18%	100 100%
Offensive Language	0 0%	8 50%	0 0%	7 44%	1 6%	16 100%
Total	144 21%	243 36%	155 23%	64 10%	64 10%	670 100%

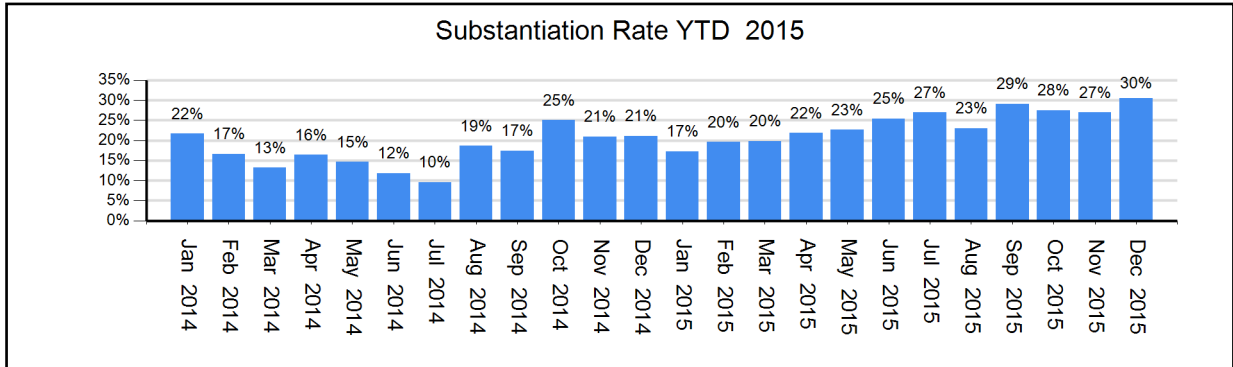
Figure 24: Disposition of Allegations By FADO Category (YTD 2015)

	Substantiated	Unsubstantiated	Exonerated	Unfounded	Officers Unidentified	Total
Force	170 7%	942 36%	808 31%	376 14%	303 12%	2599 100%
Abuse of Authority	950 20%	1838 39%	1183 25%	218 5%	555 12%	4744 100%
Discourtesy	165 11%	850 58%	40 3%	153 11%	246 17%	1454 100%
Offensive Language	10 4%	180 65%	0 0%	39 14%	46 17%	275 100%
Total	1295 14%	3810 42%	2031 22%	786 9%	1150 13%	9072 100%

Substantiation Rates

The December 2015 case substantiation rate of 30% is the highest in CCRB history. December 2015 marks the ninth straight month that the CCRB has substantiated more than 20% of cases it fully investigates. Prior to 2015, substantiation rates rarely surpassed 20% for even a single month.

Figure 25: Percentage of Cases Substantiated (January 2014 - December 2015)



Substantiation Rates and Video

Investigations relying on video evidence from security cameras or personal devices result in much higher substantiation rates.

Figure 26: Substantiation Rates for Full Investigations without Video (Jan 2015 - Dec 2015)

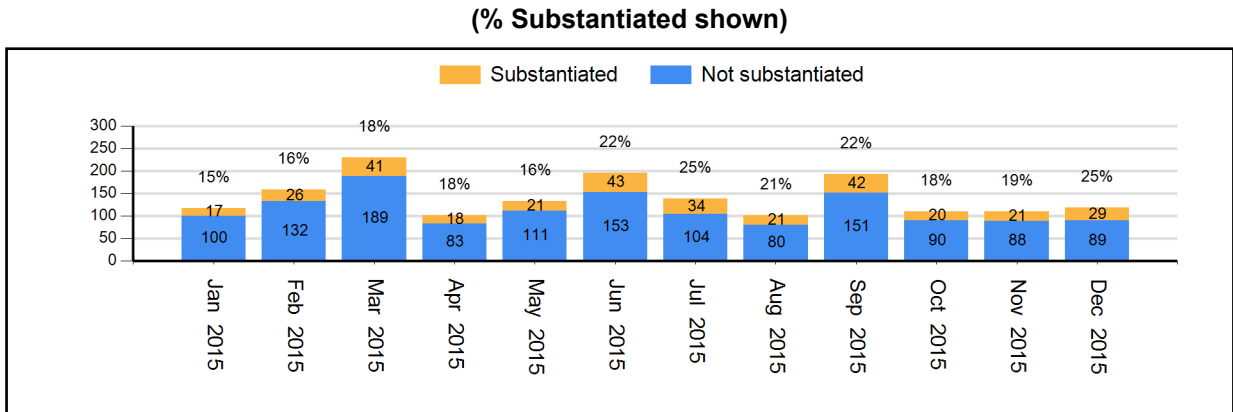
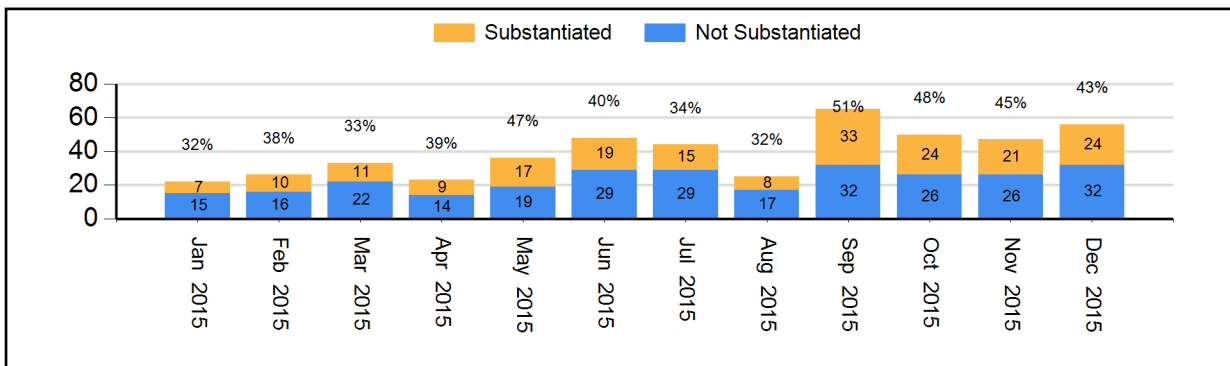


Figure 27: Substantiation Rates for Full Investigations with Video (Jan 2015 - Dec 2015)
(% Substantiated shown)



Board Discipline Recommendations for Substantiated Complaints

After a CCRB investigative team has completed its investigation and recommended the substantiation of a complaint against an officer, a panel of three Board members determines whether or not to substantiate the allegation and make a disciplinary recommendation.

