

The City of New York  
Department of Investigation

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**FOR IMMEDIATE RELEASE**  
**THURSDAY, MARCH 30, 2023**

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**DOI'S OFFICE OF THE INSPECTOR GENERAL FOR THE NEW YORK CITY POLICE DEPARTMENT  
ISSUES NINTH ANNUAL REPORT**

Today, the Department of Investigation's ("DOI") Office of the Inspector General for the New York City Police Department ("OIG-NYPD") released its Ninth Annual Report, which discusses each of the 18 investigative reports authored by OIG-NYPD since 2015 and the status of the 200 recommendations issued to NYPD. The New York City Police Department ("NYPD") has accepted in principle, partially implemented, or fully implemented 72.5 percent of the 200 recommendations issued by OIG-NYPD. A copy of the Report is attached to this release and can be found at the following link: <https://www.nyc.gov/site/doi/newsroom/public-reports.page>

DOI Commissioner Jocelyn Strauber said, "Furthering transparency is a cornerstone of police oversight work as well as an important part of DOI's overall mission. This annual report not only provides a wealth of information about each of the reports issued by DOI's OIG-NYPD but also tracks the status of the recommendations issued by the OIG-NYPD. Most notably, nearly 73 percent of the recommendations have been embraced by the NYPD in some form, an important recognition of OIG-NYPD's valuable impact on policing in New York City."

Acting Inspector General Jeanene Barrett said, "OIG-NYPD is dedicated to increasing public confidence in the NYPD by conducting investigations that examine the Police Department's policies and procedures, and by making recommendations aimed at enhancing the effectiveness of, and increasing public confidence in NYPD. Our Ninth Annual Report reflects the variety of policing issues we have examined over the years and the tangible results our reports have had on policing in this City."

Highlights of OIG-NYPD's work from 2022 includes:

- The issuance of the inaugural report in response to the Public Oversight of Surveillance Technology (POST) Act, which instructs OIG-NYPD to prepare annual audits of NYPD's use of surveillance technologies that: 1) assess whether that use complies with NYPD's published Impact and Use Policies (IUPs); 2) describe any known or reasonably suspected violations of the IUPs; and 3) make recommendations, if any, relating to revisions of any IUPs.

OIG-NYPD determined that it could not conduct the type of audit required by items 1 and 2 above. As explained in the report, the vast majority of the IUPs produced by NYPD were general and generic in part (in that similar language was used in many of the IUPs) making it impracticable for OIG-NYPD to meaningfully assess the Department's compliance with all of its IUPs.

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Instead of an audit, the report makes a number of recommendations relating to revisions to the IUPs that will facilitate the mandated audits in the future. For example, OIG-NYPD found that NYPD grouped related technologies, issuing only a single IUP for them. This approach significantly limits the information made available to the public concerning the nature and use of individual technologies (to the extent grouped technologies differ). It is OIG-NYPD's position that the POST Act requires an IUP for each surveillance technology and that NYPD's interpretation, which allows grouping of several technologies in a single IUP, is contrary to the intent of the POST Act.

- OIG-NYPD continues to undertake outreach work to obtain feedback and build relations with the public that support OIG-NYPD's mission to increase public safety and enhance the effectiveness of the Police Department. OIG-NYPD met with various stakeholders throughout 2022, including community groups, legal, advocacy and policy organizations, City and State agencies, police-community relations professionals, and law enforcement oversight agencies from other jurisdictions.
- In 2022, OIG-NYPD received complaints from members of the public, advocacy groups, and employees of NYPD. City agencies, including NYPD, the Office of the Mayor, the Conflicts of Interest Board, the City Council, and the Civilian Complaint Review Board also referred matters to OIG-NYPD. Complaints received frequently alleged inadequate police services, failure to investigate after a police report has been filed, police corruption, disputes involving summonses, harassment by police, and the use of excessive force. If complaints are received that fall squarely within the jurisdiction of, or would be more appropriately investigated by, another agency, those complaints are referred to that agency. OIG-NYPD's Investigations Unit conducts investigations of those complaints that are not referred to other agencies and that fall within OIG-NYPD's jurisdiction.

The Ninth Annual Report was compiled by Policy Analyst Ilea Franklin and Confidential Investigator Lasse de Graaf in DOI's Office of the Inspector General for the NYPD, under the supervision of Deputy Inspector General Percival Rennie, Acting Inspector General Jeanene Barrett, Deputy Commissioner/Chief of Investigations Dominick Zarrella and First Deputy Commissioner Daniel G. Cort.

*DOI is one of the oldest law-enforcement agencies in the country and New York City's corruption watchdog. Investigations may involve any agency, officer, elected official or employee of the City, as well as those who do business with or receive benefits from the City. DOI's strategy attacks corruption comprehensively through systemic investigations that lead to high-impact arrests, preventive internal controls and operational reforms that improve the way the City runs.*

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New York City  
Department of Investigation

Office of the Inspector General for the NYPD (OIG-NYPD)



# NINTH ANNUAL REPORT OFFICE OF THE INSPECTOR GENERAL FOR THE NYPD



Jocelyn Strauber  
Commissioner

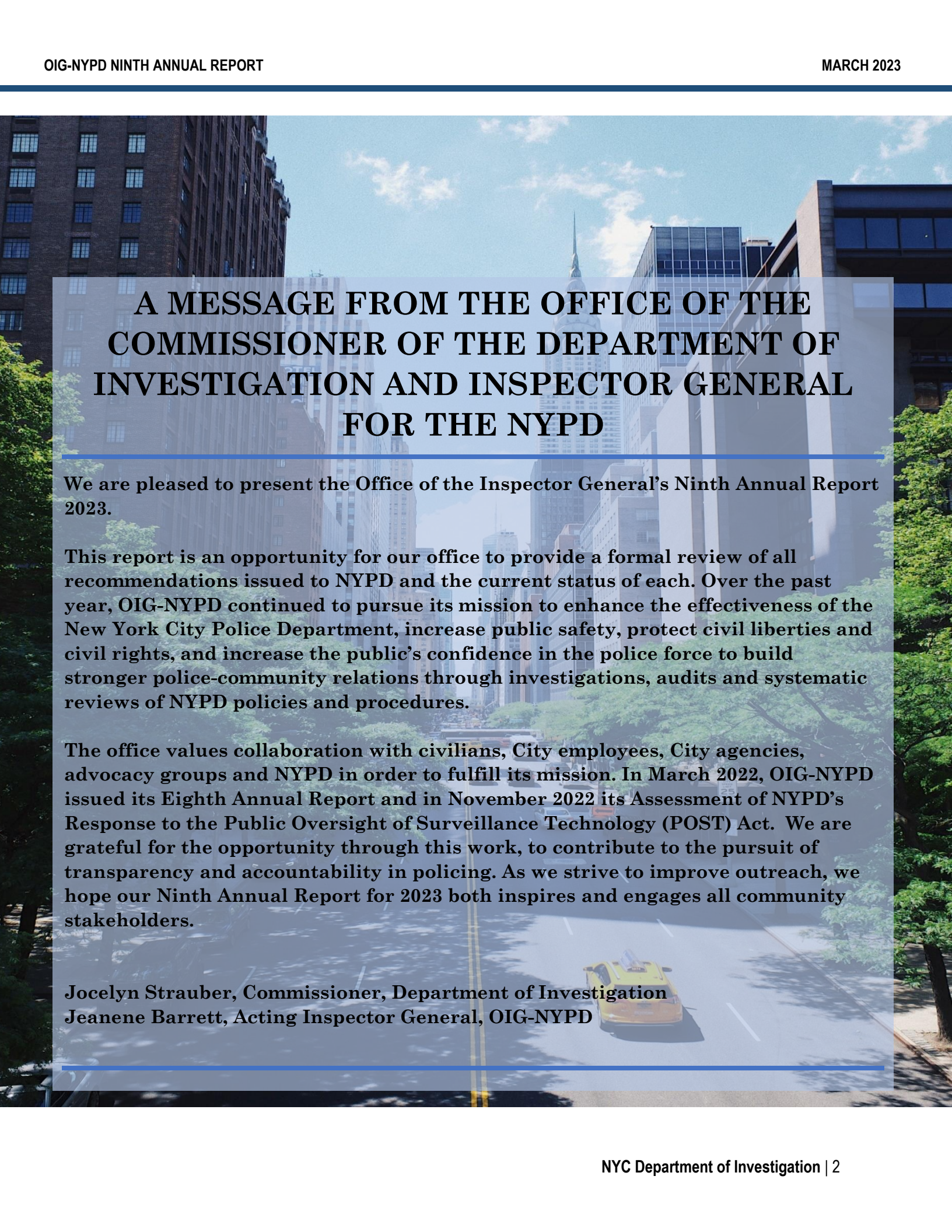
Jeanene Barrett  
Acting Inspector General for the NYPD

March 2023

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## A MESSAGE FROM THE OFFICE OF THE COMMISSIONER OF THE DEPARTMENT OF INVESTIGATION AND INSPECTOR GENERAL FOR THE NYPD

We are pleased to present the Office of the Inspector General's Ninth Annual Report 2023.

This report is an opportunity for our office to provide a formal review of all recommendations issued to NYPD and the current status of each. Over the past year, OIG-NYPD continued to pursue its mission to enhance the effectiveness of the New York City Police Department, increase public safety, protect civil liberties and civil rights, and increase the public's confidence in the police force to build stronger police-community relations through investigations, audits and systematic reviews of NYPD policies and procedures.

The office values collaboration with civilians, City employees, City agencies, advocacy groups and NYPD in order to fulfill its mission. In March 2022, OIG-NYPD issued its Eighth Annual Report and in November 2022 its Assessment of NYPD's Response to the Public Oversight of Surveillance Technology (POST) Act. We are grateful for the opportunity through this work, to contribute to the pursuit of transparency and accountability in policing. As we strive to improve outreach, we hope our Ninth Annual Report for 2023 both inspires and engages all community stakeholders.

Jocelyn Strauber, Commissioner, Department of Investigation  
Jeanene Barrett, Acting Inspector General, OIG-NYPD

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THE OFFICE PUBLISHES PUBLIC REPORTS BASED ON ITS INVESTIGATIONS, REVIEWS, STUDIES, AND AUDITS. THE NYPD COMMISSIONER IS REQUIRED TO SUBMIT A WRITTEN RESPONSE TO EACH REPORT WITHIN 90 DAYS.<sup>1</sup>


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## I. INTRODUCTION


This is the Ninth Annual Report of the New York City Department of Investigation's (DOI) Office of the Inspector General for the New York City Police Department (OIG-NYPD or the Office).<sup>2</sup> This Report summarizes the findings of systemic reviews conducted from 2015 through 2022 and assesses the extent to which the New York City Police Department (NYPD or the Department) has implemented OIG-NYPD's proposals for reform. This Report also discusses complaints the Office has received from the public, as well as its community outreach and engagement efforts.


This Report examines NYPD's implementation of the recommendations made in OIG-NYPD's investigative reports. The status of each recommendation is classified as follows:

 **IMPLEMENTED (I) OR  PARTIALLY IMPLEMENTED (PI):** NYPD has accepted and implemented the recommendation completely or in part.

 **ACCEPTED IN PRINCIPLE (AIP):** NYPD has accepted these recommendations but has not yet implemented it.

 **UNDER CONSIDERATION (UC):** NYPD is considering the recommendation and has not yet decided whether to implement or reject it.

 **REJECTED (R):** NYPD does not agree with the recommendation or, after the passage of a significant amount of time, has not taken any action towards implementation.

 **NO LONGER APPLICABLE (NLA):** Due to a change in technology, procedure, or policy by NYPD, the recommendation is no longer relevant. OIG-NYPD will continue to monitor the recommendation for future applicability as policies and procedures change.

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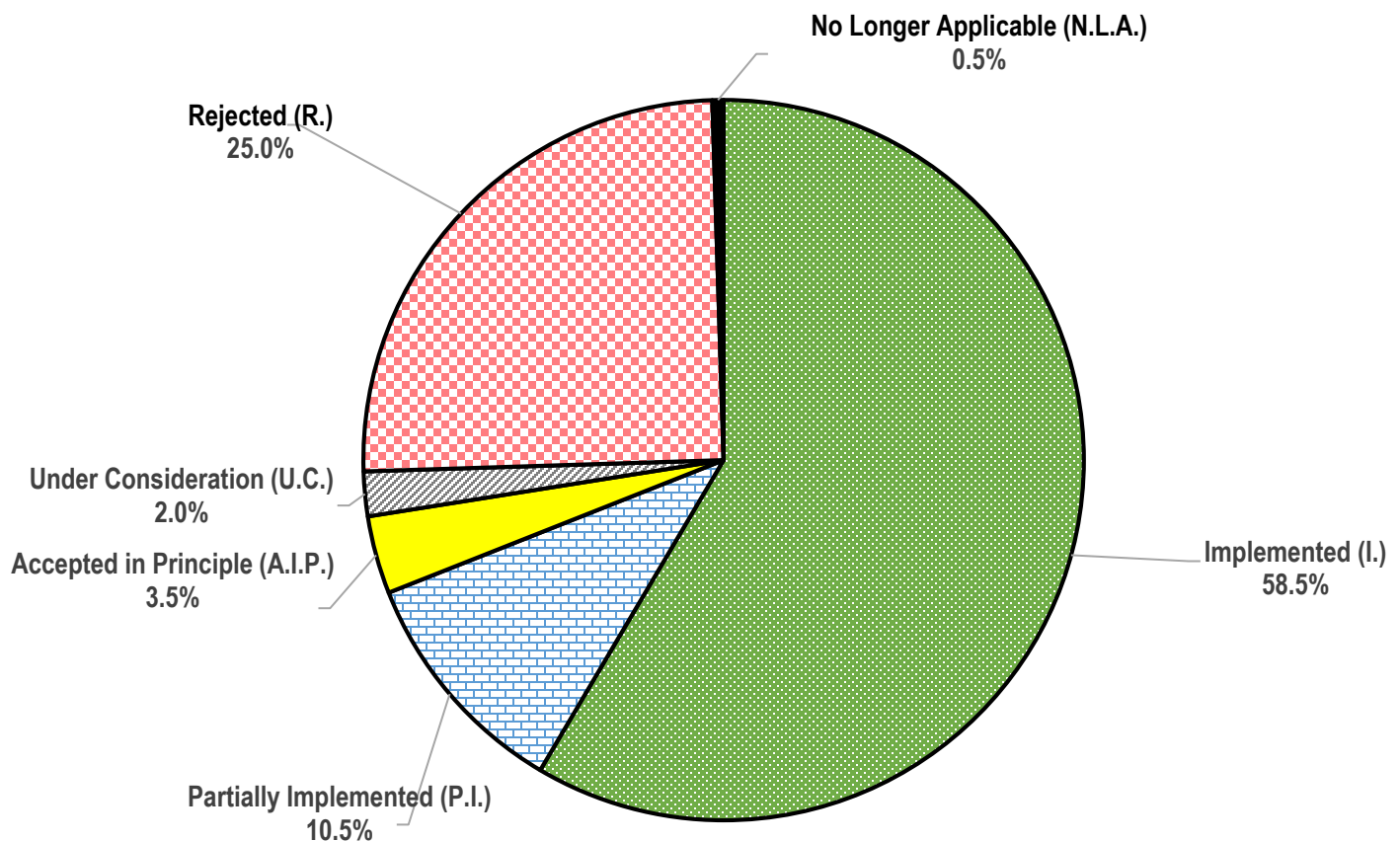
<sup>1</sup> OIG-NYPD's reports and NYPD responses are available at: <http://www1.nyc.gov/site/doi/offices/oignypd.page>

<sup>2</sup> Pursuant to Chapter 34 of the New York City Charter and Mayoral Executive Order 16, DOI's OIG-NYPD is the independent Inspector General with oversight of NYPD. The New York City Charter, as amended by Local Law 70 of 2013, empowers the DOI Commissioner to "investigate, review, study, audit and make recommendations relating to the operations, policies, programs and practices, including ongoing partnerships with other law enforcement agencies, of the New York City Police Department with the goal of enhancing the effectiveness of the department, increasing public safety, protecting civil liberties and civil rights, and increasing the public's confidence in the police force, thus building stronger police-community relations." N.Y.C. Charter § 803(c)(1).