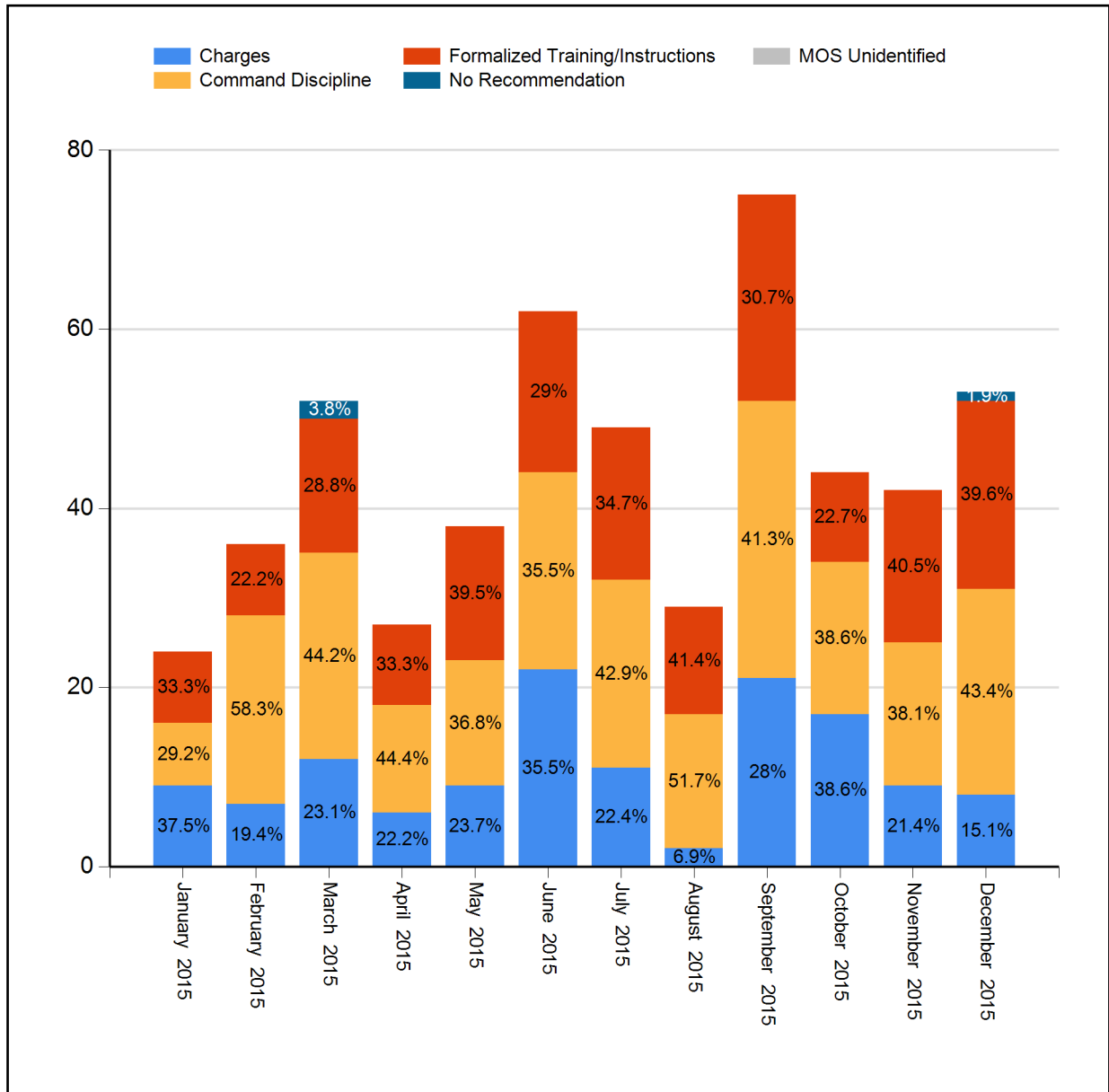
- “Charges and Specifications” are recommended for the most serious allegations of misconduct. Charges may result in an administrative trial in the NYPD Trial Room. An officer may lose vacation days, be suspended, or terminated following if he is found guilty.
- “Instructions” or “Formalized Training” are the least severe discipline, often recommended for officers who misunderstand a policy. This determination results in training at the command level (Instructions) or training at the Police Academy or NYPD Legal Bureau (Formalized Training).
- “Command Discipline” is recommended for misconduct that is more problematic than poor training, but does not rise to the level of Charges. An officer can lose up to ten vacation days as a result of a Command Discipline.
- When the Board has recommended Instructions or Command Discipline, the case is sent to the NYPD Commissioner to impose training and/or other penalties, while most cases where the Board recommends charges are prosecuted by the CCRB’s Administrative Prosecution Unit.

Figure 28: Board Discipline Recommendations For Substantiated Complaints*
(Dec 2014, Dec 2015, YTD 2014, YTD 2015)

Disposition	December 2014		December 2015		YTD 2014		YTD 2015	
	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Charges	16	34%	8	15%	160	51%	133	25%
Command Discipline	17	36%	23	44%	85	27%	222	42%
Formalized Training	2	4%	20	38%	5	2%	162	31%
Instructions	12	26%	1	2%	63	20%	11	2%
MOS Unidentified	0	0%	0	0%	0	0%	0	0%
Total	47		52		313		528	

* A complaint containing a number of substantiated allegations against a number of different officers will typically generate a variety of different disciplinary recommendations. To determine the disciplinary recommendation associated with the complaint as a whole, the CCRB uses the most severe disciplinary recommendation made. The order of severity is: 1) Charges; 2) Command Discipline; 3) Formalized Training; 4) Instructions.

Figure 29: Board Discipline Recommendations For Substantiated Complaints* (2015)



* A complaint containing a number of substantiated allegations against a number of different officers will typically generate a variety of different disciplinary recommendations. To determine the disciplinary recommendation associated with the complaint as a whole, the CCRB uses the most severe disciplinary recommendation made. The order of severity is: 1) Charges; 2) Command Discipline; 3) Formalized Training; 4) Instructions.

Board Discipline Recommendations for Substantiated Allegations

A substantiated CCRB complaint may generate multiple substantiated allegations against multiple officers. Each substantiated allegation will carry its own discipline recommendation from the CCRB Board.

The following table presents the number of officers against whom discipline recommendations have been made as a result of a substantiated CCRB complaint. Where there are multiple substantiated allegations with multiple disciplinary recommendations for an officer in a complaint, the most severe disciplinary recommendation is used to determine the overall recommendation for that officer.