OIG-NYPD REVIEWED **200 RECOMMENDATIONS** ADDRESSED TO NYPD FROM 2015 TO 2022 AND THE 2022 POST ACT REPORT FOR THIS 9<sup>TH</sup> ANNUAL REPORT. SOME RECOMMENDATIONS WERE RE-CATEGORIZED DEPENDING ON NYPD RESPONSES INCLUDING PRODUCTION OF MATERIALS AND/OR POLICY UPDATES. THE CHARTS BELOW REFLECT THE CURRENT STATUS OF THESE RECOMMENDATIONS.<sup>3</sup>

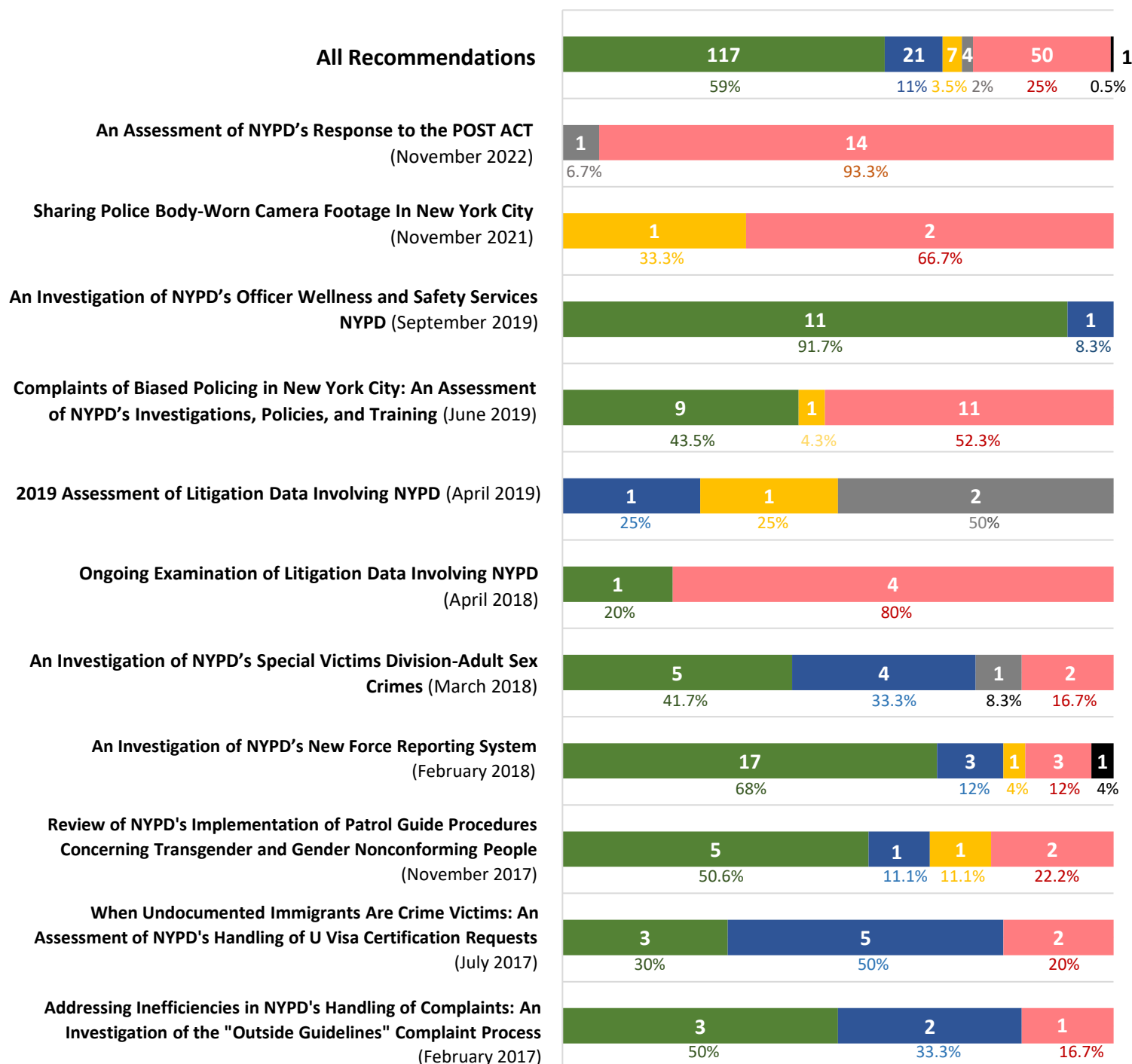
**CHART 1: Current Status of All OIG-NYPD Recommendationsto NYPD from 2015-2022, by Percentage**



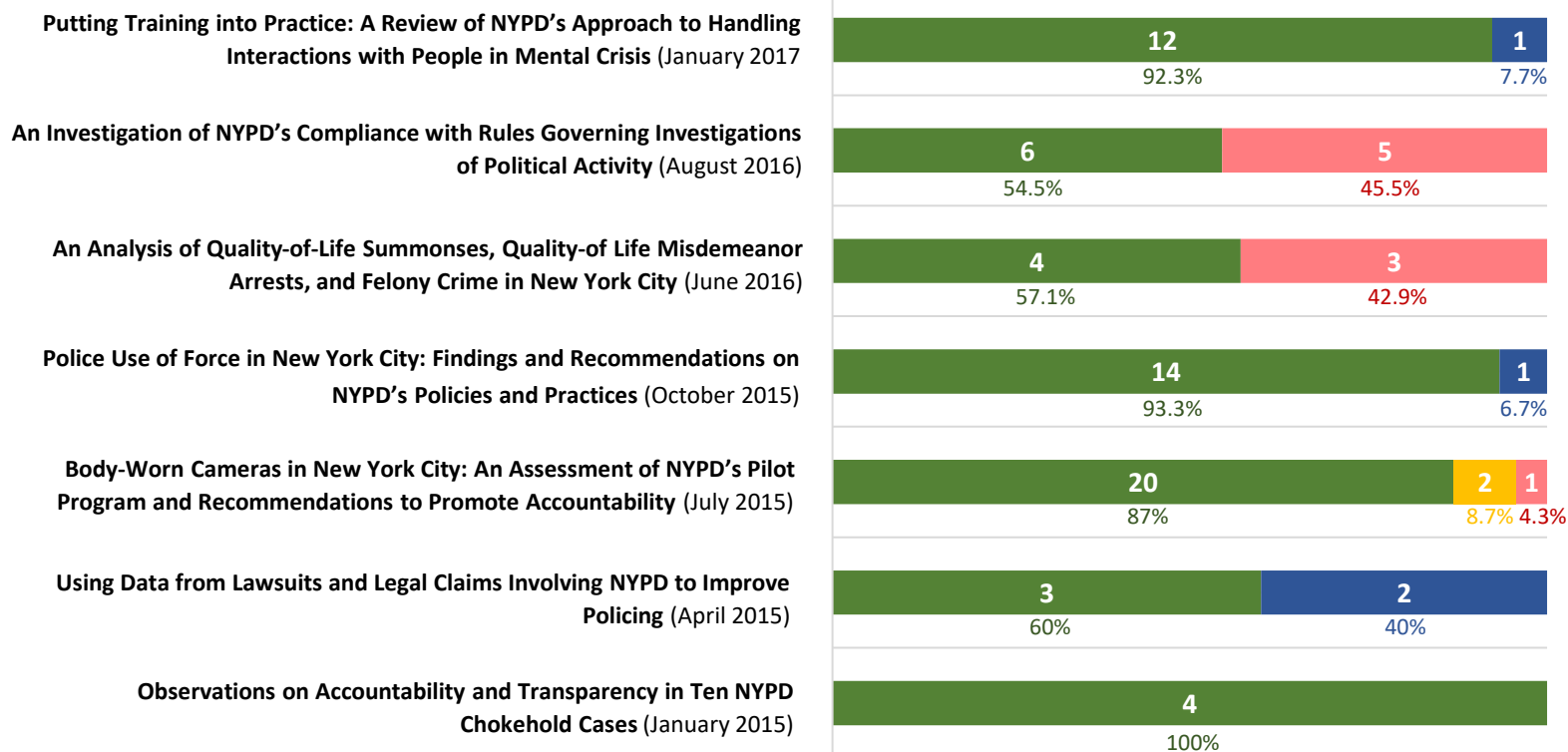
<sup>3</sup> The total count of 202 recommendations made by OIG-NYPD includes two recommendations addressed exclusively to CCRB. For the status of the 2022 POST ACT recommendations, see pages 7-16. For more detailed information on the recommendations with a status change, please see pages 19-47. To view the movement of recommendations including those with and without a status change, those implemented, and those no longer applicable from 2015-2023, please see Appendix A (pg. 49-76). The details of each complete report, which includes the recommendations, are listed on the [Office of the Inspector General for NYPD](#) webpage.

**CHART 2: Status of OIG-NYPD Recommendations Addressed to NYPD Per Report from 2015 to present, by Percentage**

■ Implemented (I.)      ■ Partially Implemented (P.I.)  
 ■ Accepted in Principle (A.I.P.)      ■ Under Consideration (U.C.)  
 ■ Rejected (R.)      ■ No Longer Applicable (N.L.A.)







THE IMPLEMENTATION RATES WITH RESPECT TO OIG-NYPD'S RECOMMENDATIONS REFLECT THE DEPARTMENT'S RESPONSIVENESS TO THE PROPOSALS MADE BY THE OFFICE.

## II. 2022 OFFICE OF THE INSPECTOR GENERAL FOR THE NEW YORK CITY POLICE DEPARTMENT ACTIVITIES

### A. SYSTEMIC INVESTIGATIONS, REVIEWS, STUDIES, AND AUDITS; RECOMMENDATIONS AND NYPD RESPONSES

Pursuant to section 803(d)(3) of the New York City Charter, summarized below are the findings and recommendations in the Report on NYPD's Compliance with the POST Act, which OIG-NYPD released in 2022, as well as an assessment of NYPD's progress in implementing the 15 recommendations in that report. OIG-NYPD continually monitors NYPD's progress on all recommendations until implemented.

#### Assessment of NYPD's Response to the POST Act

**November 3, 2022**

On July 15, 2020, then-Mayor Bill de Blasio signed the Public Oversight of Surveillance Technology (POST) Act into law.<sup>4</sup> The measure, New York City's adaptation of the Community Control over Police Surveillance (CCOPS) model, requires NYPD to publicly disclose information concerning its surveillance technology and to develop policies on the use of those tools.<sup>5</sup>

The Act requires NYPD to publish draft Impact and Use Policies (IUPs) for its existing surveillance technologies for public comment within 180-days from the date of enactment.<sup>6</sup> It also requires NYPD to publish an IUP on its website at least 90 days prior to the use of any new surveillance technologies. After publication, for both existing and new technologies, the public has 45 days to submit comments. NYPD then has an additional 45 days to publish the final IUPs on its website.



<sup>4</sup> Creating Comprehensive Reporting and Oversight of NYPD Surveillance Technologies (POST Act), N.Y.C. Local Law No. 65 (2020) (codified at N.Y.C ADMIN. CODE § 14-188 and N.Y.C. CHARTER § 803[c-1]).

<sup>5</sup> The Community Control Over Police Surveillance (CCOPS) model provides a template for legislation in the United States (Community Control over Police Surveillance (CCOPS) Model Bill, AMERICAN CIVIL LIBERTIES UNION, <https://www.aclu.org/legal-document/community-control-over-police-surveillance-ccops-model-bill> (last updated April 2021)). Introduced by the American Civil Liberties Union (ACLU), the model aims to improve communities' ability to review and control law enforcements' use of surveillance technologies. It has served as a model for similar legislation enacted around the country (Community Control Over Police Surveillance (CCOPS), AMERICAN CIVIL LIBERTIES UNION, <https://www.aclu.org/issues/privacy-technology/surveillance-technologies/community-control-over-police-surveillance?redirect=feature/community-control-over-police-surveillance> [last visited Nov 1, 2022]).

<sup>6</sup> The POST Act was enacted July 15, 2020. NYPD posted the IUPs in January 2021, in line with the requirements of the POST Act.

The POST Act requires that IUPs describe the capabilities of surveillance technology, and include any rules, processes, and guidelines that regulate access to or use of the technology, and any prohibitions or restrictions on its use, and any potential disparate impacts. The POST Act mandates that the Department publish draft IUPs on its website within 180 days of the effective date of the law (i.e., no later than January 11, 2021) for existing surveillance technologies, and at least 90 days prior to the use of any new surveillance technology.

Consistent with the requirements of the Act, on January 11, 2021, NYPD published 36 draft IUPs on its website, 180 days after the signing of the POST Act.<sup>7</sup> The posted policies remained open 45 days for public comments to be uploaded directly through its website. NYPD did not issue a press release announcing the posting or the public comment period, which the Act does not require.

The POST Act gives OIG-NYPD oversight responsibility to ensure that NYPD complies with its policies on surveillance technology use. The Act directs that OIG-NYPD prepare annual audits of NYPD's use of surveillance technologies that:

1. Assess whether NYPD's use of surveillance technologies complies with published IUPs;
2. Describe any known or reasonably suspected violations of the IUPs; and
3. Publish recommendations, if any, relating to revisions of any IUPs.

To conduct this assessment, OIG-NYPD (a) interviewed a range of individuals including NYPD officials, supporters of the Act, and experts on various surveillance technologies; (b) reviewed all published IUPs and performed a section-by-section assessment of one IUP; (c) conducted an in-depth assessment of two selected surveillance technologies and the related IUPs; and (d) researched the rules applicable in other jurisdictions with respect to surveillance technologies, to better understand other approaches to transparency concerning the nature and use of such technologies.

OIG-NYPD reviewed all 36 IUPs posted by NYPD on April 11, 2021, and determined that it could not conduct the type of audit required by items 1 and 2 above for this Report.<sup>8</sup> As explained throughout the Report, the vast majority of the IUPs produced by NYPD were general and generic in part (in that similar language was used in many of the IUPs) making it impracticable for OIG-NYPD to meaningfully assess the Department's compliance with all of its IUPs. Instead of an audit, the Report made a number of recommendations relating to revisions to the IUPs (item 3 above) that will facilitate the mandated audits in the future.

In addition, OIG-NYPD found that NYPD grouped related technologies and issued a single IUP for multiple technologies. This approach significantly limits the information made available to the

<sup>7</sup> Draft Policies for Public Comment, N.Y.C. POLICE DEP'T., <https://www1.nyc.gov/site/nypd/about/about-nypd/public-comment.page>







<sup>8</sup> See Public Oversight of Surveillance Technology (POST) Act Impact and Use Policies, N.Y.C. POLICE DEP'T., <https://www1.nyc.gov/site/nypd/about/about-nypd/policy/post-act.page> (last visited March 29, 2023)

public concerning the nature and use of individual technologies (to the extent grouped technologies differ). NYPD informed OIG-NYPD that time constraints and operational considerations contributed to this approach. Furthermore, NYPD takes the position that the functionality of many of the technologies are the same, such that individual IUPs are unnecessary, and claims that the Act does not require an inventory of every technology. It is OIG-NYPD's position that the POST Act does in fact require an IUP for each surveillance technology. NYPD's interpretation, which allows grouping of several technologies under a single IUP, is contrary to the intent of the POST Act.

**For more information about the findings and recommendations, a full copy of the Report can be found [here](#).**

This Report made fifteen recommendations. Those recommendations and an assessment of NYPD's responses to those recommendations are below.

The status of each recommendation is classified as follows:

- |  |   |
|--|---|
|  <b>I.:</b> Implemented             |  <b>U.C.:</b> Under Consideration      |
|  <b>P.I.:</b> Partially Implemented |  <b>A.I.P.:</b> Accepted in Principle  |
|  <b>R.:</b> Rejected              |  <b>N.L.A.:</b> No Longer Applicable |

### **RECOMMENDATIONS UNDER CONSIDERATION**

#### **RECOMMENDATION 15.**

NYPD should issue a press release announcing the publication and related public comment period of any new IUPs, and subsequently publish the press release on its website.



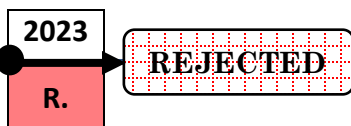
**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** According to NYPD, it will consider this recommendation should it issue any new IUP in the future.

Therefore, this recommendation is under consideration. OIG-NYPD will continue to monitor the issue.



**RECOMMENDATIONS REJECTED****RECOMMENDATION 1.**

NYPD should issue an IUP for each individual surveillance technology, as opposed to continuing its practice of grouping similar technologies under a single IUP.

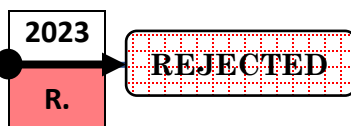


**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** NYPD rejects this recommendation stating that it is in compliance with the requirements of the Post Act. However, NYPD’s interpretation of the POST Act that grouping is permitted is not supported by the language of the POST ACT and significantly undermines other requirements of the Act. For example, grouping may enable NYPD to bypass the POST Act’s disclosure requirements for new technologies. Furthermore, beyond specific responsibilities to audit NYPD’s compliance with the POST Act, OIG-NYPD is mandated to “study, audit and make recommendations relating to the operations, policies, programs and practices” of NYPD under Local Law 70, such that this recommendation is appropriately made whether or not NYPD is in violation of the POST Act.

Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue.

**RECOMMENDATION 2.**

NYPD should identify in each IUP each external agency, by name, with which the Department can share surveillance data.



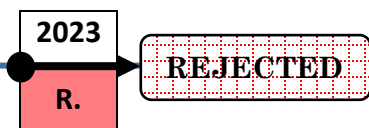
**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** NYPD rejects this recommendation stating that it is in compliance with the requirements of the Post Act. While OIG-NYPD agrees that the POST Act does not expressly require NYPD to comply with this recommendation, compliance will facilitate OIG-NYPD’s responsibility to audit NYPD’s compliance with the POST Act, including NYPD’s adherence to the IUPs, and furthermore, OIG-NYPD is mandated to “study, audit and make recommendations relating to the operations, policies, programs and practices” of NYPD

under Local Law 70, such that this recommendation is appropriately made whether or not NYPD is in violation of the POST Act.

Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue.

### RECOMMENDATION 3.

NYPD should include in each IUP the specific safeguards/restrictions on use or dissemination of the surveillance data for each external agency with which the Department can share such data.

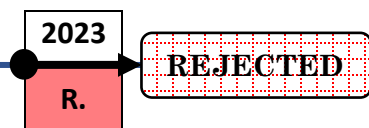


**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** NYPD rejects this recommendation stating that it is in compliance with the requirements of the Post Act. However, beyond specific responsibilities to audit NYPD’s compliance with the POST Act, OIG-NYPD is mandated to “study, audit and make recommendations relating to the operations, policies, programs and practices” of NYPD under Local Law 70, such that this recommendation is appropriately made whether or not NYPD is in violation of the POST Act.

Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue.

### RECOMMENDATION 4.

NYPD should include in each IUP the potential disparate impacts on protected groups of the use and deployment of the surveillance technology itself.

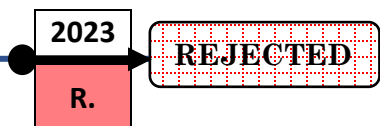


**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** NYPD rejects this recommendation stating that it is in compliance with the requirements of the POST Act. However, beyond specific responsibilities to audit NYPD’s compliance with the POST Act, OIG-NYPD is mandated to “study, audit and make recommendations relating to the operations, policies, programs and practices” of NYPD under Local Law 70, such that this recommendation is appropriately made whether or not NYPD is in violation of the POST Act.

Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue.

**RECOMMENDATION 5.**

NYPD should revise the Health & Safety Reporting sections of all published IUPs, to include any safety hazards that are identifiable on the basis of existing research, manufacturer warnings, or evaluations by experts in the field, or to state that no such hazards have been identified after a search for relevant information.

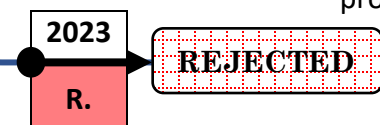


**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** NYPD rejects this recommendation stating that it is in compliance with the requirements of the POST Act. However, beyond specific responsibilities to audit NYPD's compliance with the POST Act, OIG-NYPD is mandated to "study, audit and make recommendations relating to the operations, policies, programs and practices" of NYPD under Local Law 70, such that this recommendation is appropriately made whether or not NYPD is in violation of the POST Act.

Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue

**RECOMMENDATION 6.**

Within 180 days, NYPD should convene a working group of NYPD personnel, relevant City Council members or their appointees, and representatives from select advocacy groups and community organizations who have expertise in surveillance technologies. The purpose of the working group is to make recommendations to NYPD on necessary updates to the existing IUPs and on any information that should be included in any future IUPs for new technologies, based on the group's expertise. NYPD's procedures applicable to the working group should ensure the protection of sensitive information as appropriate.

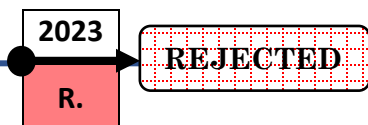


**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** NYPD rejects this recommendation stating that it is in compliance with the requirements of the POST Act. However, beyond specific responsibilities to audit NYPD's compliance with the POST Act, OIG-NYPD is mandated to "study, audit and make recommendations relating to the operations, policies, programs and practices" of NYPD under Local Law 70, such that this recommendation is appropriately made whether or not NYPD is in violation of the POST Act.

Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue.

**RECOMMENDATION 7.**

Within 180 days, NYPD should create an internal tracking system for every instance in which NYPD provides an external agency with data collected via surveillance technologies that NYPD controls, including the name of the agency and the date of that the data was provided.



**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** NYPD rejects this recommendation stating that it is in compliance with the requirements of the POST Act. While OIG-NYPD agrees that the POST Act does not expressly require NYPD to comply with this recommendation, compliance will facilitate OIG-NYPD's audit of NYPD's compliance with the POST Act, including NYPD's adherence to the IUPs, and furthermore, OIG-NYPD is mandated to "study, audit and make recommendations relating to the operations, policies, programs and practices" of NYPD under Local Law 70, such that this recommendation is appropriately made whether or not NYPD is in violation of the POST Act.

Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue.

**RECOMMENDATION 8.**

Within 90 days, in order to facilitate OIG-NYPD's statutorily obligated audit under the POST Act, NYPD should provide OIG-NYPD with information indicating, for each surveillance technology, the various types of data collected and which NYPD units maintain that information. NYPD should include information about the retention procedures and practices for each type of data collected so that OIG-NYPD can assess NYPD's compliance with the IUPs.



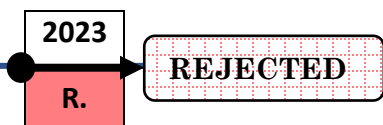
**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** NYPD rejects this recommendation stating that it is in compliance with the requirements of the POST Act. While OIG-NYPD agrees that the POST Act does not expressly require NYPD to comply with this recommendation, compliance will facilitate OIG-NYPD's audit of NYPD's compliance with the POST Act, including NYPD's adherence to the IUPs, and furthermore, OIG-NYPD is mandated to "study, audit and make recommendations relating to the operations, policies, programs and practices" of NYPD under Local Law 70, such that this recommendation is appropriately made whether or not NYPD is in violation of the POST Act.



Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue.

#### RECOMMENDATION 9.

NYPD should provide OIG-NYPD with any data access and retention policies that are included in the existing contracts with vendors who supply the surveillance technologies used by NYPD.



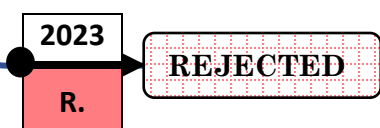
**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** NYPD responded to the recommendation by committing to provide access to the data necessary to complete future audits, as consistent with the law. OIG-NYPD, therefore, initially deemed this recommendation as accepted in principle.

OIG-NYPD requested the data access and retention policies included in the existing contracts, to which NYPD responded that it will provide access to the data necessary, as consistent with the law. A follow-up letter was sent to NYPD on March 9, 2023, requesting this information; to which no response was given by the release of this Annual Report.

Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue.

#### RECOMMENDATION 10.

NYPD should provide OIG-NYPD with the data access and retention policies contained in any newly executed contracts with surveillance technology vendors by the 15th of each quarter (i.e., January, April, July, and October).



**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** NYPD responded to the recommendation by committing to provide access to the data necessary to complete future audits, as consistent with the law. OIG-NYPD therefore initially deemed this recommendation as accepted in principle.

OIG-NYPD requested the data access and retention policies of any newly executed contracts, to which NYPD responded that it will provide access to the data necessary, as consistent with the law. A follow-up letter was sent to NYPD on March 9, 2023, requesting this information; to which no response was given by the release of this report.

Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue.

**RECOMMENDATION 11.**

Within 30 days, NYPD should provide OIG-NYPD an itemized list of the surveillance technologies that it uses. This list should include information concerning the functionalities of each technology, so that OIG-NYPD can assess whether NYPD has, in fact, issued an IUP that covers each surveillance technology that has a distinct functionality or capability.

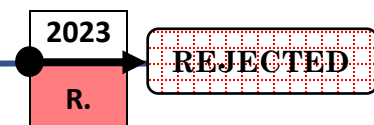


**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** OIG-NYPD requested an itemized list of surveillance technologies, to which NYPD responded that it will provide access to the data necessary, as consistent with the law. A follow-up letter was sent to NYPD on March 9, 2023, to which no response was given by the release of this report.

Therefore, this recommendation is now rejected. OIG-NYPD will continue to monitor the issue.

**RECOMMENDATION 12.**

NYPD should create written policies establishing guidelines to specify the modifications that can be made to probe images used for Facial Recognition Technology.

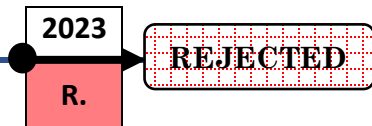


**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** NYPD rejects this recommendation stating that it is in compliance with the requirements of the POST Act. However, beyond specific responsibilities to audit NYPD's compliance with the POST Act, OIG-NYPD is mandated to "study, audit and make recommendations relating to the operations, policies, programs and practices" of NYPD under Local Law 70, such that this recommendation is appropriately made whether or not NYPD is in violation of the POST Act.

Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue.

**RECOMMENDATION 13.**

NYPD should conduct periodic audits of its Facial Identification Section's use of facial recognition technology to ensure compliance with its policies related to the use of the technology and its data. This auditing process should be memorialized in writing.

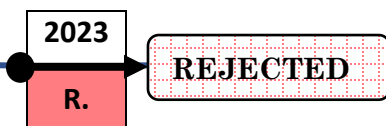


**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** NYPD rejects this recommendation stating that it is in compliance with the requirements of the POST Act. While OIG-NYPD agrees that the POST Act does not expressly require NYPD to comply with this recommendation, compliance will facilitate OIG-NYPD's audit of NYPD's compliance with the POST Act, including NYPD's adherence to the IUPs, and furthermore, OIG-NYPD is mandated to "study, audit and make recommendations relating to the operations, policies, programs and practices" of NYPD under Local Law 70, such that this recommendation is appropriately made whether or not NYPD is in violation of the POST Act.

Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue.

**RECOMMENDATION 14.**

To facilitate the OIG-NYPD's mandated annual audits, beginning January 15, 2023, NYPD should provide OIG-NYPD with quarterly updates, reflecting newly acquired or discontinued technologies in an itemized list of the surveillance technologies that it uses. Thereafter, updates should be made available by the 15th of each quarter (i.e., January, April, July, and October).



**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** According to NYPD, in its 90-day response, it will provide access to the data necessary to complete future audits, as consistent with the law.

OIG-NYPD requested an update, reflecting newly acquired or discontinued technologies in an itemized list, to which NYPD responded that it will provide access to the data necessary, as consistent with the law. A follow-up letter was sent to NYPD on March 9, 2023, to which no response was given by the release of this report.

Therefore, this recommendation is now rejected. OIG-NYPD will continue to monitor the issue.

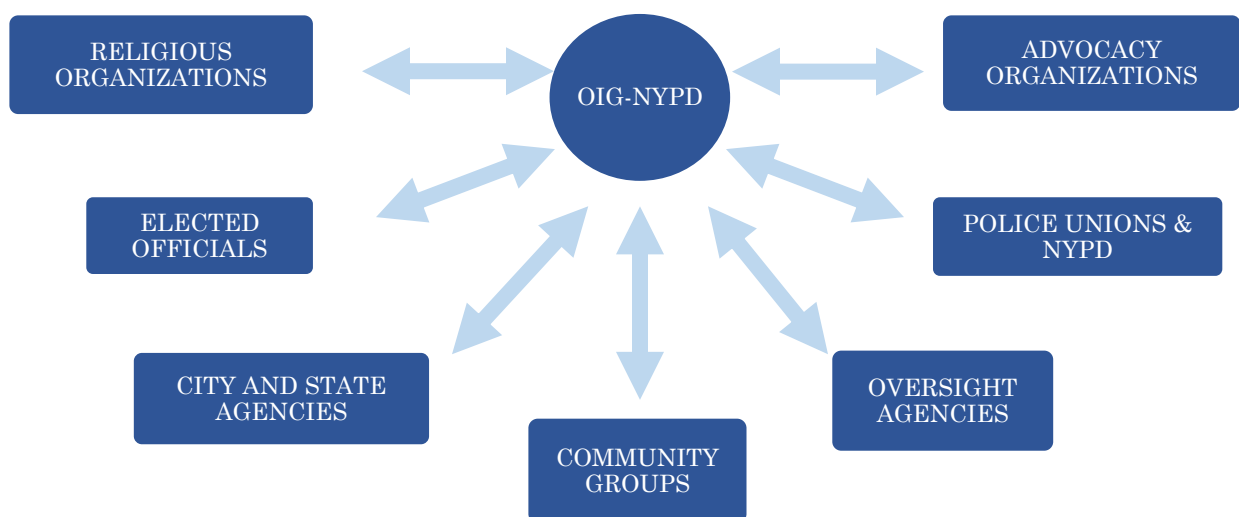
## B. OUTREACH AND ENGAGEMENT

IN 2022, OIG-NYPD CONTINUED TO ENGAGE WITH A VARIETY OF COMMUNITY GROUPS, ADVOCACY ORGANIZATIONS, CITY AND STATE AGENCIES, ELECTED OFFICIALS, RELIGIOUS ORGANIZATIONS, POLICE UNIONS, POLICE DEPARTMENTS, AND OVERSIGHT AGENCIES, TO STRENGTHEN THE RELATIONSHIP BETWEEN NEW YORK CITY RESIDENTS AND NYPD.

As a result of these efforts, the Office identified important police accountability issues that, when addressed, could help further its mission to increase public safety while protecting civil liberties and civil rights.

New York City residents can engage with the Outreach Unit in multiple ways, including formal meetings, by invitation to attend events related to policing issues, through sharing policy briefs, filing complaints about policing issues, and presenting issues at OIG-NYPD hosted brown bag lunches.

In 2023, OIG-NYPD will continue to undertake outreach work in order to obtain feedback and build relations with the public that support its mission of increasing public safety and enhancing the effectiveness of the police department. The Office continued its engagement by meeting with various stakeholders throughout the year, including community groups, advocacy and policy organizations, academic, City and State agencies, police-community relations professionals, and law enforcement oversight agencies from other jurisdictions. In addition, the Office will seek to further expand its activities by hosting additional meetings with these groups and also further expand its social medial presence.





## C. COMPLAINTS

Local Law 70 requires that OIG-NYPD receive complaints from the public about NYPD operations, policies, programs, and practices. The complaints received by the Office range in scope from allegations regarding misconduct by individual police officers to complaints regarding large-scale NYPD policies and practices. Through receiving and reviewing complaints, speaking with members of the public, connecting with other government agencies, and conducting investigations, OIG-NYPD can address individual concerns and allegations while also identifying potential areas for systemic review.

In 2022, OIG-NYPD received complaints from members of the public, advocacy groups, and employees of NYPD. City agencies, including NYPD, the Office of the Mayor, the Conflicts of Interest Board, the City Council, and the Civilian Complaint Review Board also referred matters. Complaints received frequently allege inadequate police services, failure to investigate after a police report has been filed, police corruption, disputes involving summonses, harassment by police, and the use of excessive force. If complaints are received that fall squarely within the jurisdiction of, or would be more appropriately investigated by, another agency, those complaints are referred to that agency. OIG-NYPD's Investigations Unit conducts investigations of those complaints that are not referred to other agencies and which fall within OIG-NYPD's jurisdiction.

OIG-NYPD can be reached for a formal complaint by a variety of means, including in-person interviews, online form, phone, email, fax, and U.S. mail. Please click any of the icons below for a direct link to contact OIG-NYPD:<sup>9</sup>



**In-Person  
Interview**



**Online Form**



**Phone**



**Email**



**Fax**



**U.S. Mail**

### Open OIG-NYPD Investigations

In accordance with section 803(d)(3) of the New York City Charter, as of December 31, 2022, OIG-NYPD reports that it had 15 investigations open for six to 12 months, 3 investigations open for 13 to 24 months, 2 investigations open for 25 to 36 months, and 4 investigations open for more than 36 months. These figures include investigations that qualify as systemic reviews as well as investigations prompted by individual complaints received from members of the public. OIG-NYPD continues to monitor the status of all recommendations until they have been implemented by NYPD, and will continue to make that status public.

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<sup>9</sup> Individuals can visit the Department of Investigation (DOI) in-person at 180 Maiden Lane, New York, NY 10038 or report corruption online at <https://a032-secure.nyc.gov/p/ofcomplaint.html>. To contact OIG-NYPD directly, please email [outreach@oignypd.nyc.gov](mailto:outreach@oignypd.nyc.gov) or call the Office at (212) 806-5200.

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THIS SECTION SUMMARIZES THE FINDINGS AND RECOMMENDATIONS MADE IN THE 18 REPORTS THAT OIG-NYPD RELEASED FROM 2015 TO 2022, AND ASSESSES THE PROGRESS MADE BY NYPD TOWARDS IMPLEMENTING RECOMMENDATIONS FOR THE 2023 REPORTING YEAR.

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### III. 2015-2022 SYSTEMIC INVESTIGATIONS, REVIEWS, STUDIES, AND AUDITS: UPDATED NYPD RESPONSES TO RECOMMENDATIONS

This section also summarizes DOI's 2020 Report regarding NYPD's protest response. The status of the recommendations made in that Report can be seen in the DOI Policy and Procedure Recommendations Portal, [here](#).

#### INVESTIGATION INTO NYPD RESPONSE TO THE GEORGE FLOYD PROTESTS (DOI Report)

**December 18, 2020**

Following the killing of George Floyd by a Minneapolis police officer, New York City saw mass protests concerning racism, policing, and accountability. As these protests evolved, DOI received a directive from the Mayor's Office, and a written referral from members of City Council, to investigate NYPD's protest response.

This Report identified deficiencies in NYPD's protest response. NYPD lacked both a central community affairs strategy as well as a strategy for responding to large-scale protests. As a result, NYPD applied "disorder control" tactics, including use-of-force and crowd-control methods like kettling, which produced heightened enforcement and escalated tensions between protesters and police. Reliance on these tactics by police officers may have occurred, in part, because most responding officers had not received training on policing protests, although a specialized unit within NYPD did receive such training. In addition, DOI found that some decisions by NYPD relied on intelligence without appropriate consideration of context or proportionality, thereby contributing to enforcement responses disproportionate to the circumstances. DOI also found that NYPD did not have a system with the capacity to track sufficient protest data.

DOI's report made 22 recommendations organized into two parts. The recommendations in Part I aimed to improve NYPD's policies related to policing protests, while those recommendations in Part II focused on external oversight of the Department.

**For more information about the findings or recommendations issued in this Report, a copy of the original report can be found [here](#).**

DOI and NYPD are working together to track the status of the recommendations in this report. DOI updates the status of the recommendations made to agencies City-wide on a quarterly basis in its DOI Policy and Procedure Recommendations Portal, [here](#). An assessment of the recommendations' status can also be found on NYPD's website, [here](#).

## AN INVESTIGATION OF NYPD'S OFFICER WELLNESS AND SAFETY SERVICES

### September 24, 2019 Report







OIG-NYPD's Officer Wellness and Safety Report examined the services available to NYPD's officers in need of assistance and explored the extent to which officers were aware of these services, were taking advantage of them, and how support services could be enhanced and made more widely available. The investigation included meeting with NYPD support services personnel and associated NYPD units, attending NYPD trainings, and speaking with several NYPD unions. As a key part of its review, OIG-NYPD also sought to understand the effectiveness and use of NYPD's mental health resources by administering a survey to uniformed NYPD personnel who had completed their service.

OIG-NYPD made 12 recommendations aimed at enhancing NYPD's mental health and wellness services.

**For more information about the findings and recommendations, a full copy of the Report can be found [here](#).**

NYPD has implemented eight of the 12 recommendations issued in this Report since the last annual report. Those recommendations (1, 4, 5, 8-10) can be viewed in Appendix A. Appendix A also includes the status of those recommendations that have not changed since the last annual report.