**Figure 30: Board Discipline Recommendations For Substantiated Allegations
(Dec 2014, Dec 2015, YTD 2014, YTD 2015)**

Disposition	December 2014		December 2015		YTD 2014		YTD 2015	
	Count	%of Total	Count	%of Total	Count	%of Total	Count	%of Total
Charges	25	37.3%	14	17.9%	268	57.5%	241	30.3%
Command Discipline	20	29.9%	38	48.7%	117	25.1%	351	44.2%
Formalized Training	4	6%	25	32.1%	9	1.9%	192	24.2%
Instructions	18	26.9%	1	1.3%	72	15.5%	11	1.4%
MOS Unidentified	0	0%	0	0%	0	0%	0	0%
Total	67		78		466		795	

Figure 31: Substantiated Allegations By Borough and NYPD Precinct (December2015)

Board Disposition	FADO Category	Allegation	Precinct of Occurrence	Borough of Occurrence
Substantiated (Formalized Training)	Abuse of Authority	Refusal to provide name/shield number	5	Manhattan
Substantiated (Formalized Training)	Discourtesy	Word	6	Manhattan
Substantiated (Command Discipline A)	Abuse of Authority	Search (of person)	7	Manhattan
Substantiated (No Recommendations)	Abuse of Authority	Threat of force (verbal or physical)	9	Manhattan
Substantiated (Formalized Training)	Abuse of Authority	Search (of person)	9	Manhattan
Substantiated (No Recommendations)	Discourtesy	Word	9	Manhattan
Substantiated (Charges)	Abuse of Authority	Retaliatory summons	17	Manhattan
Substantiated (Charges)	Force	Chokehold	17	Manhattan
Substantiated (Charges)	Force	Physical force	17	Manhattan
Substantiated (Formalized Training)	Force	Physical force	17	Manhattan
Substantiated (Charges)	Force	Other	17	Manhattan
Substantiated (Command Discipline B)	Abuse of Authority	Frisk	18	Manhattan
Substantiated (Command Discipline B)	Abuse of Authority	Search (of person)	18	Manhattan
Substantiated (Command Discipline B)	Abuse of Authority	Stop	18	Manhattan
Substantiated (Charges)	Force	Chokehold	18	Brooklyn
Substantiated (Charges)	Force	Pepper spray	18	Brooklyn
Substantiated (Charges)	Force	Physical force	18	Brooklyn
Substantiated (Command Discipline A)	Abuse of Authority	Other	23	Manhattan
Substantiated (Command Discipline A)	Abuse of Authority	Other	23	Manhattan
Substantiated (Command Discipline A)	Abuse of Authority	Search (of person)	23	Manhattan
Substantiated (Command Discipline A)	Abuse of Authority	Stop	23	Manhattan
Substantiated (Command Discipline A)	Abuse of Authority	Stop	23	Manhattan
Substantiated (Formalized Training)	Abuse of Authority	Refusal to provide name/shield number	25	Manhattan
Substantiated (Formalized Training)	Abuse of Authority	Refusal to provide name/shield number	25	Manhattan
Substantiated (Command Discipline B)	Force	Pepper spray	25	Manhattan
Substantiated (Formalized Training)	Discourtesy	Word	26	Manhattan
Substantiated (Command Discipline B)	Abuse of Authority	Premises entered and/or searched	33	Manhattan
Substantiated (Command Discipline B)	Abuse of Authority	Premises entered and/or searched	33	Manhattan
Substantiated (Formalized Training)	Discourtesy	Word	33	Manhattan
Substantiated (Formalized Training)	Abuse of Authority	Vehicle search	40	Bronx
Substantiated (Command Discipline B)	Abuse of Authority	Other	40	Bronx
Substantiated (Formalized Training)	Abuse of Authority	Failure to show search warrant	40	Bronx
Substantiated (Command Discipline B)	Abuse of Authority	Frisk	40	Bronx
Substantiated (Formalized Training)	Abuse of Authority	Frisk	40	Bronx
Substantiated (Formalized Training)	Discourtesy	Word	40	Bronx
Substantiated (Command Discipline B)	Force	Physical force	40	Bronx
Substantiated (Command Discipline B)	Abuse of Authority	Frisk	43	Bronx
Substantiated (Command Discipline B)	Abuse of Authority	Search (of person)	43	Bronx
Substantiated (Command Discipline B)	Abuse of Authority	Stop	43	Bronx
Substantiated (Formalized Training)	Abuse of Authority	Refusal to provide name/shield number	46	Bronx
Substantiated (Formalized Training)	Abuse of Authority	Retaliatory summons	46	Bronx
Substantiated (Formalized Training)	Abuse of Authority	Frisk	46	Bronx

Board Disposition	FADO Category	Allegation	Precinct of Occurrence	Borough of Occurrence
Substantiated (Formalized Training)	Abuse of Authority	Search (of person)	46	Bronx
Substantiated (Command Discipline A)	Abuse of Authority	Frisk	47	Bronx
Substantiated (Command Discipline B)	Abuse of Authority	Vehicle stop	60	Brooklyn
Substantiated (Command Discipline B)	Abuse of Authority	Vehicle stop	60	Brooklyn
Substantiated (Command Discipline B)	Abuse of Authority	Vehicle search	60	Brooklyn
Substantiated (Command Discipline B)	Abuse of Authority	Vehicle search	60	Brooklyn
Substantiated (Charges)	Abuse of Authority	Premises entered and/or searched	60	Brooklyn
Substantiated (Formalized Training)	Abuse of Authority	Refusal to provide name/shield number	60	Brooklyn
Substantiated (Command Discipline B)	Abuse of Authority	Frisk	60	Brooklyn
Substantiated (Command Discipline B)	Abuse of Authority	Search (of person)	60	Brooklyn
Substantiated (Charges)	Abuse of Authority	Stop	60	Brooklyn
Substantiated (Charges)	Abuse of Authority	Stop	60	Brooklyn
Substantiated (Charges)	Discourtesy	Word	60	Brooklyn
Substantiated (Command Discipline B)	Discourtesy	Word	60	Brooklyn
Substantiated (Command Discipline B)	Discourtesy	Word	60	Brooklyn
Substantiated (Command Discipline B)	Force	Gun Pointed	60	Brooklyn
Substantiated (Command Discipline B)	Force	Gun Pointed	60	Brooklyn
Substantiated (Charges)	Force	Gun Pointed	60	Brooklyn
Substantiated (Command Discipline A)	Abuse of Authority	Vehicle stop	61	Brooklyn
Substantiated (Command Discipline A)	Discourtesy	Word	61	Brooklyn
Substantiated (Command Discipline B)	Abuse of Authority	Vehicle stop	67	Brooklyn
Substantiated (Command Discipline B)	Abuse of Authority	Other	67	Brooklyn
Substantiated (Formalized Training)	Force	Gun fired	69	Brooklyn
Substantiated (Charges)	Force	Physical force	70	Brooklyn
Substantiated (Formalized Training)	Abuse of Authority	Other	71	Brooklyn
Substantiated (Formalized Training)	Discourtesy	Word	72	Brooklyn
Substantiated (Charges)	Abuse of Authority	Premises entered and/or searched	75	Brooklyn
Substantiated (Formalized Training)	Abuse of Authority	Premises entered and/or searched	75	Brooklyn
Substantiated (Formalized Training)	Abuse of Authority	Premises entered and/or searched	75	Brooklyn
Substantiated (Charges)	Abuse of Authority	Property damaged	75	Brooklyn
Substantiated (Charges)	Abuse of Authority	Refusal to provide name/shield number	75	Brooklyn
Substantiated (Charges)	Abuse of Authority	Refusal to provide name/shield number	75	Brooklyn
Substantiated (Command Discipline B)	Abuse of Authority	Retaliatory arrest	75	Brooklyn
Substantiated (Formalized Training)	Discourtesy	Word	75	Brooklyn
Substantiated (Charges)	Discourtesy	Word	75	Brooklyn
Substantiated (Charges)	Force	Physical force	75	Brooklyn
Substantiated (Charges)	Force	Physical force	75	Brooklyn
Substantiated (Command Discipline B)	Abuse of Authority	Search (of person)	76	Brooklyn
Substantiated (Command Discipline B)	Abuse of Authority	Search (of person)	76	Brooklyn
Substantiated (Command Discipline B)	Abuse of Authority	Stop	76	Brooklyn
Substantiated (Command Discipline B)	Abuse of Authority	Question	76	Brooklyn
Substantiated (Command Discipline A)	Abuse of Authority	Vehicle stop	79	Brooklyn
Substantiated (Charges)	Abuse of Authority	Threat of force (verbal or physical)	79	Brooklyn