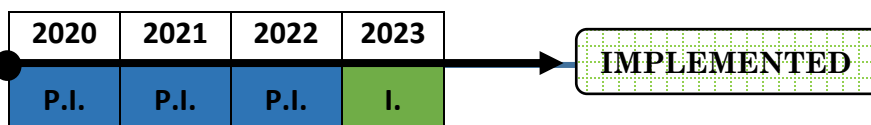
The status of the outstanding recommendations are classified as follows:

 <b>I.:</b> Implemented	 <b>U.C.:</b> Under Consideration
 <b>P.I.:</b> Partially Implemented	 <b>A.I.P.:</b> Accepted in Principle
 <b>R.:</b> Rejected	 <b>N.L.A.:</b> No Longer Applicable

### RECOMMENDATIONS IMPLEMENTED

#### RECOMMENDATION 3:

Consistent with the size of the Department, NYPD should increase the staffing levels in the Health and Wellness Section to include full-time licensed mental health professionals and support staff with appropriate levels of competency in the areas of mental health and wellness.



**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** According to NYPD, its clinical team includes a Licensed Mental Health Clinician and five Psychologists. The Department has also trained approximately 400 peer support liaisons within the Employee Assistance Unit (EAU) to support other members of service through individual engagement as well as referrals.

Therefore, this recommendation is implemented. OIG-NYPD will continue to monitor and evaluate the Department's commitment to this recommendation.

#### RECOMMENDATION 6.

NYPD should study the feasibility of establishing mandatory periodic mental health checks for all police officers or certain categories of at-risk officers.

2020	2021	2022	2023
U.C.	U.C.	U.C.	I.

→ IMPLEMENTED

**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** OIG-NYPD recommended mandatory periodic mental health checks. NYPD responded that the Department would not mandate psychological evaluations due to potential legal issues; however, the Department does conduct wellness check-ins on members of service.

Therefore, this recommendation is implemented. OIG-NYPD will continue to monitor and evaluate the Department's commitment to this recommendation.

#### RECOMMENDATION 11.

NYPD should explore the needs of its retired personnel and endeavor to make wellness support services available to them for a reasonable period of time following retirement or separation.

2020	2021	2022	2023
U.C.	U.C.	U.C.	I.

→ IMPLEMENTED

**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** NYPD asserts it has hired a Retirement Coordinator, hosts pre-retirement informational sessions, and plans to expand wellness programs for members of service. NYPD also provides members with a "Transition to Retirement Informational Program (T.R.I.P.) as a tool to support members of service once retired.

Therefore, this recommendation is implemented. OIG-NYPD will continue to monitor and evaluate the Department's commitment to this recommendation.



**RECOMMENDATIONS PARTIALLY IMPLEMENTED****RECOMMENDATION 12.**

NYPD should put in place mechanisms to ensure that the privacy rights of NYPD personnel are respected and strictly protected, both internally and externally, so that information relating to officer health and wellness is not misused and is accessible only by those who need to know. Such efforts should be informed by discussions with officers and representative organizations like police unions and fraternal organizations.

2020	2021	2022	2023
A.I.P.	A.I.P.	A.I.P.	P.I.

→ **PARTIALLY IMPLEMENTED**

**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** According to NYPD, information related to health and wellness of MOS are maintained in a locked filing cabinet that is only accessible to the dedicated senior clerical leadership (i.e., Director). OIG-NYPD acknowledges these mechanisms are a means to ensure that privacy rights of NYPD personnel are respected and strictly protected, both internally and externally. However, such efforts should be informed by discussions with officers and representative organizations as noted within the recommendation.

Therefore, this recommendation is partially implemented. OIG-NYPD will continue to monitor and evaluate the Department's commitment to this recommendation.

## **COMPLAINTS OF BIASED POLICING IN NEW YORK CITY: AN ASSESSMENT OF NYPD'S INVESTIGATIONS, POLICIES, AND TRAINING**

### **June 26, 2019 Report**

Biased policing is any discriminatory action (or inaction) by law enforcement that is motivated, even in part, by a person's actual or perceived status protected by law (for example, race, gender, sexual orientation, etc.). Biased policing, whether perceived or actual, is a matter of significant public concern because some communities, including communities of color, report high levels of distrust of the police, as the remedial process of *Floyd v. City of New York* has documented.<sup>10</sup> After a Court found that NYPD's "stop, question, and frisk" policies and practices resulted in disproportionate and discriminatory stop-and-frisks of hundreds of thousands of Black and Latino people, the Court ordered NYPD to begin investigating complaints of biased policing, such as racial profiling. OIG-NYPD subsequently conducted an independent investigation that culminated in this 2019 Report.

To perform its investigation, OIG- NYPD analyzed over 5,000 pages of NYPD documents related to 888 allegations which covered a two-and-a-half-year period, attended NYPD's trainings related to biased policing, and interviewed NYPD investigators who handled such allegations.

The Report determined that from 2014, when NYPD began separately investigating and tracking such complaints, through the end of 2018, members of the public made at least 2,495 complaints of biased policing and the Department did not substantiate a single allegation. Additionally, OIG-NYPD determined that NYPD does not investigate an officer's use of offensive or derogatory language related to a complainant's actual or perceived protected status, such as use of a racial slur, as biased policing. Instead, NYPD refers the matter to CCRB for investigation as Offensive Language. Among other findings, the Office found NYPD's method of investigation and tracking such allegations was inadequate in certain respects.

Following the release of this Report, NYC Council passed legislation (Local Law No. 047 of 2021) in April 2021, giving CCRB the authority to investigate biased policing. This change is consistent with recommendation #21, made in this Report. As of October 22, 2022, biased policing complaints against uniformed officers are investigated by CCRB's Racial Profiling and Bias Based Policing Unit.

Although NYPD previously informed OIG-NYPD that biased policing "will no longer be investigated by [NYPD], but instead by CCRB and then either prosecuted or adjudicated by CCRB", CCRB's investigative jurisdiction only covers uniformed members of NYPD.<sup>11</sup> Therefore, the

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<sup>10</sup> See Belen, et al., New York City Joint Remedial Process: Final Report and Recommendations on NYPD's Stop, Question, and Frisk and Trespass Enforcement Policies (May 15, 2018), pursuant to Opinion and Order in *Floyd v. City of New York*, 959 F. Supp. 2d 540 (2013) (No. 08-CIV-1034-SAS- HBP, ECF No. 372 at p. 8 (Aug. 12, 2013))

<sup>11</sup> N.Y.C. Charter § 440(c)(1)







approximately 19,000 non-uniformed members of NYPD (e.g., School Safety Agents, Traffic Enforcement Agents, etc.) will, in fact, continue to be investigated by NYPD for biased policing.

Progress towards implementation of the Report's recommendations will be assessed based on current NYPD and CCRB practices. The Report makes 23 recommendations, the majority of which are addressed to NYPD. Four of the recommendations in this Report relate to either CCRB and/or the City's Commission on Human Rights (CCHR); these recommendations also improve the City's handling of biased policing complaints.

**For more information about the findings and recommendations, a full copy of the Report can be found [here](#).**

NYPD has implemented eight of the 21 recommendations issued in this Report since the last annual report. Those recommendations (4-8, 10, 13, 22) can be viewed in Appendix A. CCRB has not yet fully implemented the two recommendations addressed to it. Appendix A also includes the status of those recommendations that have not changed since the last annual report.

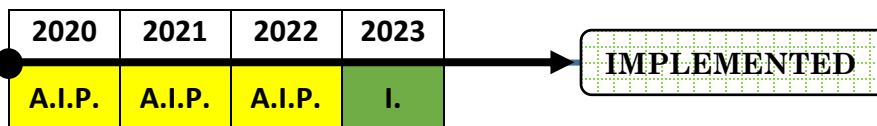
The status of the outstanding recommendations are classified as follows:

 <b>I.:</b> Implemented	 <b>U.C.:</b> Under Consideration
 <b>P.I.:</b> Partially Implemented	 <b>A.I.P.:</b> Accepted in Principle
 <b>R.:</b> Rejected	 <b>N.L.A.:</b> No Longer Applicable

## RECOMMENDATIONS IMPLEMENTED

### RECOMMENDATION 9.

NYPD should make records of complaints and investigations of biased policing allegations available to CCHR for analysis and review.

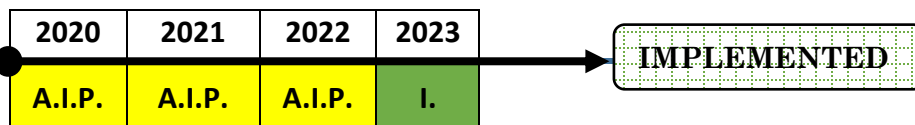


**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** NYPD complies with appropriate request(s) for closed biased policing complaint information from CCHR. OIG-NYPD has confirmed NYPD's compliance by reviewing supporting documentation from NYPD's Special Litigation Unit (SLU).

Therefore, this recommendation is implemented. OIG-NYPD will continue to monitor and evaluate the Department's commitment to this recommendation.

**RECOMMENDATION 21.**

CCRB should adopt a policy to classify and investigate allegations of biased policing by uniformed members of NYPD under its Abuse of Authority jurisdiction instead of referring such allegations to IAB for investigation. Consistent with this new authority, CCRB should request additional resources from the City to take on this new responsibility if the agency can demonstrate that more resources are necessary.



**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** Following the release of this Report, NYC Council passed legislation (Local Law No. 047 of 2021) in April 2021, giving CCRB the authority to investigate biased policing. As of October 22, 2022, biased policing complaints against uniformed officers are investigated by CCRB's Racial Profiling and Bias Based Policing Unit. This change is consistent with this recommendation.

Therefore, this recommendation is implemented. OIG-NYPD will continue to monitor and evaluate CCRB's commitment to this recommendation.

## 2019 ASSESSMENT OF LITIGATION DATA INVOLVING NYPD

### April 30, 2019 Report

On August 24, 2017, the New York City Council passed Local Law 166, requiring “the evaluation of civil actions, claims, complaints, and investigations alleging improper police conduct.”<sup>12</sup> This legislation instructs the OIG-NYPD to develop recommendations relating to the discipline, training, and monitoring of police officers and related operations, policies, programs, and practices of NYPD by considering, among other things, patterns and trends arising from lawsuits, claims, complaints, and other actions filed against NYPD. This Report, issued pursuant to New York City Charter sections 803 and 808, assesses NYPD’s ongoing efforts to track and analyze data from claims and lawsuits, with a particular focus on the Department’s early intervention system and how it can be adapted to track litigation data.<sup>13</sup>

**For more information about the findings and recommendations, a full copy of the Report can be found [here](#).**

NYPD has not fully implemented any of the four recommendations issued in this Report since the last annual report. Appendix A also includes the status of those recommendations that have not changed since the last annual report.

The status of the outstanding recommendations are classified as follows:

 **I.:** Implemented

 **U.C.:** Under Consideration

 **P.I.:** Partially Implemented

 **A.I.P.:** Accepted in Principle

 **R.:** Rejected

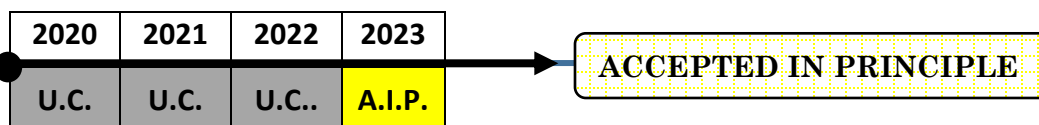
 **N.L.A.:** No Longer Applicable

<sup>12</sup> N.Y.C. LOCAL LAW NO. 166 (2017); N.Y.C. CHARTER CH. 34 § 808

<sup>13</sup> This Report fulfills OIG-NYPD’s obligations under section 803(c) (1) of the Charter (as amended by Local Law 70 of 2013), which requires DOI to make recommendations regarding the operations, policies, programs and practices of NYPD. When OIG-NYPD issues such reports and recommendations, the Police Commissioner is required to submit a written response within 90 days. See N.Y.C. Charter Ch. 34 § 803(e) (2). This Report similarly fulfills OIG-NYPD’s obligations under section 808(b) of the Charter (as amended by Local Law 166 of 2017), which requires DOI to make certain recommendations relating to the discipline, training, and monitoring of police officers and related operations, policies, programs, and practices of the NYPD by considering, among other things, patterns and trends arising from lawsuits, claims, complaints, and other actions filed against NYPD. Section 808(c) requires DOI to issue such recommendations by April 30 each year until May 2020, after which such recommendations shall be issued every three years.

**RECOMMENDATIONS ACCEPTED IN PRINCIPLE****RECOMMENDATION 3.**

NYPD should ensure that sufficient and ongoing training is available to all supervisors once RAILS is fully developed. Such training should specifically take into account supervisors' new roles and responsibilities with the system.

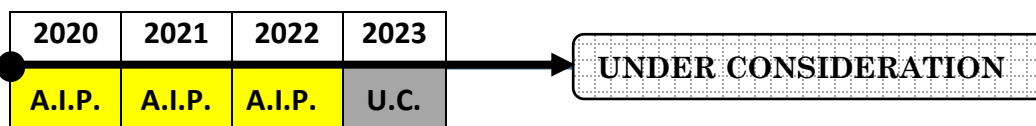


**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** According to NYPD, trainings will be implemented once the Department integrates Central Personnel Resource System (CPRS), the system that replaces Risk Assessment Information Liability System (RAILS). OIG-NYPD will continue to monitor the issue until the trainings are implemented with written policies and procedures.

Therefore, this recommendation is accepted in principle. OIG-NYPD will continue to monitor and evaluate the Department's commitment to this recommendation.

**RECOMMENDATIONS UNDER CONSIDERATION****RECOMMENDATION 4.**

NYPD should ensure there are procedures in place before RAILS is fully implemented to hold supervisors accountable for upholding their responsibilities concerning the system. These procedures should include a policy outlining how often supervisors should log on to RAILS and review their alerts. NYPD should also take steps to confirm that supervisors are following this policy as directed, such as by conducting regular audits of the system.



**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** According to NYPD, policies and procedures will be developed that will hold supervisors accountable for their responsibilities, but the Department is



unsure if the new CPRS system that replaces RAILS will require additional review alerts. OIG-NYPD acknowledges NYPD's consideration.

Therefore, this recommendation is under consideration. OIG-NYPD will continue to monitor and evaluate the Department's commitment to this recommendation.

## ONGOING EXAMINATION OF LITIGATION DATA INVOLVING NYPD

### April 30, 2018 Report

In response to OIG-NYPD's 2015 Report, the City Council passed Local Law No. 166. The law required the OIG-NYPD to collect, evaluate, and report on information concerning improper police conduct by analyzing claims and lawsuits filed against the Department. Pursuant to this law, the Office released its 2018 Report which makes recommendations concerning NYPD's use of data from lawsuits to improve policing.




Though the filing of a lawsuit does not necessarily demonstrate improper police conduct, NYPD can use lawsuit trends to identify areas warranting closer review of Departmental operations, and consider any needed policy or practice changes. This Report underscored the types of data trends NYPD should assess. OIG-NYPD identified precincts with increases or decreases in various types of allegations of misconduct (e.g., false arrests, excessive force, etc.), and found that, while NYPD acknowledged the benefits of analyzing litigation data, it was not using its early intervention system to track the number, types, and outcomes of lawsuits filed against individual officers. In addition, to the extent NYPD had conducted any litigation data analysis, the results had not been made public.

OIG-NYPD made five recommendations concerning NYPD's litigation data-tracking system, generally related to the use of such data to identify both individual officers at risk, as well as Department-wide areas for improvement.

**For more information about the findings and recommendations, a full copy of the Report can be found [here](#).**

NYPD has only implemented one out of the five recommendations issued in this Report since the last annual report. That recommendation (3) can be viewed in Appendix A. Appendix A also includes the status of those recommendations that have not changed since the last annual report.

The status of the outstanding recommendations are classified as follows:

 <b>I.:</b> Implemented	 <b>U.C.:</b> Under Consideration
 <b>P.I.:</b> Partially Implemented	 <b>A.I.P.:</b> Accepted in Principle
 <b>R.:</b> Rejected	 <b>N.L.A.:</b> No Longer Applicable

**RECOMMENDATIONS REJECTED****RECOMMENDATION 1.**

In line with the considerations codified in Local Law 166, NYPD should analyze Department-wide litigation patterns and trends as well as observable patterns and trends within individual precincts and units in order to identify areas for improvement in Department policies, training, supervision, and tactics. In paying greater attention to data within individual precincts, NYPD should review and analyze patterns and trends such as those shown in DOI's analysis of the 77th Precinct.

2019	2020	2021	2022	2023
P.I.	P.I.	P.I.	P.I.	R.

→ **REJECTED**

**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** NYPD should analyze Department-wide litigation patterns and trends as well as observable patterns and trends within individual precincts and units in order to identify areas for improvement in Department policies, training, supervision, and tactics. NYPD has raised concerns that this recommendation will require additional staffing. While this may be true, a Department-wide analysis on litigation patterns and trends, as well as observable patterns and trends on individual precincts and units, can provide more targeted insight enabling the Department to identify areas for improvement related to policies, training, supervision, and tactics.

Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue.

**RECOMMENDATION 2.**

Based on the findings that result from such analyses, NYPD should create internal reports that describe specific Department-wide and precinct or unit level patterns and trends in legal claims and should share these reports with command leadership.

2019	2020	2021	2022	2023
R.	P.I.	P.I.	P.I.	R.

→ **REJECTED**

**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** NYPD should analyze Department-wide litigation patterns and trends, as well as observable patterns and trends within individual precincts and units, in order to identify areas for improvement in Department policies, training, supervision,

and tactics. The Department has raised concerns that this recommendation will require additional staffing. While this may be true, a Department-wide analysis on litigation patterns and trends, as well as observable patterns and trends on individual precincts and units, can provide more targeted insight enabling the Department to identify areas for improvement related to policies, training, supervision, and tactics.