Board Disposition	FADO Category	Allegation	Precinct of Occurrence	Borough of Occurrence
Substantiated (Command Discipline A)	Abuse of Authority	Refusal to provide name/shield number	79	Brooklyn
Substantiated (Command Discipline A)	Discourtesy	Word	79	Brooklyn
Substantiated (Charges)	Force	Other blunt instrument as a club	79	Brooklyn
Substantiated (Charges)	Force	Chokehold	79	Brooklyn
Substantiated (Charges)	Force	Physical force	79	Brooklyn
Substantiated (Charges)	Force	Physical force	79	Brooklyn
Substantiated (Charges)	Force	Other	79	Brooklyn
Substantiated (Command Discipline A)	Abuse of Authority	Refusal to provide name/shield number	83	Brooklyn
Substantiated (Command Discipline A)	Abuse of Authority	Other	83	Brooklyn
Substantiated (Formalized Training)	Discourtesy	Word	83	Brooklyn
Substantiated (Command Discipline A)	Discourtesy	Action	90	Brooklyn
Substantiated (Command Discipline A)	Abuse of Authority	Refusal to provide name/shield number	100	Queens
Substantiated (Command Discipline A)	Abuse of Authority	Other	100	Queens
Substantiated (Command Discipline A)	Abuse of Authority	Stop	100	Queens
Substantiated (Command Discipline A)	Abuse of Authority	Vehicle search	101	Queens
Substantiated (Formalized Training)	Abuse of Authority	Frisk	101	Queens
Substantiated (Formalized Training)	Abuse of Authority	Search (of person)	101	Queens
Substantiated (Command Discipline A)	Abuse of Authority	Premises entered and/or searched	102	Queens
Substantiated (Command Discipline A)	Abuse of Authority	Premises entered and/or searched	102	Queens
Substantiated (Command Discipline A)	Abuse of Authority	Refusal to process civilian complaint	102	Queens
Substantiated (Command Discipline A)	Abuse of Authority	Refusal to process civilian complaint	102	Queens
Substantiated (Command Discipline A)	Abuse of Authority	Refusal to process civilian complaint	102	Queens
Substantiated (Command Discipline A)	Abuse of Authority	Frisk	102	Queens
Substantiated (Command Discipline B)	Abuse of Authority	Vehicle stop	103	Queens
Substantiated (Command Discipline B)	Abuse of Authority	Vehicle search	103	Queens
Substantiated (Command Discipline B)	Abuse of Authority	Vehicle search	103	Queens
Substantiated (Command Discipline B)	Abuse of Authority	Refusal to provide name/shield number	103	Queens
Substantiated (Command Discipline B)	Abuse of Authority	Other	103	Queens
Substantiated (Command Discipline B)	Abuse of Authority	Frisk	103	Queens
Substantiated (Command Discipline B)	Abuse of Authority	Search (of person)	103	Queens
Substantiated (Command Discipline B)	Abuse of Authority	Stop	103	Queens
Substantiated (Command Discipline B)	Abuse of Authority	Stop	103	Queens
Substantiated (Command Discipline B)	Abuse of Authority	Stop	103	Queens
Substantiated (Command Discipline B)	Abuse of Authority	Stop	103	Queens
Substantiated (Command Discipline B)	Force	Gun Pointed	103	Queens
Substantiated (Command Discipline B)	Force	Gun Pointed	103	Queens
Substantiated (Command Discipline B)	Force	Gun Pointed	103	Queens
Substantiated (Formalized Training)	Abuse of Authority	Vehicle search	108	Queens
Substantiated (Command Lvl Instructions)	Abuse of Authority	Premises entered and/or searched	108	Queens
Substantiated (Formalized Training)	Abuse of Authority	Refusal to provide name/shield number	108	Queens
Substantiated (Formalized Training)	Abuse of Authority	Refusal to provide name/shield number	108	Queens
Substantiated (Formalized Training)	Abuse of Authority	Frisk	108	Queens
Substantiated (Charges)	Abuse of Authority	Premises entered and/or searched	113	Queens

Board Disposition	FADO Category	Allegation	Precinct of Occurrence	Borough of Occurrence
Substantiated (Charges)	Abuse of Authority	Premises entered and/or searched	113	Queens
Substantiated (Charges)	Abuse of Authority	Premises entered and/or searched	113	Queens
Substantiated (Charges)	Abuse of Authority	Premises entered and/or searched	113	Queens
Substantiated (Charges)	Abuse of Authority	Threat of arrest	113	Queens
Substantiated (Charges)	Abuse of Authority	Property damaged	113	Queens
Substantiated (Charges)	Abuse of Authority	Refusal to provide name/shield number	113	Queens
Substantiated (Charges)	Abuse of Authority	Refusal to provide name/shield number	113	Queens
Substantiated (Charges)	Abuse of Authority	Refusal to provide name/shield number	113	Queens
Substantiated (Charges)	Abuse of Authority	Retaliatory arrest	113	Queens
Substantiated (Charges)	Abuse of Authority	Stop	113	Queens
Substantiated (Charges)	Abuse of Authority	Stop	113	Queens
Substantiated (Charges)	Abuse of Authority	Stop	113	Queens
Substantiated (Charges)	Discourtesy	Word	113	Queens
Substantiated (Charges)	Force	Physical force	113	Queens
Substantiated (Charges)	Discourtesy	Word	121	Staten Island
Substantiated (Charges)	Force	Chokehold	121	Staten Island

Truncations

A “truncation” is a case that is not fully investigated because the complainant/victim withdraws the complaint; is uncooperative with the investigation; is not available for the investigative team to interview; or is never identified. The CCRB constantly seeks to lower the number of truncations.