The Department has continued to reject the OIG-NYPD's recommendation raising concerns that this recommendation will require additional staffing and that it conducts some trend analysis of lawsuits and claims. However, OIG-NYPD maintains there is greater value in conducting broader Department-wide analysis. Furthermore, NYPD could create internal reports that describe specific Department-wide and precinct or unit level patterns and trends in legal claims that can be generated and shared with command leadership for strategic planning.

Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue.

## **AN INVESTIGATION OF NYPD'S SPECIAL VICTIMS DIVISION—ADULT SEX CRIMES**

### **March 26, 2018 Report**

In 2018, OIG-NYPD released a Report focusing on NYPD's Special Victims Division's (SVD)<sup>14</sup> staffing resources. The New York City Council took legislative action in response to the Report's findings, requiring public reporting on SVD's case-management system, staffing, caseload, and training. These reports can be found on NYPD's website.<sup>15</sup>

Two barriers remain for full implementation in 2022: (1) the recommendations have not been "codified" as policies or procedural requirements and thus the progress that has been made could easily be reversed and (2) funding.

City funding remains an obstacle to increasing promotional opportunities at SVD, and NYPD has not yet codified the recommendations into official Department policy.

Overall, NYPD has made significant progress towards implementation and deserves recognition for its efforts. However, there is still more work to be done to achieve full implementation. The Office will continue to monitor NYPD's implementation of the Report's recommendations.

**For more information about the findings and recommendations, a full copy of the Report can be found [here](#).**

NYPD has implemented five out of the 12 recommendations issued in this Report since the last annual report. Those recommendations (1, 6, 7, 11, 12) can be viewed in Appendix A. Appendix A also includes the status of those recommendations that have not changed since the last annual report.

The status of the outstanding recommendations are classified as follows:

 **I.:** Implemented

 **U.C.:** Under Consideration

 **P.I.:** Partially Implemented

 **A.I.P.:** Accepted in Principle

 **R.:** Rejected

 **N.L.A.:** No Longer Applicable

<sup>14</sup> Following an August 15, 2022 reorganization, the Special Victims Division has been restructured into the Special Victim Unit which is overseen by the Specialty Enforcement Division (NYPD Organization Guide 166-03).

<sup>15</sup> These laws were codified as N.Y.C. Admin. Code §§ 14-178, 14-179, and 14-180; *Special Victims Division Reports*, N.Y.P.D., <https://www1.nyc.gov/site/nypd/stats/reports-analysis/svd.page> (last visited Mar. 30, 2020).

**RECOMMENDATIONS REJECTED****RECOMMENDATION 2.**

In order to prevent a recurrence of understaffing, NYPD should adopt an evidence-based investigative staffing model that relies on actual investigative hours available and projected caseload (not caseload alone) and continuously monitor SVD caseloads and staffing levels to ensure the appropriate number of staff are available for the assigned caseloads.

2019	2020	2021	2022	2023
A.I.P.	R.	A.I.P.	A.I.P.	R.

**REJECTED**

**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** According to NYPD, no staffing formula will be codified, as the operational efficiency of SVD —like every other unit or division— is at the discretion of the division’s commanding officer. An unwritten and unofficial staffing “formula” that may be subject to change at any time is not considered a staffing model.

Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue.

**RECOMMENDATION 3.**

Since staffing deficiencies are not unique to adult sex crime units alone, NYPD should use the staffing model adopted in Recommendation 2 to appropriately staff the other SVD sub-units.

2019	2020	2021	2022	2023
P.I.	R.	A.I.P.	A.I.P.	R.

**REJECTED**

**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** According to NYPD, no staffing formula will be codified, as the operational efficiency of SVD —like every other unit or division— is at the discretion of the division’s commanding officer. An unwritten and unofficial staffing “formula” that may be subject to change at any time is not considered a staffing model.

Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue.



## AN INVESTIGATION OF NYPD'S NEW FORCE REPORTING SYSTEM

### February 6, 2018 Report

In June 2016, in response to OIG-NYPD's 2015 Report on Use of Force, the Department replaced its existing use-of-force policies and created a new form: the Threat, Resistance, and Injury Worksheet (T.R.I.). NYPD designed the new form to record certain uses of force by and against police officers, as well as any injuries that occurred during the course of a police action or while an individual was in police custody.

OIG-NYPD's 2018 Report, conceived as a follow-up to the earlier report, examined NYPD's compliance with its new policies. The 2018 Report revealed some gaps and initial missteps in the rollout of the Department's new policies. This Report contained 25 recommendations that, if implemented, would make NYPD's use-of-force data collection process more accurate and effective.


The Department was initially resistant to the 2018 Use of Force Report, rejecting most of the recommendations outright. Starting in 2019, however, the Department began to re-engage with OIG-NYPD to enhance its use-of-force policies. Those policies were re-imagined as T.R.I. 2.0, incorporating many of OIG-NYPD's recommendations.

This past year, NYPD has made no progress on any of those outstanding recommendations, as to which there are continuing disagreements; one recommendation has been rejected.

**For more information about the findings and recommendations, a full copy of the Report can be found [here](#).**

NYPD has implemented 17 of the 25 recommendations in this Report since the last annual report. Those recommendations (1, 3, 7, 11-14, 16, 17, 19, 21B, 21C, 21E) and one additional recommendation (20), that is no longer applicable to the Department, can be viewed in Appendix A. Appendix A also includes the status of those recommendations that have not changed since the last annual report.

The status of the outstanding recommendations are classified as follows:

- |  |  |
|--|--|
|  <b>I.:</b> Implemented             |  <b>U.C.:</b> Under Consideration     |
|  <b>P.I.:</b> Partially Implemented |  <b>A.I.P.:</b> Accepted in Principle |
|  <b>R.:</b> Rejected                |  <b>N.L.A.:</b> No Longer Applicable  |

**RECOMMENDATION REJECTED****RECOMMENDATION 6.**

NYPD should impose (a) an “end of tour” deadline by which officers must complete a required T.R.I. form, with appropriate exceptions, and (b) appropriate discipline against officers who fail to meet the deadline, except when certain exceptions apply.

2018	2019	2020	2021	2022	2023
R.	P.I.	P.I.	P.I.	P.I.	R.

→ **REJECTED**

**NYPD RESPONSE AND OIG-NYPD ASSESSMENT:** OIG-NYPD maintains that T.R.I. forms are the exception to requirements for other forms, all of which must be completed by the end of a tour. Additionally, precinct supervisors confirmed to DOI over the course of the investigation that it is more difficult to verify T.R.I. entries as more time passed between the incident and the supervisory review. OIG-NYPD therefore stands by its recommendation, but deems it rejected due to the passage of time.

Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue.

## REVIEW OF NYPD'S IMPLEMENTATION OF PATROL GUIDE PROCEDURES CONCERNING TRANSGENDER AND GENDER NONCONFORMING PEOPLE

### November 21, 2017 Report

In 2012, following negotiations between NYPD, representatives of the Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) community and members of the New York City Council, the Department revised its Patrol Guide to address officer approaches to interacting with members of the public who identify as transgender and gender nonconforming (TGNC) while they are being held in custody. Five years after the adoption of those 2012 revisions, OIG-NYPD initiated an evaluation of the changes and their implementation. The resulting 2017 report included nine recommendations for improvement.

As part of its efforts to ensure compliance with the revised Patrol Guide, NYPD released an internal bulletin entitled “Interactions with Members of the Transgender & Gender Nonconforming Communities” in 2020. That document outlined the Patrol Guide procedures regarding gender identity and expression for personnel. A companion guidebook on the topic created by the Department remains in circulation.




In 2021, the City passed legislation clarifying CCRB’s authority to investigate complaints of biased policing (including LGBTQ-related complaints) made against uniformed officers, subsequent to OIG-NYPD’s 2019 report regarding complaints of biased policing. As a result, CCRB created the Racial Profiling and Bias Based Policing Unit. Moving forward, when allegations of such misconduct are substantiated, CCRB will recommend disciplinary actions for adoption by the Department. As of October 22, 2022, biased policing complaints against uniformed officers are investigated by CCRB’s Racial Profiling and Bias Based Policing Unit.

OIG-NYPD’s assessment of the Department’s progress toward the implementation of this Report’s recommendations, including those which might be affected to some degree by the transfer of authority to CCRB, will continue.

**For more information about the findings and recommendations, a full copy of the Report can be found [here](#).**

NYPD has implemented five out of the 9 recommendations issued in this Report since the last annual report. Those recommendations (2-4,7) can be viewed in Appendix A. Appendix A also includes the status of those recommendations that have not changed since the last annual report.

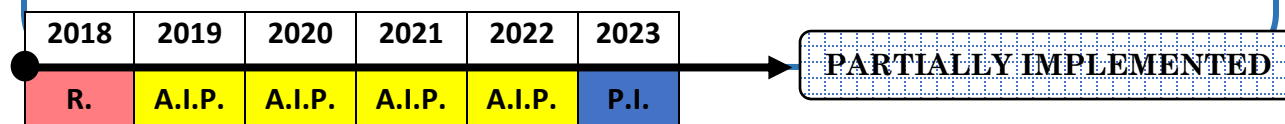
The status of the outstanding recommendations are classified as follows:

- |  |  |
|--|--|
|  <b>I.:</b> Implemented             |  <b>U.C.:</b> Under Consideration     |
|  <b>P.I.:</b> Partially Implemented |  <b>A.I.P.:</b> Accepted in Principle |
|  <b>R.:</b> Rejected                |  <b>N.L.A.:</b> No Longer Applicable  |

**RECOMMENDATIONS PARTIALLY IMPLEMENTED****RECOMMENDATION 5.**

Within six months, NYPD should report to OIG-NYPD whether and how the Department will change remaining forms and databases to record an individual's preferred name in a separate field.

2018	2019	2020	2021	2022	2023
R.	A.I.P.	A.I.P.	A.I.P.	A.I.P.	P.I.



**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** According to NYPD, a "preferred name" caption has been added to the prisoner pedigree card and codified entering preferred names on the On-Line Booking System (OLBS) in Patrol Guide 208-02. OIG-NYPD has not received confirmation that remaining forms or databases have or will be updated.

Therefore, this recommendation is partially implemented. OIG-NYPD will continue to monitor and evaluate the Department's implementation of this recommendation.

## **WHEN UNDOCUMENTED IMMIGRANTS ARE CRIME VICTIMS: AN ASSESSMENT OF NYPD'S HANDLING OF U VISA CERTIFICATION REQUESTS**

### **July 28, 2017 Report**






Law enforcement agencies rely on victim cooperation in the investigation and prosecution of crimes. However, for undocumented people who are victims of crimes, fear of deportation can stand in the way of cooperation—a fact that perpetrators readily exploit. The U nonimmigrant status visa (U visa), a special visa provided to undocumented victims of certain qualifying crimes who assist officials in the investigation and prosecution of those crimes, is intended to address this concern. A certification of cooperation from a local law enforcement agency is required to obtain this visa. In 2017, OIG-NYPD conducted a review of NYPD's U visa certification program to ensure that it was fair and efficient, and provided the protection envisioned by the program.

The Office found that NYPD had taken commendable steps to improve its U visa program and to work with, protect, and gain the trust of the undocumented immigrant community. However, the Report identified concerns about the Department's application of certification criteria, its reliance on criminal background checks to deny certification requests, and its practice of referring certification requests to other agencies. The Report contained ten recommendations for strengthening NYPD's U visa certification program. An assessment of NYPD's continued progress on the status of the remaining seven recommendations follows.

**For more information about the findings and recommendations, a full copy of the Report can be found [here](#).**

NYPD has implemented three out of the ten recommendations issued in this Report since the last annual report. Those recommendations (2, 5, 8) can be viewed in Appendix A. Appendix A also includes the status of those recommendations that have not changed since the last annual report.

The status of the outstanding recommendations are classified as follows:

 <b>I.:</b> Implemented	 <b>U.C.:</b> Under Consideration
 <b>P.I.:</b> Partially Implemented	 <b>A.I.P.:</b> Accepted in Principle
 <b>R.:</b> Rejected	 <b>N.L.A.:</b> No Longer Applicable

**RECOMMENDATIONS PARTIALLY IMPLEMENTED****RECOMMENDATION 10.**

NYPD should develop informational training on U visas for specialized NYPD units that frequently encounter immigrant communities.

2018	2019	2020	2021	2022	2023
R.	R.	A.I.P.	A.I.P.	A.I.P.	P.I.

**PARTIALLY IMPLEMENTED**

**NYPD RESPONSE AND OIG-NYPD ASSESSMENT:** NYPD has provided the Patrol Guide procedure § 212-111, and a U visa flyer to be distributed throughout the Department. OIG-NYPD, however, asserts training details and materials would need to be provided in order for this recommendation to be considered fully implemented.

Therefore, this recommendation is partially implemented. OIG-NYPD will continue to monitor and evaluate the Department's implementation of this recommendation.

**RECOMMENDATION 9.**

NYPD should develop written materials regarding the U visa program for dissemination at precincts and other locations where victims may encounter police.

2018	2019	2020	2021	2022	2023
R.	R.	A.I.P.	A.I.P.	A.I.P.	P.I.

**PARTIALLY IMPLEMENTED**

**NYPD RESPONSE AND OIG-NYPD ASSESSMENT:** NYPD has submitted the finalized flyer, regarding the U visa program to be disseminated to each NYPD precinct. The flyer will be available to members of the public as well as members of service. OIG-NYPD will require additional information regarding when and how the flyer will be circulated to the public, and any further materials to be produced as a supplement to the content outlined in the flyer.

Therefore, this recommendation is partially implemented. OIG-NYPD will continue to monitor and evaluate the Department's implementation of this recommendation.



## ADDRESSING INEFFICIENCIES IN NYPD'S HANDLING OF COMPLAINTS: AN INVESTIGATION OF THE "OUTSIDE GUIDELINES" COMPLAINT PROCESS

### February 7, 2017 Report

In February 2017, OIG-NYPD released a report detailing NYPD's procedure for handling "Outside Guidelines" (OG) complaints—less severe allegations that fall outside NYPD's Patrol Guide rules. The Report identified inefficiencies and inconsistencies in how NYPD tracks OG complaints as they move from NYPD's Internal Affairs Bureau to the Office of the Chief of Department's (COD) Investigation Review Section (IRS) for handling. These problems included outdated technology incompatible with other NYPD systems, which slowed down the completion of the complaint process.

**For more information about the findings and recommendations, a full copy of the Report can be found [here](#).**

NYPD has implemented three out of the six recommendations issued in this Report since the last annual report. Those recommendations (1, 2, 4) can be viewed in Appendix A. Appendix A also includes the status of those recommendations that have not changed since the last annual report.

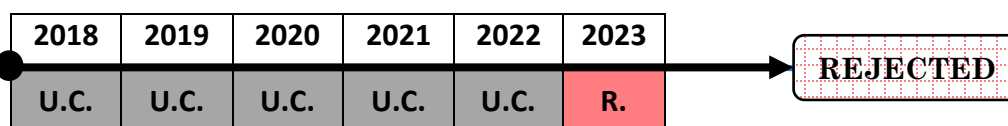
The status of the outstanding recommendations are classified as follows:

- |  |  |
|--|--|
| <span style="color: green;">■</span> <b>I.:</b> Implemented            | <span style="color: gray;">■</span> <b>U.C.:</b> Under Consideration       |
| <span style="color: blue;">■</span> <b>P.I.:</b> Partially Implemented | <span style="color: yellow;">■</span> <b>A.I.P.:</b> Accepted in Principle |
| <span style="color: red;">■</span> <b>R.:</b> Rejected                 | <span style="color: black;">■</span> <b>N.L.A.:</b> No Longer Applicable   |

### RECOMMENDATIONS REJECTED

#### RECOMMENDATION 6.

NYPD should publish quarterly reports on OG complaints.



**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** NYPD should publish quarterly reports on OG complaints. The Department continues to report that it is considering regularly releasing relevant information on OG complaints, as it has since the time of this Report's release in 2017; however, the Department is not producing quarterly reports on these complaints.

Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue.

## **PUTTING TRAINING INTO PRACTICE: A REVIEW OF NYPD’S APPROACH TO HANDLING INTERACTIONS WITH PEOPLE IN MENTAL CRISIS**

### **January 19, 2017 Report**

In 2015, OIG-NYPD began a review of NYPD’s handling of interactions with people in mental health distress, which historically resulted in a number of instances in which force was used by officers resulting in injury or death. The assessment was focused on the evaluation of the Department’s application of the Crisis Intervention Team (CIT), an approach to de-escalation, service referral and the limited application of force that had been successfully applied by jurisdictions across the country.

The findings of OIG-NYPD’s 2017 Report revealed that while NYPD was following the CIT model in many respects, it was not implementing all aspects of the program. Further, OIG-NYPD identified shortfalls in how NYPD managed its CIT efforts, weaknesses in data collection regarding crisis incidents and gaps in the agency’s Patrol Guide regarding how officers should approach the mentally vulnerable. As a result, OIG-NYPD made 13 recommendations for procedural or policy improvements.

**For more information about the findings and recommendations, a full copy of the Report can be found [here](#).**

NYPD has implemented 12 of the 13 recommendations issued in this Report since the last annual report. Those recommendations (1, 4-7, 9-13) can be viewed in Appendix A. Appendix A also includes the status of those recommendations that have not changed since the last annual report.


The status of the outstanding recommendations are classified as follows:

 **I.:** Implemented

 **U.C.:** Under Consideration

 **P.I.:** Partially Implemented

 **A.I.P.:** Accepted in Principle

 **R.:** Rejected

 **N.L.A.:** No Longer Applicable

**RECOMMENDATIONS IMPLEMENTED****RECOMMENDATION 8.**

NYPD should analyze data regarding mental crisis incidents

2018	2019	2020	2021	2022	2023	
A.I.P.	A.I.P.	A.I.P.	A.I.P.	P.I.	I.	IMPLEMENTED

**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** According to NYPD, it regularly evaluates data related to interactions with people in mental distress using details derived from 911 calls for service, incident reports, and other forms that are completed by officers to memorialize engagement with the public.