Figure 32: Truncated Allegations (December 2015)

	Withdrawn	Uncooperative	Unavailable	Civilian Unidentified	Total
Force	34	120	32	8	194
Abuse of Authority	65	262	27	1	355
Discourtesy	11	65	12	3	91
Offensive Language	5	14	3	0	22
Total	115	461	74	12	662

Figure 33: Truncated CCRB Complaints (December 2015)

	Withdrawn	Uncooperative	Unavailable	Civilian Unidentified	Total
Total	55	171	37	4	267

Figure 34: Truncated Allegations (YTD 2015)

	Withdrawn	Uncooperative	Unavailable	Civilian Unidentified	Total
Force	206	1280	371	31	1888
Abuse of Authority	417	2026	265	34	2742
Discourtesy	121	617	118	14	870
Offensive Language	30	139	34	1	204
Total	774	4062	788	80	5704

Figure 35: Truncated CCRB Complaints (YTD 2015)

	Withdrawn	Uncooperative	Unavailable	Civilian Unidentified	Total
Total	372	1649	436	31	2488

Mediation Unit

Whenever mediation between a complainant/victim and subject officer is suitable, it is offered by CCRB investigators. If the complainant/victim and subject officer both agree to participate, a neutral, third-party mediator facilitates a conversation between the parties. “Mediations Attempted” refers to truncations that take place during the mediation stage, such as a complainant becoming unavailable. The chart below indicates the number of mediations and attempted mediations in December and this year.

Figure 36: Mediated Complaints

	December 2015			YTD 2015		
	Mediated	Mediation Attempted	Total	Mediated	Mediation Attempted	Total
Mediated Complaints	23	29	52	192	222	414

Figure 37: Mediated FADO Allegations

	December 2015			YTD 2015		
	Mediated	Mediation Attempted	Total	Mediated	Mediation Attempted	Total
Force	4	5	9	21	38	59
Abuse of Authority	36	46	82	234	291	525
Discourtesy	15	17	32	99	123	222
Offensive Language	1	5	6	18	26	44
Total	56	73	129	372	478	850

Figure 38: Mediated Complaints By Borough (December 2015)

	Mediations
Bronx	6
Brooklyn	4
Manhattan	10
Queens	3
Staten Island	0

Figure 39: Mediated Allegations By Borough (December 2015)

	Mediations
Bronx	16
Brooklyn	11
Manhattan	25
Queens	4
Staten Island	0

Figure 40: Mediated Complaints By Precinct (Dec 2015 - YTD 2015)

Precinct	Dec 2015	YTD 2015	Precinct	Dec 2015	YTD 2015
1	0	2	67	2	5
5	2	4	69	0	6
6	0	5	70	0	2
7	0	1	71	0	4
9	0	1	72	0	1
10	1	3	73	0	3
13	0	5	75	1	7
14	1	7	76	0	4
17	2	4	77	0	5
18	1	3	78	0	1
19	0	6	81	0	1
20	1	1	84	0	2
23	1	2	88	1	1
24	0	3	90	0	1
25	0	1	94	0	1
28	0	1	100	0	1
30	0	2	101	0	4
32	0	1	102	0	4
33	1	4	103	0	4
34	0	5	104	0	2
40	2	6	105	0	2
41	2	6	106	0	1
43	0	3	107	0	1
44	1	6	108	1	5
45	0	2	109	0	1
46	0	3	110	0	2
47	0	2	111	0	3
48	0	3	112	0	2
49	0	2	113	1	3
50	0	1	114	0	3
52	1	3	115	1	2
61	0	3	121	0	2
62	0	1	122	0	1
66	0	2	123	0	1

Figure 41: Mediated Allegations By Precinct (Dec 2015 - YTD 2015)

Precinct	Dec 2015	YTD 2015	Precinct	Dec 2015	YTD 2015
1	0	6	67	4	8
5	2	6	69	0	10
6	0	11	70	0	8
7	0	1	71	0	8
9	0	2	72	0	1
10	2	5	73	0	6
13	0	6	75	5	16
14	2	12	76	0	8
17	4	6	77	0	10
18	3	6	78	0	1
19	0	9	81	0	2
20	7	7	84	0	4
23	3	6	88	2	2
24	0	3	90	0	1
25	0	1	94	0	2
28	0	1	100	0	1
30	0	3	101	0	10
32	0	2	102	0	10
33	2	7	103	0	10
34	0	6	104	0	3
40	10	17	105	0	6
41	4	10	106	0	1
43	0	6	107	0	1
44	1	12	108	1	6
45	0	4	109	0	2
46	0	6	110	0	4
47	0	3	111	0	3
48	0	4	112	0	8
49	0	3	113	1	4
50	0	1	114	0	9
52	1	8	115	2	5
61	0	7	121	0	6
62	0	1	122	0	1
66	0	5	123	0	2

Administrative Prosecution Unit

The CCRB’s Administrative Prosecution Unit (APU) prosecutes police misconduct cases, when the Board has recommended charges, in the NYPD Trial Room. In December, the NYPD notified the Agency that the Police Commissioner would be overturning a trial judge's guilty verdict to rule the officer not guilty.^{††} The APU is also able to offer pleas to officers who admit guilt rather than going to trial. Following a plea agreement or the conclusion of a disciplinary trial, cases are sent to the Police Commissioner for final penalties.

Figure 42: Administrative Prosecution Unit Case Closures

Disposition Category	Prosecution Disposition	Dec 2015	YTD 2015
Disciplinary Action	Not guilty after trial but Discipline Imposed	0	4
	Guilty after trial	0	58
	Trial verdict dismissed by PC, Comm. Disc. A imposed	0	0
	Trial verdict dismissed by PC, Comm. Disc. B imposed	0	0
	Trial verdict dismissed by PC, Formalized Training imposed	0	0
	Trial verdict dismissed by PC, Instructions imposed	0	0
	Trial verdict reversed by PC, Final verdict Guilty	0	0
	Resolved by plea	0	34
	Plea set aside, Comm. Disc. B	0	0
	Plea set aside, Comm. Disc. A	0	0
	Plea set aside, Formalized Training	0	1
	Plea set aside, Instructions	0	3
	*Retained, with discipline	0	0
	Disciplinary Action Total		0
No Disciplinary Action	Not guilty after trial	0	58
	Trial verdict reversed by PC, Final verdict Not Guilty	1	1
	Plea set aside, Without discipline	0	0
	**Retained, without discipline	0	0
	Dismissed by APU	0	8
	SOL Expired in APU	0	0
No Disciplinary Action Total		1	67
Not Adjudicated	Charges not filed	0	0
	Deceased	0	0
	Other	0	1
	***Previously adjudicated, with discipline	0	1
	***Previously adjudicated, without discipline	0	0
	†Reconsidered by CCRB Board	0	7
	Retired	0	5
	SOL Expired prior to APU	0	1
	Not Adjudicated Total		0
Total Closures		1	182

*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.

** 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.

*** 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.

† 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.

NYPD Discipline

Under the New York City Charter, the Police Commissioner makes the final decision regarding discipline and the outcome of disciplinary trials.

The first chart reflects NYPD-imposed discipline for cases brought by the APU (Charges).

The chart on the following page reflects cases referred to the Police Commissioner where the Board recommended Command Discipline and Formalized Training.

Figure 43: NYPD Discipline Imposed for Adjudicated APU Cases

Discipline*	December 2015	YTD 2015
Terminated	0	0
Suspension for or loss of vacation time of 31 or more days and/or Dismissal Probation	0	0
Suspension for or loss of vacation time of 21 to 30 days and/or Dismissal Probation	0	0
Suspension for or loss of vacation time of 11 to 20 days	0	4
Suspension for or loss of vacation time of 1 to 10 days	0	76
Command Discipline B	0	0
Command Discipline A	0	0
Formalized Training**	0	7
Instructions***	0	8
Warned & admonished/Reprimanded	0	5
Disciplinary Action† Total	0	100
No Disciplinary Action†	1	67
Adjudicated Total	1	167
Discipline Rate	0%	60%
Not Adjudicated† Total	0	15
Total Closures	1	182

*Where more than one penalty is imposed on a respondent, it is reported under the more severe penalty.

** Formalized training is conducted by the Police Academy, the NYPD Legal Bureau, or other NYPD Unit.

*** Instructions are conducted at the command level.

† The case closures types that define the "Disciplinary Action", "No Disciplinary Action" and "Not Adjudicated" categories are listed in Figure 42 on the previous page.

Figure 44: NYPD Discipline Imposed for Non-APU Cases

Disposition	Disposition Type*	December 2015	YTD 2015
Disciplinary Action	Terminated	0	0
	Suspension for or loss of vacation time of 31 or more days and/or Dismissal Probation	0	1
	Suspension for or loss of vacation time of 21 to 30 days and/or Dismissal Probation	0	0
	Suspension for or loss of vacation time of 11 to 20 days	0	0
	Suspension for or loss of vacation time of 1 to 10 days	0	0
	Command Discipline B	0	32
	Command Discipline A	7	67
	Formalized Training**	10	74
	Instructions***	2	59
	Warned & admonished/Reprimanded	0	0
	Total	19	233
No Disciplinary Action	Not Guilty †	0	1
	Filed ††	1	1
	SOL Expired	0	1
	Department Unable to Prosecute†††	1	17
	Total	2	20
	Discipline Rate	90%	92%
	DUP Rate	5%	7%

*Where the respondent is found guilty of charges, and the penalty imposed would fall into more than one of the above listed categories, it is reported under the more severe penalty.

** Formalized training is conducted by the Police Academy, the NYPD Legal Bureau, or other NYPD Unit.

*** Instructions are conducted at the command level.

† This verdict relates to a trial conducted by DAO on a case decided by the Board prior to the activation of the APU.

†† "Filed" is a term used when the police department is not required to take action against the subject officer because the officer has resigned or retired from the department, or has been terminated.

††† When the department decides that it will not discipline an officer against whom the Board recommended discipline other than charges, those cases are referred to as "Department Unable to Prosecute," or DUP.

Figure 45: NYPD Discipline Imposed for Allegations - Non-APU Cases (December 2015)

Board Disposition	FADO Type	Allegation	Precinct	Borough	NYPD Discipline
Substantiated (Command Discipline)	A	Search (of person)	5	Manhattan	Formalized Training
Substantiated (Command Discipline)	A	Stop	5	Manhattan	Formalized Training
Substantiated (Formalized Training)	F	Physical force	14	Manhattan	Command Discipline A
Substantiated (Command Discipline A)	A	Frisk	25	Manhattan	Formalized Training
Substantiated (Command Discipline A)	A	Search (of person)	25	Manhattan	Formalized Training
Substantiated (Command Discipline A)	A	Stop	25	Manhattan	Formalized Training
Substantiated (Command Discipline A)	A	Frisk	40	Bronx	Formalized Training
Substantiated (Command Discipline A)	A	Search (of person)	40	Bronx	Formalized Training
Substantiated (Command Discipline A)	A	Vehicle search	41	Bronx	Command Discipline A
Substantiated (Command Discipline A)	A	Vehicle search	41	Bronx	Command Discipline A
Substantiated (Command Discipline A)	A	Frisk	41	Bronx	Command Discipline A
Substantiated (Command Discipline A)	A	Frisk	41	Bronx	Command Discipline A
Substantiated (Command Discipline A)	F	Nightstick as club (incl asp & baton)	44	Bronx	Command Discipline A
Substantiated (Command Discipline)	A	Vehicle search	63	Brooklyn	Formalized Training
Substantiated (Command Discipline A)	A	Refusal to provide name/shield number	70	Brooklyn	Command Discipline A
Substantiated (Formalized Training)	A	Vehicle search	72	Brooklyn	Formalized Training
Substantiated (Command Discipline B)	A	Premises entered and/or searched	77	Brooklyn	No Penalty
Substantiated (Command Discipline B)	A	Premises entered and/or searched	81	Brooklyn	Command Discipline A
Substantiated (Command Discipline B)	A	Premises entered and/or searched	81	Brooklyn	Command Discipline A
Substantiated (Formalized Training)	A	Refusal to obtain medical treatment	88	Brooklyn	Instructions
Substantiated (Command Discipline B)	A	Frisk	101	Queens	Formalized Training
Substantiated (Command Discipline B)	A	Search (of person)	101	Queens	Formalized Training
Substantiated (Command Discipline B)	A	Stop	101	Queens	Formalized Training
Substantiated (Command Discipline B)	A	Stop	101	Queens	Formalized Training
Substantiated (Formalized Training)	A	Search (of person)	112	Queens	Formalized Training
Substantiated (Command Discipline A)	A	Search (of person)	112	Queens	Formalized Training
Substantiated (Command Discipline A)	A	Search (of person)	112	Queens	Formalized Training
Substantiated (Command Discipline)	A	Threat of force (verbal or physical)	121	Staten Island	No Penalty
Substantiated (Command Discipline)	A	Retaliatory summons	121	Staten Island	No Penalty
Substantiated (Command Discipline)	D	Word	121	Staten Island	No Penalty
Substantiated (Formalized Training)	D	Word	1000	Manhattan	Instructions

Appendix

Over the years, the CCRB has made many types of data publicly available. In reorganizing the Monthly Report, we do not intend to remove any valuable information from the public domain. However, the Agency believes that some information is essential to place in the main body of the Monthly Report, while more granular charts and figures are better suited to the Appendix. We welcome you to contact the CCRB www.nyc.gov or 212-912-7235 if you are having difficulty finding information on CCRB data that was formerly available.