Quarterly and annual cumulative data regarding the Unit and the Behavioral Health Emergency Assistance Response Division (BHEARD), another mental health initiative, are collected and assessed by NYPD. The Department also outlined its applications of information received from the New York City Fire Department (FDNY) with relation to the Behavioral Health Division (BHD), which is reviewed by personnel on a daily basis for the purposes of program improvement and policy development.

In addition, the Co-Response Unit evaluates “Medical Treatment of Prisoner” forms and arrest reports on a monthly basis. The purpose is to identify individuals presenting with mental health or substance use challenges who are at an elevated risk of engaging in harmful behaviors to themselves or others.

Therefore, this recommendation is implemented. OIG-NYPD will continue to monitor and evaluate the Department’s commitment to this recommendation.

## AN INVESTIGATION OF NYPD'S COMPLIANCE WITH RULES GOVERNING INVESTIGATIONS OF POLITICAL ACTIVITY

**August 23, 2016**

On August 23, 2016, OIG-NYPD released a Report on NYPD's compliance with court-mandated rules governing the investigation of political activity known as the Handschu Guidelines.<sup>16</sup> The Guidelines require, in part, that NYPD document the basis for an investigation, secure specific approvals from senior NYPD officials, and complete the investigation within an approved time-frame.







After a comprehensive review, OIG-NYPD found that documents seeking to extend investigations or to include undercover officers or confidential informants in investigations usually did not have the required information. Additionally, in more than half the cases, investigations continued after the expiration of the approved time frame.

In 2017, the Court monitoring the Handschu Guidelines approved a proposal for modifications. A central element of those resulting Guideline changes was to install a Civilian Representative on NYPD's "Handschu Committee," empowered to report violations of the Handschu Guidelines to the applicable federal court, and to publish reports on NYPD's compliance with the rules.<sup>17</sup>

**For more information about the findings and recommendations, a full copy of the Report can be found [here](#).**

NYPD has implemented six of the 11 recommendations issued in this Report since the last annual report. Those recommendations (1-3,5, 8, 9) can be viewed in Appendix A. Appendix A also includes the status of those recommendations that have not changed since the last annual report.

The status of the outstanding recommendations are classified as follows:

 <b>I.:</b> Implemented	 <b>U.C.:</b> Under Consideration
 <b>P.I.:</b> Partially Implemented	 <b>A.I.P.:</b> Accepted in Principle
 <b>R.:</b> Rejected	 <b>N.L.A.:</b> No Longer Applicable

<sup>16</sup> The Handschu Guidelines were established pursuant to a 1971 federal lawsuit and are codified in NYPD Patrol Guide § 212-72.

<sup>17</sup> On Feb 21, 2023, Mayor Adams appointed a new independent civilian representative to the New York City Police Department's (NYPD) Handschu Committee.

**RECOMMENDATIONS REJECTED****RECOMMENDATION 7.**

NYPD should specify, when extending use of an undercover or confidential informant, the reason for the extension.

2017	2018	2019	2020	2021	2022	2023
A.I.P.	A.I.P.	A.I.P.	A.I.P.	A.I.P.	A.I.P.	R.

→ **REJECTED**

**NYPD RESPONSE & OIG-NNYPD ASSESSMENT:** NYPD has not formally responded to this recommendation to date. When OIG-NYPD last reviewed NYPD’s updated Human Source Extension memos in 2017, it found that those forms needed to be revised to include more detailed, fact-based reasons for the extensions. OIG-NYPD has determined that no changes have been made since that time

Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue.

**RECOMMENDATION 10.**

NYPD should consolidate its policies and procedures for investigations involving political activity into a unified handbook.

2017	2018	2019	2020	2021	2022	2023
A.I.P.	A.I.P.	A.I.P.	A.I.P.	A.I.P.	A.I.P.	R.

→ **REJECTED**

**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** In 2020, NYPD stated “the Intelligence Bureau has finalized the policy guide.” However, the Department has not provided a copy of the finalized policy guide or provided any updates to date.

Therefore, this recommendation is rejected. OIG-NYPD will continue to monitor the issue.

## **POLICE USE OF FORCE IN NEW YORK CITY: FINDINGS AND RECOMMENDATIONS ON NYPD'S POLICIES AND PRACTICES**

### **October 1, 2015 Report**







In 2015, OIG-NYPD released this Report following an investigation of NYPD's policies on force, how force incidents are reported, how NYPD trains officers regarding the use-of-force, and the disciplinary process for substantiated cases of excessive force.

OIG-NYPD found that NYPD's use-of-force policy provided little guidance to individual officers on what actions constitute force and provided insufficient instruction on de-escalation. Further, it concluded that NYPD's documentation and reporting processes left the Department unable to accurately and comprehensively capture data on how frequently officers use force. The Office also found that NYPD frequently failed to impose discipline even when provided with evidence of excessive force.

**For more information about the findings and recommendations, a full copy of the Report can be found [here](#).**

NYPD has implemented 13 of the 15 recommendations issued in this Report since the last annual report. Those recommendations (1-3, 5-11, 12, 14) can be viewed in Appendix A. Appendix A also includes the status of those recommendations that have not changed since the last annual report.

The status of the outstanding recommendations are classified as follows:

 <b>I.:</b> Implemented	 <b>U.C.:</b> Under Consideration
 <b>P.I.:</b> Partially Implemented	 <b>A.I.P.:</b> Accepted in Principle
 <b>R.:</b> Rejected	 <b>N.L.A.:</b> No Longer Applicable



**RECOMMENDATIONS IMPLEMENTED****RECOMMENDATION 13.**

NYPD should collect, review, and compare data regarding disciplinary penalties imposed in use-of-force cases and report on the effects of disciplinary penalties on the frequency of incidents of excessive force. NYPD should publish data in the previously mentioned annual report (Recommendation #6) on the number and percentage of cases in which the Police Commissioner reduces or declines discipline.

2016	2017	2018	2019	2020	2021	2022	2023
R.	R.	R.	U.C.	U.C.	A.I.P.	A.I.P.	I.

**IMPLEMENTED**

**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** In 2021 NYPD began posting the Disciplinary Matrix Deviations and deviation letters as part of its 2021 Discipline Report via NYPD Online.

Therefore, this recommendation is implemented. OIG-NYPD will continue to monitor and evaluate the Department's commitment to this recommendation.

**RECOMMENDATION 15.**

NYPD should share a subject officer's force monitoring history with CCRB's Administrative Prosecution Unit (APU) since this information is a critical element that must be taken into consideration when CCRB recommends penalties.

2016	2017	2018	2019	2020	2021	2022	2023
A.I.P.	A.I.P.	A.I.P.	P.I.	P.I.	P.I.	P.I.	I.

**IMPLEMENTED**

**NYPD RESPONSE & OIG-NYPD ASSESSMENT:** NYPD provides CCRB with an officer's Central Personnel Index (CPI) which allows access to an officer's force monitoring history.

Therefore, this recommendation is implemented. OIG-NYPD will continue to monitor and evaluate the Department's commitment to this recommendation.







#### IV. APPPENDIX A.

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THE FOLLOWING TABLE DESCRIBES THE STATUS OF ALL RECOMMENDATIONS ISSUED, EACH YEAR FROM 2015-2022;  
INCLUDING RECOMMENDATIONS THAT WERE IMPLEMENTED.  
THE REPORTS ARE LISTED IN REVERSE CHRONOLOGICAL ORDER.

A FULL COPY OF EACH REPORT CAN BE FOUND ON [OIG-NYPD'S WEBSITE](#).


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 <b>I.:</b> Implemented	 <b>U.C.:</b> Under Consideration	 <b>P.I.:</b> Partially Implemented
 <b>R.:</b> Rejected	 <b>A.I.P.:</b> Accepted in Principle	 <b>N.L.A.:</b> No Longer Applicable

Recommendations are assessed for the first time in the annual report that is issued after the recommendations are made.

#	Report	2015	2016	2017	2018	2019	2020	2021	2022	2023
	<b>Sharing Police Body-Worn Camera Footage In New York City (November 2021)</b>									
1.	NYPD should conduct an internal review to ensure that sealed BWC footage is not being commingled with unsealed BWC footage, and, if necessary, enact software-level safeguards to prevent sealed BWC footage from being viewed (either within or without NYPD) without a court order or waiver.									R.
2.	In an effort to more efficiently produce BWC footage and assist CCRB in fulfilling its mandate, NYPD should provide CCRB with independent and direct remote access credentials to all BWC storage databases so that BWC videos can be searched and viewed as necessary for CCRB investigations. Such access should be subject to appropriate credentials and audit trails to address security and privacy concerns.									R.
3.	Within six months of the release of this Report, NYPD should consult with each of the covered Charter § 808 agencies, as well as OIG-NYPD, to determine whether additional access to BWC footage would benefit them in fulfilling their mandates, and engage in good faith discussions to expand or streamline access if necessary.									A.I.P.
#	Report	2015	2016	2017	2018	2019	2020	2021	2022	2023
	<b>An Investigation of NYPD's Officer Wellness and Safety Services NYPD (September 2019 Report)</b>									
1.	To guide the Department's efforts and memorialize the Department's commitments, NYPD should develop an overarching Mental Health and Wellness policy that articulates goals, establishes standards, and outlines relevant programs and resources. This policy would encompass the						I.	I.	I.	I.

	recommendations in this Report, the work of the Mental Health and Wellness Coordinator, and the efforts of the Mental Health and Wellness Task Force and the Health and Wellness Section.					
2.	NYPD should use the results of its own recent 2019 officer survey on health and wellness (and, if necessary, conduct additional officer surveys with the assistance of outside experts) to inform the Department's overall Mental Health and Wellness policy referenced in Recommendation #1.		P.I.	P.I.	I.	I.
3.	Consistent with the size of the Department, NYPD should increase the staffing levels in the Health and Wellness Section to include full-time licensed mental health professionals and support staff with appropriate levels of competency in the areas of mental health and wellness.		P.I.	P.I.	P.I.	I.
4.	NYPD's Health and Wellness Section should have access to specific internal data that would assist the Section with identifying behavioral themes or trends in the conduct of NYPD personnel so as to inform the work of the Section.		P.I.	I.	I.	I.
5.	NYPD should retain outside mental health experts to review and audit the current range of Department-wide health and wellness trainings provided by NYPD to personnel, many of which are new, and ask these experts to recommend to NYPD what additional training, if any, should be developed and delivered.		A.I.P.	I.	I.	I.
6.	NYPD should study the feasibility of establishing mandatory periodic mental health checks for all police officers or certain categories of at-risk officers.		U.C.	U.C.	U.C.	I.
7.	NYPD should modify its early intervention system—Risk Assessment Information Liability System (RAILS)—to include an “officer wellness”		R.	R.	I.	I.

	category, based on various relevant indicators, so that NYPD personnel requiring officer wellness intervention can be identified.									
8.	NYPD should establish clear written procedures on debriefing NYPD personnel in the wake of critical incidents and follow up with these officers after the debriefing sessions.						U.C.	I.	I.	I.
9.	NYPD should collaborate with the National Officer Safety and Wellness Group to help amplify new and existing efforts to reduce suicide among NYPD personnel.						I.	I.	I.	I.
10.	NYPD should establish a mandatory program that provides NYPD personnel approaching retirement with helpful information on the availability of support services following separation, adjusting to life as a member of the public, financial advisement, and medical and retirement benefits.						P.I.	I.	I.	I.
11.	NYPD should explore the needs of its retired personnel and endeavor to make wellness support services available to them for a reasonable period of time following retirement or separation.						U.C.	U.C.	U.C.	I.
12.	In implementing the recommendations in this Report, NYPD should put in place mechanisms to ensure that the privacy rights of NYPD personnel are respected and strictly protected, both internally and externally, so that information relating to officer health and wellness is not misused and is accessible only by those who need to know. Such efforts should be informed by discussions with officers and representative organizations like police unions and fraternal organizations.						A.I.P.	A.I.P.	A.I.P.	P.I.
#	Report	2015	2016	2017	2018	2019	2020	2021	2022	2023
	Complaints of Biased Policing In New York City: An Assessment of NYPD's Investigations, Policies, And Training (June 2019 Report)									


1.	NYPD should amend its Patrol Guide policies to explicitly require NYPD officers and non-uniformed employees to report instances of biased policing upon observing or becoming aware of such conduct.		R.	R.	R.	R.
2.	NYPD should amend its Patrol Guide policies so that complaints alleging the use of offensive or derogatory language associated with an individual's actual or perceived protected status, such as racial slurs, are classified as biased policing if there is a discriminatory intent.		R.	R.	R.	R.
3.	NYPD should amend its written investigative procedures related to biased policing so that offensive or derogatory language associated with an individual's actual or perceived protected status, such as an officer's use of racial slurs, is classified, investigated, and adjudicated as a biased policing matter.		R.	R.	R.	R.
4.	Consistent with NYPD's investigative training, NYPD should amend its written investigative procedures to document the number of attempts that investigators must make to contact complainants for interviews when investigating biased policing complaints before the case is closed.		I.	I.	I.	I.
5.	NYPD should amend its written investigative procedures to require investigators to attempt to interview incarcerated complainants when such complainants are being held at a jail located within the five boroughs of New York City (regardless of whether the jail is managed by NYC Department of Correction, NYS Department of Corrections and Community Supervision, or the federal Bureau of Prisons).		I.	I.	I.	I.
6.	Consistent with NYPD's investigative training, NYPD should amend its written investigative procedures to state that a guilty status, plea, or		I.	I.	I.	I.


	conviction does not resolve the issue of whether an officer or a non-uniformed employee engaged in discriminatory conduct, even if the criminal matter and the complaint of biased policing arise from the same set of underlying facts.					
7.	NYPD should amend its written investigative procedures to state that a complainant's previous criminal history should not be dispositive of whether a biased policing allegation is substantiated. Where NYPD does regard the complainant's previous criminal history as a factor in a non-substantiation decision, the investigator should articulate how the criminal history impacted the decision and the investigator must still complete a full investigation of the allegation.		I.	I.	I.	I.
8.	Consistent with NYPD's investigative training, the Department should amend its written investigative procedures to state that a subject officer's race/ethnicity or other protected status should not be determinative in deciding whether to substantiate a biased policing allegation, even when the officer (or non-uniformed employee) and complainant identify as members of the same race/ethnicity or other protected group.		I.	I.	I.	I.
9.	NYPD should make records of complaints and investigations of biased policing allegations available to CCHR for analysis and review.		A.I.P.	A.I.P.	A.I.P.	I.
10.	NYPD investigators should not be assigned investigations of biased policing allegations until they complete the formal "Profiling and Bias-Based Policing" training for investigating such complaints.		I.	I.	I.	I.
11.	NYPD should develop a checklist of all the required protocols for investigating allegations of biased policing, such as		R.	R.	R.	R.


	interviewing complainants and sub-classifying all applicable protected statuses.					
12.	Investigators should be required to complete and submit to their supervisors the checklist with their case closing reports.		R.	R.	R.	R.
13.	Deputy Chiefs should receive training and reminders emphasizing that biased policing investigations can only be closed when proper investigative protocols have been followed, unless such protocols were impossible to implement or inapplicable to the particular case.		I.	I.	I.	I.
14.	With respect to complaints of biased policing, NYPD should ensure that IAB's case management system contains the same controls found in the ICMT system used by NYPD's Bureau/Borough investigators, including controls regarding the requisite number of attempts to contact complainants. This will ensure that the necessary requirements of an investigation are completed prior to the closure of all biased policing cases.		R.	R.	R.	R.
15.	NYPD should develop and implement a pilot mediation program for some biased policing complaints. As part of that program, NYPD should develop criteria for referring to mediation cases involving both uniformed and non-uniformed members.		A.I.P.	A.I.P.	R.	R.
16.	NYPD's RAILS should be expanded to capture unsubstantiated biased policing allegations involving both uniformed and non-uniformed members.		R.	R.	R.	R.
17.	NYPD's Performance Monitoring Program should develop monitoring criteria to include officers and non-uniformed employees who are the subject of biased policing complaints, regardless of substantiation, modeled on the metrics currently in use for excessive force complaints.		A.I.P.	A.I.P.	R.	R.



18.	NYPD should develop written materials to educate the public about what biased policing is and how members of the public can file biased policing complaints. This COMPLAINTS OF BIASED POLICING IN NEW YORK CITY JUNE 2019 56 information should be conspicuously visible on NYPD's website and in other locations where such information would be readily available to the public.		R.	R.	R.	R.
19.	NYPD should publish statistics for the public as part of an annual report covering biased policing. These statistics should, at a minimum, include a breakdown of the following: (i) the subject officer's uniformed versus non-uniformed status, bureau or unit assignment, gender, race/ethnicity, age, and length of service to the Department; (ii) the self-reported demographics (race/ethnicity, sex, age, etc.) of complainants; (iii) the types of police encounters that resulted in complaints of biased policing; (iv) the number of biased policing complaints initiated by borough and precinct; (v) the discriminatory policing conduct alleged; (vi) the sub-classifications and outcomes of such complaints; and (vii) the status of the Department's efforts to prevent biased policing. This information should be conspicuously visible on NYPD's website and in other locations where such information would be readily available to the public.		U.C.	R.	R.	R.
20.	CCRB should add all the protected statuses, such as "National Origin," "Color," "Age," "Alienage," "Citizenship Status," and "Housing Status" as outlined in § 14-151 of the NYC Administrative Code and § 203-25 of NYPD's Patrol Guide, to the sub-classifications of its Offensive Language category.		A.I.P.	A.I.P.	R.	R.

21.	CCRB should adopt a policy to classify and investigate allegations of biased policing by uniformed members of NYPD under its Abuse of Authority jurisdiction instead of referring such allegations to IAB for investigation. Consistent with this new authority, CCRB should request additional resources from the City to take on this new responsibility if the agency can demonstrate that more resources are necessary.						R.	A.I.P.	A.I.P.	I.
22.	City agencies that handle biased policing complaints (NYPD, CCRB, CCHR) should convene within the next four months to address the findings and recommendations in OIGNYPD's investigation. This would, for example, include developing standard categories and definitions for how these complaints are grouped and sub-classified.						I.	I.	I.	I.
23.	NYPD, CCRB, and CCHR should develop protocols and procedures to share data and information on biased policing complaints on a regular basis. To the extent that implementing this Report's recommendations would require CCRB or CCHR to have prompt access to NYPD records (e.g., case files, data, body-worn camera video, etc.), protocols should be established so that NYPD will commit itself to providing such access to these agencies.						A.I.P.	A.I.P.	A.I.P.	A.I.P.
#	Report	2015	2016	2017	2018	2019	2020	2021	2022	2023
	Assessment of Litigation Data Involving NYPD (April 2019 Report)									
1.	NYPD should consider incorporating peer officer averages and performance indicator ratios in its thresholds for RAILS, or other approaches that would account for officers with greater activity who may not necessarily exhibit problematic behavior.						U.C.	U.C.	U.C.	U.C.
2.	NYPD should seek input from supervisors in further developments of RAILS and create a mechanism for						P.I.	P.I.	P.I.	P.I.

	supervisors to direct their feedback. Supervisors should be involved in each stage of the development and implementation process for RAILS. NYPD should have a formal, standing mechanism for supervisors to direct their feedback, including any problems or concerns with the system.									
3.	NYPD should ensure that sufficient and ongoing training is available to all supervisors once RAILS is fully developed. Such training should specifically take into account supervisors' new roles and responsibilities with the system.						U.C.	U.C.	U.C.	A.I.P.
4.	NYPD should ensure there are procedures in place before RAILS is fully implemented to hold supervisors accountable for upholding their responsibilities concerning the system. These procedures should include a policy outlining how often supervisors should log on to RAILS and review their alerts. NYPD should also take steps to confirm that supervisors are following this policy as directed, such as by conducting regular audits of the system.						A.I.P.	A.I.P.	A.I.P.	U.C.
#	Report	2015	2016	2017	2018	2019	2020	2021	2022	2023
	<b>Ongoing Examination of Litigation Data Involving NYPD (April 2018 Report)</b>									
1.	In line with the considerations codified in Local Law 166, NYPD should analyze Department-wide litigation patterns and trends as well as observable patterns and trends within individual precincts and units in order to identify areas for improvement in Department policies, training, supervision, and tactics. In paying greater attention to data within individual precincts, NYPD should review and analyze patterns and trends such as those shown in DOI's analysis of the 77th Precinct.						P.I.	P.I.	P.I.	R.
2.	Based on the findings that result from such analyses, NYPD should create						R.	P.I.	P.I.	R.

	internal reports that describe specific Departmentwide and precinct or unit level patterns and trends in legal claims and should share these reports with command leadership.									
3.	NYPD should regularly enter data about claims naming individual officers into its new Risk Assessment Information Liability System (RAILS), or comparable early intervention system, so that NYPD is aware of at-risk officers who may require assistance.					P.I.	I.	I.	I.	I.
4.	NYPD should create public reports that do not violate rules of confidentiality, taking care to disclose only the number and the general nature of claims filed against the Department as well as the current state of any interventions or policy changes.					R.	R.	R.	R.	R.
5.	NYPD should increase the number of employees focusing primarily on tracking litigation trends in order for NYPD to conduct proactive litigation analysis so that patterns and trends can be identified, tracked, and, where necessary, addressed.					U.C.	U.C.	U.C.	R.	R.
#	Report	2015	2016	2017	2018	2019	2020	2021	2022	2023
	<b>An Investigation of NYPD's Special Victims Division—Adult Sex Crimes (March 2018 Report)</b>									
1.	NYPD should immediately increase the staffing level in SVD's adult sex crime units to meet the minimum investigative capacity required by an evidence backed and nationally-accepted staffing analysis model. To appropriately handle a caseload as seen in 2017, that model would require an additional 21 detectives in Manhattan SVS, 11 detectives in Bronx SVS, 16 detectives in Queens SVS, 21 detectives in Brooklyn SVS, and four detectives to in Staten Island SVS.					P.I.	P.I.	I.	I.	I.
2.	In order to prevent a recurrence of understaffing, NYPD should adopt an evidence-based investigative staffing model that relies on actual					A.I.P.	R.	A.I.P.	A.I.P.	R.

	investigative hours available and projected caseload (not caseload alone) and continuously monitor SVD caseloads and staffing levels to ensure the appropriate number of staff are available for the assigned caseloads.						
3.	Since staffing deficiencies are not unique to adult sex crime units alone, NYPD should use the staffing model adopted in Recommendation 2 to appropriately staff the other SVD sub-units.		P.I.	R.	A.I.P.	A.I.P.	R.
4.	NYPD should immediately take steps to improve SVD's ability to recruit and retain experienced detectives by making SVD a "graded" division. Once completed, NYPD should end the practice of transferring officers to SVD without extensive investigative experience.		R.	R.	U.C.	U.C.	U.C.
5.	NYPD should increase in-house training opportunities for SVD staff in order to better prepare them for the rigors and unique nature of SVD work. The depth and rigor of this training should be equivalent to the training provided to other specialized units in NYPD.		U.C.	U.C.	A.I.P.	P.I.	P.I.
6.	To the extent that it is inevitable that patrol officers may be the first to respond to sexual assaults in exigent circumstances, NYPD should expand existing training, both in-service and at the academy, to include trauma-informed care and best practices regarding sexual assault.		I.	I.	I.	I.	I.
7.	NYPD should formally end the "triaging" process for sex crimes—instead, all sex crimes should be investigated and enhanced by SVD detectives, including patrol arrests for "domestic rape" and "acquaintance rape." The implementation of this recommendation will have staffing implications that are not accounted for in Recommendation 1 above, and NYPD should, therefore, include		I.	I.	I.	I.	I.


	appropriate staffing increases in implementing this recommendation.									
8.	NYPD should find new physical locations and/or completely renovate all five SVD adult sex crime unit locations. These new physical locations should be easily accessible from public transportation and built out in the model of the Children's Advocacy Centers now operational in New York City.					A.I.P.	P.I.	P. I	P.I.	P.I.
9.	NYPD should invest in a new case management system for SVD that would replace ECMS. The new system should have the highest security protocols and limit access to the case detective and their immediate supervisors within SVD. In addition, any new system should have advanced caseload, staff management, and data analysis capabilities.					A.I.P.	R.	A.I.P.	P.I.	P.I.
10.	NYPD should take steps to safeguard the identifying information of sex crimes victims, including conducting a review of the various reports, forms, and memoranda generated during the course of a sex crimes investigation that unnecessarily require the victim's name, address, or other contact information.					R.	R.	R.	P.I.	P.I.
11.	NYPD should review the use of CompStat as the oversight mechanism for SVD.					I.	I.	I.	I.	I.
12.	NYPD should increase and publicize existing efforts to encourage victims of sex crimes to come forward and report these crimes to law enforcement. At the same time, NYPD should take new steps to advise policy makers and the public that success in this area will result in an apparent rise in the "index crime numbers" for sexual assault cases, even if the "true" rate of sex crimes remains unchanged.					I.	I.	I.	I.	I.
#	Report	2015	2016	2017	2018	2019	2020	2021	2022	2023

An Investigation of NYPD's New Force Reporting System (February 2018 Report)						
1.	NYPD should add a field to the "Force Used" section of the arrest report for officers to note the associated T.R.I. incident number(s).		A.I.P.	I.	I.	I.
2.	NYPD should continue to develop its software capabilities, which now initiate the creation of a T.R.I. number when an officer indicates on an arrest report that force was used, to also prompt officers that they may have to complete a T.R.I. when certain arrest charges are entered (such as Resisting Arrest or Assault on a Police Officer), when the arrest report indicates an arrestee or officer injury has occurred, and in other similar scenarios.		A.I.P.	A.I.P.	A.I.P.	A.I.P.
3.	NYPD should add a narrative section to the T.R.I. and require officers to provide a full account of the force incident, including specific details on the force used by the officer and/or members of the public, the chronology of the force encounter, as well as any injuries sustained by either.		A.I.P.	I.	I.	I.
4.	NYPD should add additional checkboxes to the T.R.I. worksheet to allow for more specificity in describing the force used by an officer, including a closed fist strike, an open hand strike, and a knee strike.		U.C.	A.I.P.	P.I.	I.
5.	NYPD should add a section to the T.R.I. worksheet that prompts officers to indicate where exactly on the person's body force was used.		A.I.P.	A.I.P.	P.I.	I.
6.	NYPD should impose (a) an "end of tour" deadline by which officers must complete a required T.R.I. form, with appropriate exceptions, and (b) appropriate discipline against officers who fail to meet the deadline, except when certain exceptions apply.		R.	P.I.	P.I.	R.
7.	NYPD should require desk officers to question the involved officers about any force used during arrest processing		U.C.	I.	I.	I.


	so that the command log accurately reflects the force incident.						
8.	NYPD should reinstate the “Force Used” checkbox on the arrest-processing stamp used in precinct command logs and add an entry on the stamp for force details and the T.R.I. incident number.		R.	R.	R.	R.	R.
9.	NYPD should prompt desk officers to record the details of a force incident and the T.R.I. incident number in the command log, including details from the “Force Used” checkbox on the arrest-processing stamp, as required by Patrol Guide Series 221.		R.	R.	R.	R.	R.
10.	NYPD must enhance supervisory review of all arrest-related documentation at the local command level. In high-volume commands, NYPD should assign specially-trained supervisors at the rank of sergeant or above to carefully review such documents during arrest processing to ensure that all uses of reportable force are properly documented.		R.	A.I.P.	P.I.	I.	I.
11.	NYPD should dedicate well-trained and knowledgeable personnel to be available by phone during all shifts to answer questions from command supervisors regarding T.R.I. worksheets and approval. NYPD should consider removing this function from the Internal Affairs Bureau.		I.	I.	I.	I.	I.
12.	NYPD should include in Patrol Guide series 221 a clear and unambiguous definition of “reportable force” by officers. The current policy provides a definition of force when used against officers and defines three levels of force by officers, but a lack of clarity still exists for many officers regarding whether certain actions constitute reportable force.		A.I.P.	I.	I.	I.	I.
13.	NYPD should establish a clear policy that requires arresting officers to select “Yes” on the arrest report in response to the “Force Used” section if		P.I.	I.	I.	I.	I.





	any officer used reportable force during the encounter.						
14.	NYPD should impose appropriate discipline against arresting officers who fail to select “Force Used: Yes” on the arrest report when reportable force is found to have been used.		I.	I.	I.	I.	I.
15.	NYPD should revise policies to ensure that the narrative or “Remarks” section of Medical Treatment of Prisoner forms include fact-specific details sufficient to explain the individual’s condition and, where known, what caused the condition. If an individual sustained an injury in the course of the police encounter, the form should specify the type of injury and its cause.		R.	A.I.P.	P.I.	I.	I.
16.	NYPD should provide officers with more training and formal reminders on (a) when and how to complete a T.R.I. form and the importance of submitting the T.R.I. form, and (b) how to write a detailed account of a force encounter (should a narrative section is added to the T.R.I. form).		A.I.P.	I.	I.	I.	I.
17.	NYPD should provide more training for desk officers, integrity control officers, precinct training sergeants, and other supervisors to (a) ensure T.R.I. compliance and proper supervisory review of completed T.R.I. worksheets, and (b) closely examine the arrest report narratives and the “Force Used” section on the arrest reports to ensure that officers are selecting “Yes” for “Force Used” when force was used.		A.I.P.	I.	I.	I.	I.
18.	NYPD should conduct an annual audit of T.R.I. compliance and include the results in its annual and public Use-of-Force report.		P.I.	P.I.	P.I.	P.I.	P.I.
19.	NYPD’s Force Review process should include quality-control procedures that seek to improve the accuracy of force reporting not only on T.R.I. forms, but also on arrest reports and other arrest-related documentation.		R.	I.	I.	I.	I.


20.	NYPD should standardize the quarterly reporting mechanism for bureau and patrol borough commanders and ensure that their quarterly T.R.I. reports are submitted to the First Deputy Commissioner in a timely fashion.					A.I.P.	N.L.A.	N.L.A.	N.L.A.	N.L.A.
21A.	NYPD should use data from T.R.I. forms to publish annual Use-of-Force reports that identify and analyze trends in all force categories. The report should contain all information currently mandated by law and include the following trend analyses: A) All force encounters disaggregated by the reason force was used;					R.	R.	P.I.	P.I.	P.I.
21B.	B) Types of interactions leading to injuries;					R.	R.	I.	I.	I.
21C.	C) Officer use of force based on job tenure and experience;					R.	R.	I.	I.	I.
21D.	D) Commands with the highest rates of force; • Is the frequency of force consistent with crime and arrest rates in these commands? • Are certain units more or less likely to employ force?					R.	R.	P.I.	P.I.	P.I.
21E.	E) Demographic characteristics of members of the public and officers involved in force incidents; • Are there disparities in the types or amount of force used based on age, gender, race, national origin, precinct, or other factors? • What are the reasons for such disparities?					R.	R.	I.	I.	I.
#	Report	2015	2016	2017	2018	2019	2020	2021	2022	2023
	<b>Review of NYPD's Implementation of Patrol Guide Procedures Concerning Transgender and Gender Nonconforming People (November 2017 Report)</b>									
1.	NYPD should provide mandatory in-service training and accompanying resource materials on the 2012 Patrol Guide revisions to all uniformed members through the NYPD-U webinar				A.I.P.	A.I.P.	A.I.P.	A.I.P.	I.	I.


	platform. Training attendance and completion should be tracked to ensure that all member of the police force have received this training. NYPD should conduct this training within the next six months.							
2.	NYPD should create a memo book insert for officers with a summary of the revised LGBTQ protocols. Officers can use this for reference as needed.		R.	I.	I.	I.	I.	I.
3.	Community input should be carefully considered and incorporated as appropriate into the curriculum of officer training on LGBTQ issues.		A.I.P.	I.	I.	I.	I.	I.
4.	All handouts and additional resource materials provided during LGBTQ trainings should be consistent, as appropriate, ensuring that officers receive the same information.		A.I.P.	I.	I.	I.	I.	I.
5.	Within six months, NYPD should report to DOI whether and how the Department will change remaining forms and databases to record an individual's preferred name in a separate field.		A.I.P.	A.I.P.	A.I.P.	A.I.P.	A.I.P.	P.I.
6.	On a periodic basis, NYPD should make sure that police stations are using updated forms, particularly those documents that are intended to comply with the 2012 revisions.		R.	A.I.P.	A.I.P.	A.I.P.	A.I.P.	A.I.P.
7.	NYPD should consult with its LGBT Advisory Committee and re-examine whether and how to record gender identity information of TGNC people on NYPD forms and databases. The collection of this information is a sensitive matter for some members of the LGBTQ community. Any changes in how such information is recorded must not interfere with NYPD's ability to describe and circulate descriptions of suspects and persons of interest for purposes of apprehension.		A.I.P.	I.	I.	I.	I.	I.
8.	NYPD Internal Affairs Bureau's complaint system should be configured to categorize and track all LGBTQ-related allegations that implicate		R.	R.	R.	R.	R.	R.

	biased conduct, and not just “profiling.” LGBTQ-related allegations involving bias would include violations of the 2012 Patrol Guide revisions and “offensive language.”									
9.	IAB should report patterns and trends associated with LGBTQ-related complaints to NYPD’s LGBT Liaison to the Police Commissioner as well as to DOI pursuant to NYPD’s reporting obligations under Local Law 70.				A.I.P.	A.I.P.	A.I.P.	A.I.P.	R.	R.
#	Report	2015	2016	2017	2018	2019	2020	2021	2022	2023
	When Undocumented Immigrants are Crime Victims: An Assessment of NYPD’s Handling of U visa Certification Requests (July 2017 Report)									
1.	NYPD should develop concrete, written standards on how to conduct an assessment of an applicant’s criminal background and on the types of criteria that warrant denial of the certification request.				R.	R.	R.	R.	R.	R.
2.	When denying a U visa certification request based on the applicant’s criminal history, NYPD should articulate, in its internal file, the reasons why the criminal history presents an ongoing public safety concern and warrants denial.				R.	I.	I.	I.	I.	I.
3.	If NYPD’s investigative file states that the applicant was not cooperative but the applicant certification request or other information in the investigative file suggests the applicant had a reasonable basis for not helping law enforcement, NYPD should assess whether the non-cooperation was reasonable by contacting both the NYPD personnel who investigated the incident and the party requesting the U visa certification.				R.	R.	P.I.	P.I.	P.I.	P.I.
4.	NYPD should provide a written rationale in its internal file when concluding that the applicant was not a victim of a qualifying crime.				R.	R.	R.	R.	R.	R.