Figure 46: CCRB Open Docket - Age of CCRB Cases Based On Incident Date

	December 2015		November 2015		Change	% Change
	Count	% of Total	Count	% of Total		
Cases 0-4 Months	912	89.4%	1033	88.4%	-121	-11.7%
Cases 5-7 Months	65	6.4%	90	7.7%	-25	-27.8%
Cases 8 Months	5	0.5%	7	0.6%	-2	-28.6%
Cases 9 Months	3	0.3%	5	0.4%	-2	-40.0%
Cases 10 Months	4	0.4%	5	0.4%	-1	-20.0%
Cases 11 Months	2	0.2%	3	0.3%	-1	-33.3%
Cases 12 Months	3	0.3%	3	0.3%	0	0.0%
Cases 13 Months	3	0.3%	3	0.3%	0	0.0%
Cases 14 Months	2	0.2%	0	0.0%	2	NA
Cases 15 Months	0	0.0%	1	0.1%	-1	NA
Cases 16 Months	1	0.1%	4	0.3%	-3	-75.0%
Cases 17 Months	2	0.2%	1	0.1%	1	100.0%
Cases 18 Months	0	0.0%	0	0.0%	0	NA
Cases Over 18 Months	7	0.7%	7	0.6%	0	0.0%
NA	11	1.1%	7	0.6%	4	57.1%
Total	1020	100.0%	1169	100.0%	-149	-12.7%

Figure 47: CCRB Open Docket - Age of CCRB Cases Based On CCRB Received Date

	December 2015		November 2015		Change	% Change
	Count	% of Total	Count	% of Total		
Cases 0-4 Months	966	94.7%	1099	94.0%	-133	-12.1%
Cases 5-7 Months	43	4.2%	58	5.0%	-15	-25.9%
Cases 8 Months	4	0.4%	4	0.3%	0	0.0%
Cases 9 Months	1	0.1%	0	0.0%	1	NA
Cases 10 Months	0	0.0%	1	0.1%	-1	NA
Cases 11 Months	0	0.0%	3	0.3%	-3	NA
Cases 12 Months	1	0.1%	1	0.1%	0	0.0%
Cases 13 Months	1	0.1%	0	0.0%	1	NA
Cases 14 Months	0	0.0%	0	0.0%	0	NA
Cases 15 Months	0	0.0%	0	0.0%	0	NA
Cases 16 Months	0	0.0%	0	0.0%	0	NA
Cases 17 Months	0	0.0%	0	0.0%	0	NA
Cases 18 Months	0	0.0%	0	0.0%	0	NA
Cases Over 18 Months	4	0.4%	3	0.3%	1	33.3%
NA	0	0.0%	0	0.0%	0	NA
Total	1020	100.0%	1169	100.0%	-149	-12.7%

Figure 48: CCRB Investigations Docket - Age of CCRB Cases Based On Incident Date

	December 2015		November 2015		Change	% Change
	Count	% of Total	Count	% of Total		
Cases 0-4 Months	500	91.4%	619	91.2%	-119	-19.2%
Cases 5-7 Months	21	3.8%	33	4.9%	-12	-36.4%
Cases 8 Months	2	0.4%	4	0.6%	-2	-50.0%
Cases 9 Months	1	0.2%	1	0.1%	0	0.0%
Cases 10 Months	3	0.5%	2	0.3%	1	50.0%
Cases 11 Months	2	0.4%	1	0.1%	1	100.0%
Cases 12 Months	3	0.5%	2	0.3%	1	50.0%
Cases 13 Months	0	0.0%	1	0.1%	-1	NA
Cases 14 Months	1	0.2%	0	0.0%	1	NA
Cases 15 Months	0	0.0%	1	0.1%	-1	NA
Cases 16 Months	0	0.0%	2	0.3%	-2	NA
Cases 17 Months	2	0.4%	0	0.0%	2	NA
Cases 18 Months	0	0.0%	0	0.0%	0	NA
Cases Over 18 Months	4	0.7%	6	0.9%	-2	-33.3%
NA	8	1.5%	7	1.0%	1	14.3%
Total	547	100.0%	679	100.0%	-132	-19.4%

Figure 49: CCRB DA Hold Docket - Age of CCRB Cases Based On Incident Date

	December 2015	
	Count	% of Total
Cases 0-4 Months	1	7.7%
Cases 5-7 Months	3	23.1%
Cases 8 Months	0	0.0%
Cases 9 Months	1	7.7%
Cases 10 Months	1	7.7%
Cases 11 Months	0	0.0%
Cases 12 Months	1	7.7%
Cases 13 Months	1	7.7%
Cases 14 Months	0	0.0%
Cases 15 Months	1	7.7%
Cases 16 Months	0	0.0%
Cases 17 Months	2	15.4%
Cases 18 Months	0	0.0%
Cases Over 18 Months	2	15.4%
NA	0	0.0%
Total	13	100.0%

Figure 50: Disposition of Force Allegations (YTD 2015)

Force Allegation	Substantiated		Exonerated		Unsubstantiated		Unfounded		Officer Unidentified		Miscellaneous	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
Gun Pointed	9	4.2%	113	53.1%	62	29.1%	9	4.2%	20	9.4%	0	0%
Gun fired	1	7.1%	8	57.1%	3	21.4%	2	14.3%	0	0%	0	0%
Nightstick as club (incl asp & baton)	8	7.4%	39	36.1%	29	26.9%	20	18.5%	12	11.1%	0	0%
Gun as club	1	9.1%	0	0%	7	63.6%	1	9.1%	2	18.2%	0	0%
Radio as club	1	14.3%	0	0%	2	28.6%	3	42.9%	1	14.3%	0	0%
Flashlight as club	0	0%	0	0%	1	50%	1	50%	0	0%	0	0%
Police shield	0	0%	2	28.6%	4	57.1%	1	14.3%	0	0%	0	0%
Vehicle	0	0%	0	0%	9	75%	2	16.7%	1	8.3%	0	0%
Other blunt instrument as a club	5	13.5%	1	2.7%	12	32.4%	11	29.7%	8	21.6%	0	0%
Hit against inanimate object	8	10.3%	12	15.4%	32	41%	16	20.5%	10	12.8%	0	0%
Chokehold	19	10.1%	0	0%	88	46.6%	52	27.5%	30	15.9%	0	0%
Pepper spray	10	10.4%	55	57.3%	17	17.7%	6	6.2%	8	8.3%	0	0%
Physical force	100	6.2%	546	33.6%	583	35.9%	207	12.7%	187	11.5%	3	0.2%
Handcuffs too tight	0	0%	1	2.9%	23	67.6%	7	20.6%	3	8.8%	0	0%
Nonlethal restraining device	2	6.1%	24	72.7%	5	15.2%	1	3%	1	3%	0	0%
Animal	0	0%	0	0%	1	100%	0	0%	0	0%	0	0%
Other	6	4.3%	7	5%	64	46%	37	26.6%	25	18%	0	0%
Total	170	6.5%	808	31%	942	36.1%	376	14.4%	308	11.8%	3	0.1%

Figure 51: Disposition of Abuse of Authority Allegations (YTD 2015)

Abuse of Authority Allegation	Substantiated		Exonerated		Unsubstantiated		Unfounded		Officer Unidentified		Miscellaneous	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
Gun Drawn	2	3.2%	22	34.9%	18	28.6%	16	25.4%	5	7.9%	0	0%
Strip-searched	17	11.1%	25	16.3%	80	52.3%	16	10.5%	14	9.2%	1	0.7%
Vehicle stop	45	20.8%	79	36.6%	66	30.6%	2	0.9%	24	11.1%	0	0%
Vehicle search	88	25.3%	93	26.7%	121	34.8%	3	0.9%	40	11.5%	3	0.9%
Premises entered and/or searched	124	19.3%	360	56%	121	18.8%	9	1.4%	28	4.4%	1	0.2%
Threat of summons	4	16.7%	4	16.7%	14	58.3%	2	8.3%	0	0%	0	0%
Threat of arrest	26	7.9%	93	28.4%	151	46%	16	4.9%	40	12.2%	2	0.6%
Threat to notify ACS	3	13.6%	5	22.7%	13	59.1%	0	0%	1	4.5%	0	0%
Threat of force (verbal or physical)	18	6.4%	18	6.4%	167	59.4%	36	12.8%	41	14.6%	1	0.4%
Threat to damage/seize property	6	12.2%	12	24.5%	24	49%	2	4.1%	5	10.2%	0	0%
Property damaged	19	12.1%	32	20.4%	60	38.2%	16	10.2%	30	19.1%	0	0%
Refusal to process civilian complaint	15	27.3%	0	0%	23	41.8%	4	7.3%	13	23.6%	0	0%
Refusal to provide name/shield number	65	13.6%	3	0.6%	304	63.5%	41	8.6%	65	13.6%	1	0.2%
Retaliatory arrest	11	64.7%	2	11.8%	4	23.5%	0	0%	0	0%	0	0%
Retaliatory summons	28	68.3%	4	9.8%	8	19.5%	1	2.4%	0	0%	0	0%
Refusal to obtain medical treatment	8	6.2%	0	0%	72	55.8%	26	20.2%	22	17.1%	1	0.8%
Improper dissemination of medical info	0	0%	0	0%	2	100%	0	0%	0	0%	0	0%
Other	61	45.9%	21	15.8%	37	27.8%	7	5.3%	7	5.3%	0	0%
Seizure of property	6	20%	8	26.7%	13	43.3%	0	0%	3	10%	0	0%
Failure to show search warrant	8	12.9%	3	4.8%	46	74.2%	2	3.2%	3	4.8%	0	0%
Frisk	152	36.8%	76	18.4%	119	28.8%	7	1.7%	58	14%	1	0.2%
Search (of person)	89	20.9%	52	12.2%	199	46.7%	8	1.9%	76	17.8%	2	0.5%
Stop	136	24.5%	214	38.5%	140	25.2%	2	0.4%	62	11.2%	2	0.4%
Question	19	14.1%	57	42.2%	36	26.7%	2	1.5%	21	15.6%	0	0%
Refusal to show arrest warrant	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Total	950	19.9%	1183	24.8%	1838	38.6%	218	4.6%	558	11.7%	15	0.3%

Figure 52: Disposition of Discourtesy Allegations (YTD 2015)

Discourtesy Allegation	Substantiated		Exonerated		Unsubstantiated		Unfounded		Officer Unidentified		Miscellaneous	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
Word	146	11.1%	36	2.7%	767	58.2%	138	10.5%	231	17.5%	0	0%
Gesture	1	7.7%	0	0%	7	53.8%	2	15.4%	3	23.1%	0	0%
Demeanor/tone	0	0%	0	0%	1	100%	0	0%	0	0%	0	0%
Action	17	14%	4	3.3%	74	61.2%	13	10.7%	13	10.7%	0	0%
Other	1	50%	0	0%	1	50%	0	0%	0	0%	0	0%
Total	165	11.3%	40	2.7%	850	58.4%	153	10.5%	247	17%	0	0%

Figure 53: Disposition of Offensive Language Allegations (YTD 2015)

Offensive Language Allegation	Substantiated		Exonerated		Unsubstantiated		Unfounded		Officer Unidentified		Miscellaneous	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
Race	2	1.6%	0	0%	80	63%	23	18.1%	22	17.3%	0	0%
Ethnicity	3	7.9%	0	0%	25	65.8%	5	13.2%	5	13.2%	0	0%
Religion	1	14.3%	0	0%	6	85.7%	0	0%	0	0%	0	0%
Gender	1	1.7%	0	0%	40	69%	7	12.1%	10	17.2%	0	0%
Sexual orientation	1	5%	0	0%	13	65%	2	10%	4	20%	0	0%
Physical disability	0	0%	0	0%	2	66.7%	0	0%	1	33.3%	0	0%
Other	2	9.1%	0	0%	14	63.6%	2	9.1%	4	18.2%	0	0%
Total	10	3.6%	0	0%	180	65.5%	39	14.2%	46	16.7%	0	0%

Figure 54: Administrative Prosecutions Unit Open Docket (December 2015)

Case Stage	Cases	Percent
Awaiting filing of charges	13	5%
Charges filed, awaiting service	64	26%
Charges served, CORD/SoEH/DCS pending	22	9%
Charges served, Conference Date Requested	40	16%
Calendered for court appearance	28	11%
Case Off Calendar - Subsequent Appearance Pending	2	1%
Trial scheduled	54	22%
Trial commenced	18	7%
Plea agreed - paperwork pending	4	2%
Total	245	100%

CORD is the CO's Report on MOS facing discipline.
 SoEH is the Summary of Employment History.
 DCS is the Disciplinary Cover Sheet.

Figure 55: Administrative Prosecutions Unit Cases Awaiting Final Disposition (December 2015)

Case Stage	Cases	Percent
Disposition modified, awaiting final disp.	0	0%
Plea filed - awaiting approval by PC	66	50%
Verdict rendered - awaiting approval by PC	35	27%
Verdict rendered - Fogel response due	3	2%
Trial completed, awaiting verdict	27	21%
Total	131	100%

A Fogel response is a letter to the Trial Commissioner with comments from the CCRB on the Trial Commissioner's report and recommendation.