5.	If an arrest has been made on the underlying crime, NYPD should evaluate U visa certification requests if the criminal case has closed.				I.	I.	I.	I.	I.	I.
6.	NYPD should create and publish its complete standards for certification eligibility.				R.	P.I.	P.I.	P.I.	P.I.	P.I.
7.	NYPD's denial letters should articulate specific reasons for each denial, using the facts of the case to explain the decision.				P.I.	P.I.	P.I.	P.I.	P.I.	P.I.
8.	NYPD should publish contact information for its reviewers and certifying officials.				A.I.P.	I.	I.	I.	I.	I.
9.	NYPD should develop written materials regarding the U visa program for dissemination at precincts and other locations where victims may encounter police.				R.	R.	A.I.P.	A.I.P.	A.I.P.	P.I.
10.	NYPD should develop informational training on U visas for specialized NYPD units that frequently encounter immigrant communities.				R.	R.	A.I.P.	A.I.P.	A.I.P.	P.I.
#	Report	2015	2016	2017	2018	2019	2020	2021	2022	2023
	<b>Addressing Inefficiencies in NYPD's Handling of Complaints: An Investigation of the "Outside Guidelines" Complaint Process (February 2017)</b>									
1.	NYPD should update and unify the computer systems it uses to track and manage OG cases by upgrading OCD IRS from BCATS to ICIS (or an ICIS - compatible system).				I.	I.	I.	I.	I.	I.
2.	NYPD should establish a uniform timeframe for completing OG investigations and a uniform system of tracking due dates				P.I.	P.I.	I.	I.	I.	I.
3.	If an OG investigation has not been completed within 90 days, the assigned supervising investigator should be required to request an extension from OCD IRS in writing, stating the reason for this request.				U.C.	R.	A.I.P.	P.I.	P.I.	P.I.

4.	NYPD should revise the current OG Disposition and Penalty Form to include a box denoting the case's due date as well as a date section for each stage of the investigation.				I.	I.	I.	I.	I.	I.
5.	NYPD should implement a web-based procedure for communicating the status and results of externally-generated OG investigations back to the community members who filed the complaints.				P.I.	P.I.	P.I.	P.I.	P.I.	P.I.
6.	NYPD should publish quarterly reports on OG complaints.				U.C.	U.C.	U.C.	U.C.	U.C.	R.
#	Report	2015	2016	2017	2018	2019	2020	2021	2022	2023
	<b>Putting Training into Practice: A Review of NYPD's Approach to Handling Interactions with People in Mental Crisis (January 2017 Report)</b>									
1.	NYPD should commit to creating timelines for any changes to its CIT initiative within 90 days of the publication of this Report.				P.I.	I.	I.	I.	I.	I.
2.	NYPD should adjust its dispatch procedures to ensure that officers with CIT training are directed to crisis incidents.				P.I.	P.I.	P.I.	P.I.	P.I.	P.I.
3.	NYPD should create a dedicated mental health unit, or at the very least appoint a CIT coordinator who holds the rank of chief, in order to manage all aspects of a CIT program.				P.I.	P.I.	P.I.	P.I.	I.	I.
4.	NYPD should revise its Patrol Guide to explicitly authorize CIT-trained officers to use the skills learned in CIT training during crisis situations.				I.	I.	I.	I.	I.	I.
5.	NYPD should revise its Patrol Guide to require that CIT-trained officers respond to all crisis incidents whenever possible.				I.	I.	I.	I.	I.	I.
6.	NYPD should revise its Patrol Guide to allow all officers to use their discretion to refer individuals to officially approved and vetted outside community resources in appropriate incidents.				P.I.	I.	I.	I.	I.	I.

7.	NYPD should either substantially revise one of its current forms or develop a new permanent form to capture more useful data on incidents involving persons in crisis.				P.I.	I.	I.	I.	I.	I.
8.	NYPD should analyze data regarding mental crisis incidents.				A.I.P.	A.I.P.	A.I.P.	A.I.P.	P.I.	I.
9.	NYPD should consider training more officers in CIT.				I.	I.	I.	I.	I.	I.
10.	NYPD should begin training 911 call takers and dispatchers in at least some aspects of CIT.				I.	I.	I.	I.	I.	I.
11.	In every CIT training, NYPD should ensure that its officers interact with people living with mental illnesses.				I.	I.	I.	I.	I.	I.
12.	In every CIT training, NYPD should assess the retention of officers' skills.				R.	I.	I.	I.	I.	I.
13.	NYPD should provide a manual or reference guide to officers who undergo CIT training.				A.I.P.	A.I.P.	I.	I.	I.	I.
#	Report	2015	2016	2017	2018	2019	2020	2021	2022	2023
	<b>An Investigation of NYPD's Compliance with Rules Governing Investigations of Political Activity (August 2016 Report)</b>									
1.	For investigations of political activity, NYPD should use a formal mechanism for tracking investigative deadlines and should ensure that, where needed, extensions are approved prior to required deadlines.			I.	I.	I.	I.	I.	I.	I.
2.	NYPD should use a formal case-tracking mechanism that identifies when investigations advance to the next investigative level.			I.	I.	I.	I.	I.	I.	I.
3.	For the use of confidential informants and undercover officers in investigations of political activity, NYPD should use a formal mechanism for tracking expiration deadlines and ensure that extensions are approved prior to the expiration of an authorization.			I.	I.	I.	I.	I.	I.	I.


4.	For requests to extend a Preliminary Inquiry, NYPD should ensure that Investigative Statements capture fact-specific reasons why further investigative steps are warranted.		R.	R.	R.	R.	R.	R.	R.	
5.	For authorizations and renewals of investigations, NYPD should create controls to ensure that authorizations to renew or extend investigations properly capture the date, signature, and approval of the authorizing officials.		I.	I.	I.	I.	I.	I.	I.	
6.	NYPD’s Human Source Authorization Form should require members of NYPD’s Intelligence Bureau to specify the role of the undercover officer or confidential informant.		A.I.P.	R.	R.	R.	R.	R.	R.	
7.	NYPD should specify, when extending use of an undercover or confidential informant, the reason for the extension.		A.I.P.	A.I.P.	A.I.P.	A.I.P.	A.I.P.	A.I.P.	R.	
8.	NYPD should create controls to ensure that authorizations to use or extend the use of human sources properly capture the date, signature, and approval of the appropriate supervisor.		I.	I.	I.	I.	I.	I.	I.	
9.	NYPD’s Human Source Authorization Form should include the number of the extension request and the date of the last extension.		I.	I.	I.	I.	I.	I.	I.	
10.	NYPD should consolidate its policies and procedures for investigations involving political activity into a unified handbook.		A.I.P.	A.I.P.	A.I.P.	A.I.P.	A.I.P.	A.I.P.	R.	
11.	NYPD should develop written guidelines concerning informational standards for Preliminary Inquiries, Full Investigations, and Terrorism Enterprise Investigations.		R.	R.	R.	R.	R.	R.	R.	
#	Report	2015	2016	2017	2018	2019	2020	2021	2022	2023
	An Analysis of Quality-of-Life Summonses, Quality-of-Life Misdemeanor Arrests, and Felony Crime in New York City, 2010-2015 (June 2016 Report)									





1.	NYPD should assess the relative effectiveness of quality-of-life summonses, quality-of-life misdemeanor arrests, and other disorder reduction strategies in reducing felony crime, demonstrating whether statistically significant relationships exist between these particular disorder reduction tactics and specific felony crimes.			R.	R.	R.	R.	R.	R.	R.
2.	NYPD should conduct an analysis to determine whether quality-of-life enforcement disproportionately impacts Black and Hispanic residents, males aged 15-20, and NYCHA residents.			R.	R.	R.	R.	R.	R.	R.
3.	NYPD should expand consideration regarding quality-of-life enforcement beyond short-term real-time conditions.			R.	R.	R.	R.	R.	R.	R.
4.	NYPD should release incident-level and geographically-coded data on summonses and misdemeanor arrests.			R.	U.C.	I.	I.	I.	I.	I.
5.	NYPD should release historical incident-level and geographic data.			P.I.	P.I.	I.	I.	I.	I.	I.
6.	NYPD should ensure that data currently released in yearly formats also include more granular temporal data, including month-to-month formats and incident-level data.			P.I.	P.I.	I.	I.	I.	I.	I.
7.	All incident-level crime data, from felony arrests and complaints to misdemeanor arrests and summonses, should be released in the same accessible spreadsheet file format (.csv or similar file format).			P.I.	P.I.	I.	I.	I.	I.	I.
#	Report	2015	2016	2017	2018	2019	2020	2021	2022	2023
	<b>Police Use of Force in New York City: Findings and Recommendations on NYPD's Policies and Practices (October 2015 Report)</b>									
1.	The NYPD Patrol Guide should include definitional language that provides officers and the public with greater clarity regarding what is meant by "force," "excessive force," and "deadly physical force."		A.I.P.	I.	I.	I.	I.	I.	I.	I.

2.	NYPD should update Patrol Guide §203-11 governing use of force and require officers to de-escalate all encounters where appropriate.		A.I.P.	I.	I.	I.	I.	I.	I.	I.
3.	NYPD should create a separate, uniform use-of-force reporting form.		A.I.P.	I.	I.	I.	I.	I.	I.	I.
4.	With respect to the newly created form, NYPD should require all officers—whether the subject of a force investigation or a witness to a use of force—to document and report all force incidents. When completing this document, officers should use descriptive language to articulate the events leading up to the use of force in encounters with the public, the reason why the force was used, and the level and type of force used.		A.I.P.	P.I.	P.I.	P.I.	P.I.	P.I.	P.I.	P.I.
5.	NYPD should create a database to track comprehensive Department-wide information on use of force, including data compiled from the use-of-force forms.		A.I.P.	I.	I.	I.	I.	I.	I.	I.
6.	NYPD should compile data and publish, on an annual basis, a report addressing Department-wide metrics on use of force, including but not limited to information from the new use-of-force reporting form. This report would track and collect various components related to the issue of use of force, including those addressed in this Report, such as officer tenure, assignments, age, type of force used, pertinent information regarding members of the public subjected to force, as well as officer injuries, disciplinary trends and outcomes, and other data deemed necessary for a comprehensive understanding of the issue.		A.I.P.	A.I.P.	I.	I.	I.	I.	I.	I.
7.	NYPD training should place a stronger and more thorough emphasis on de-escalation tactics, by adding specific Police Academy and in-service courses on de-escalation that incorporate both classroom and scenario-based training.		P.I.	P.I.	P.I.	P.I.	I.	I.	I.	I.

8.	NYPD should incorporate a formal evaluation system for all scenario-based trainings concerning the use of force.		U.C.	A.I.P.	A.I.P.	A.I.P.	I.	I.	I.	I.
9.	NYPD should increase funding and personnel at the Police Academy with respect to training for both recruits and in-service officers.		I.	I.	I.	I.	I.	I.	I.	I.
10.	NYPD should implement training to instruct officers to intervene in situations where other officers escalate encounters, use excessive force, and/or commit other misconduct.		A.I.P.	I.	I.	I.	I.	I.	I.	I.
11.	NYPD should review use-of-force trends to identify which categories of officers (e.g., by years of service and/or duty assignments) are most in need of de-escalation and use-of-force in-service training, and then implement such instruction.		R.	A.I.P.	A.I.P.	A.I.P.	A.I.P.	P.I.	I.	I.
12.	In disciplinary cases where there are multiple disciplinary counts, each count should have an accompanying distinct penalty, as opposed to an aggregated penalty for all counts.		R.	R.	R.	R.	U.C.	I.	I.	I.
13.	NYPD should collect, review, and compare data regarding disciplinary penalties imposed in use-of-force cases and report on the effects of disciplinary penalties on the frequency of incidents of excessive force. NYPD should publish data in the previously mentioned annual report (Recommendation #6) on the number and percentage of cases in which the Police Commissioner reduces or declines discipline.		R.	R.	R.	U.C.	U.C.	A.I.P.	A.I.P.	I.
14.	NYPD should set forth, in writing, in its disciplinary paperwork, the extent to which an officer's placement on force monitoring has or has not impacted the penalty imposed.		A.I.P.	A.I.P.	A.I.P.	I.	I.	I.	I.	I.
15.	NYPD should share a subject officer's force monitoring history with CCRB's Administrative Prosecution Unit (APU) since this information is a critical		A.I.P.	A.I.P.	A.I.P.	P.I.	P.I.	P.I.	P.I.	I.

	element that must be taken into consideration when CCRB recommends penalties.									
#	Report	2015	2016	2017	2018	2019	2020	2021	2022	2023
	<b>Body-Worn Cameras in NYC: Assessment of NYPD's Pilot Program and Recommendations to Promote Accountability (July 2015 Report)</b>									
1.1	NYPD should broaden and illustrate the standard for the mandatory activation of BWCs during street or investigative encounters.		A.I.P.	A.I.P.	I.	I.	I.	I.	I.	I.
1.2	NYPD should redefine the safety exception for recording.		U.C.	R.	I.	I.	I.	I.	I.	I.
1.3	NYPD should consider stricter limitations on recording vulnerable populations.		A.I.P.	A.I.P.	I.	I.	I.	I.	I.	I.
1.4	NYPD should expand BWC training for officers using the BWCs.		A.I.P.	A.I.P.	I.	I.	I.	I.	I.	I.
2.1	NYPD should provide an example notification phrase to advise members of the public that they are being recorded.		A.I.P.	A.I.P.	I.	I.	I.	I.	I.	I.
2.2	NYPD should redefine the safety exception for notifications.		U.C.	R.	A.I.P.	A.I.P.	I.	I.	I.	I.
3.1	NYPD should require supervisors to review footage related to documented incidents.		A.I.P.	A.I.P.	I.	I.	I.	I.	I.	I.
3.2	NYPD should address discipline when the BWC program is more established and formalized.		A.I.P.	R.	R.	A.I.P.	I.	I.	I.	I.
3.3	NYPD should computerize the random selection of officers for review.		A.I.P.	A.I.P.	I.	I.	I.	I.	I.	I.
3.4	NYPD should establish a system for high-level and periodic review.		A.I.P.	A.I.P.	I.	I.	I.	I.	I.	I.
4.1	NYPD should grant supervisors' general access to BWC footage with restrictions on arbitrary review.		A.I.P.	A.I.P.	A.I.P.	A.I.P.	I.	I.	I.	I.
4.2	NYPD should ensure fairness between citizens' and officers' right to view BWC footage.		U.C.	R.	R.	A.I.P.	A.I.P.	A.I.P.	A.I.P.	A.I.P.
4.3	NYPD should solicit feedback and suggestions for improvement from supervisors performing quality assurance reviews and officers participating in the Volunteer BWC Pilot Program.		P.I.	I.	I.	I.	I.	I.	I.	I.

5.1	NYPD should develop policies to guide supervisors when officer infractions are observed on BWC footage.		A.I.P.	A.I.P.	I.	I.	I.	I.	I.	I.
5.2	NYPD should institute mandatory reporting procedures.		A.I.P.	A.I.P.	I.	I.	I.	I.	I.	I.
5.3	NYPD should integrate BWC recordings into NYPD's existing force monitoring programs.		U.C.	U.C.	U.C.	I.	I.	I.	I.	I.
6.1	Access to BWC recordings should be limited where officers are under investigation or are witnesses in misconduct investigations.		R.	U.C.	R.	R.	R.	R.	R.	R.
6.2	In all other instances, access to recordings prior to making statements should be noted in those statements.		U.C.	U.C.	I.	I.	I.	I.	I.	I.
7.1	If and when disclosing BWC video, NYPD should provide privacy and safety protections for vulnerable populations.		A.I.P.	A.I.P.	I.	I.	I.	I.	I.	I.
7.2	NYPD should integrate BWC footage review into NYPD's field training program.		A.I.P.	A.I.P.	A.I.P.	A.I.P.	A.I.P.	A.I.P.	A.I.P.	A.I.P.
8.1	NYPD should establish a minimum retention period of at least 18 months.		U.C.	U.C.	P.I.	I.	I.	I.	I.	I.
8.2	NYPD should ensure expeditious purging of archived BWC footage that no longer holds evidentiary value.		U.C.	A.I.P.	I.	I.	I.	I.	I.	I.
9.	NYPD should incorporate government and public input in continuing to develop the BWC program.		I.	I.	I.	I.	I.	I.	I.	I.
#	Report	2015	2016	2017	2018	2019	2020	2021	2022	2023
	<b>Using Data from Lawsuits and Legal Claims Involving NYPD to Improve Policing (April 2015 Report)</b>									
1.	NYPD should perform a qualitative review of the most relevant data contained within legal claims and lawsuits against NYPD. Specifically:	Please see below for recommendation breakdown:								
1.1	Nature of the claims/core allegations.		P.I.	P.I.	P.I.	P.I.	I.	I.	I.	I.
1.2	Information about the subject police officer(s).		A.I.P.	A.I.P.	A.I.P.	P.I.	I.	I.	I.	I.
1.3	the location of the alleged incident and address of the plaintiff(s).		A.I.P.	A.I.P.	P.I.	P.I.	P.I.	P.I.	P.I.	P.I.
2	NYPD should create an interagency working group between NYPD, the Comptroller's Office, and the Law		P.I.	P.I.	P.I.	I.	I.	I.	I.	I.

	Department to improve their police-involved litigation data collection, coordination, and exchange.									
3.	NYPD should provide the public with details about NYPD's Early Intervention System and its litigation data analysis team and solicit suggestion for further development.		A.I.P.	A.I.P.	U.C.	U.C.	P.I.	P.I.	P.I.	P.I.
#	Report	2015	2016	2017	2018	2019	2020	2021	2022	2023
	<b>Observations on Accountability and Transparency in Ten NYPD Chokehold Cases (January 2015 Report)</b>									
1.	NYPD and CCRB Should Increase Coordination and Collaboration to Reconsider and Refine the Disciplinary System for Improper Uses of Force.		P.I.	P.I.	P.I.	P.I.	I.	I.	I.	I.
2.	NYPD Should Provide Transparency with Respect to the Police Commissioner's Disciplinary Decisions.		I.	I.	I.	I.	I.	I.	I.	I.
3.	NYPD Should Expand the Internal Affairs Bureau's Access to Newly-Filed Complaints and Substantive Information on Use-of-Force Cases Filed with CCRB.		P.I.	I.	I.	I.	I.	I.	I.	I.
4.	NYPD Should Improve Information Sharing and Case Tracking for Cases that are Outsourced to Borough and Precinct Investigators via the Office of the Chief of Department and the Investigative Review Section.		A.I.P.	P.I.	I.	I.	I.	I.	I.	I.