

#### The City of New York Department of Investigation

### MARK G. PETERS COMMISSIONER

Inspector General Philip K. Eure Office of the Inspector General for the NYPD

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## FOR IMMEDIATE RELEASE TUESDAY, FEBRUARY 7, 2017

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## DOI'S INSPECTOR GENERAL FOR THE NEW YORK CITY POLICE DEPARTMENT RELEASES REPORT AND RECOMMENDATIONS ON OUTSIDE GUIDELINES COMPLAINT PROCESS

The Department of Investigation's ("DOI") Office of the Inspector General for the New York City Police Department ("OIG-NYPD") issued a Report today detailing the findings of its review of the New York City Police Department's ("NYPD") Outside Guidelines ("OG") complaint process. NYPD's Internal Affairs Bureau ("IAB") receives complaints from members of the public as well as from within the Department and investigates allegations of corruption and other serious misconduct committed by police officers and other NYPD staff. IAB categorizes these allegations according to their seriousness and refers less severe allegations to command-level investigators, like borough- and precinct-level commands, for investigation. These OG complaints, which account for approximately 50 percent of the thousands of complaints IAB registers each year, involve issues like contested summonses, disputed arrests, and the alleged failure of officers to provide their name and badge number when requested.

OIG-NYPD examined how NYPD tracks OG cases as they move from IAB to the Office of the Chief of Department's Investigation Review Section ("OCD IRS"), to local commands, and back. The investigation found inefficiencies and inconsistencies in the process, including outdated technology that is incompatible with other NYPD systems, and which slows the process for completing investigations. A copy of the Report can be found on DOI's OIG-NYPD's website and at the following link: <u>http://www1.nyc.gov/site/oignypd/reports/reports.page</u>

DOI Commissioner Mark G. Peters said, "Our investigation found NYPD's outdated technology and inconsistent practices are hindering the process for investigating tens of thousands of complaints, including many filed by members of the public, about the conduct of NYPD officers and staff. Among other things, these problems prevent NYPD from providing members of the public with updates on these complaint investigations. I am pleased that NYPD has now agreed to swiftly implement our recommendation for a system upgrade to address these concerns."

Inspector General for the NYPD Philip K. Eure said, "OIG-NYPD identified inefficiencies in NYPD's Outside Guidelines process. It is critical that NYPD take action to address these problems, which can erode the public's confidence in NYPD's commitment to investigating and addressing citizen complaints."

As part of its investigation, OIG-NYPD conducted interviews with commanding officers and lieutenants

in patrol boroughs with the most OG case referrals in 2015. Those police officials explained the logistics for handling cases, identified inefficiencies they saw within the process, and offered suggestions about how to improve and streamline the system based on their own experiences. OIG-NYPD also met with senior officials in IAB and OCD IRS to understand how OG cases are received, triaged and referred.

OIG-NYPD's investigation found:

- NYPD's OCD IRS is currently using an outdated system to store data and refer OG cases to local
  investigative units. This system lacks tracking and analytic capabilities, rendering the Department
  unable to identify potential problems and determine the status of cases efficiently. According to OCD
  IRS personnel, backlogs of several weeks are routine because of the massive paper trail, manual data
  entry and the necessity of mailing paper forms to supervising investigators at borough and local
  commands, requiring the continuous processing of paperwork and creating significant potential for error.
- OCD IRS expects to receive case dispositions from local-level investigators within approximately 90 days, but internal deadlines for completing an OG investigation vary across commands and there is no uniform system for tracking due dates. Each patrol borough interviewed by OIG-NYPD reported different lengths of time permitted for OG investigations once the case had been received by a precinct, and NYPD's OG forms do not contain designated space for a due date.
- Commands use different mechanisms for tracking OG cases. Some use a spreadsheet, while others record due dates in handwritten logbooks. Inconsistencies in due dates and recording methods impede the efficient tracking of OG cases across commands.
- NYPD's OCD IRS staff are cognizant of the shortcomings of their electronic tracking system and have made adjustments over the past three years in an effort to improve the process. Indeed, OCD IRS staff have asked the Department to view the needed upgrade as a priority.
- During the final stages of OIG-NYPD's investigation, NYPD reported plans to begin to implement the
  necessary technological upgrade that will address the concerns identified by OCD IRS staff and as
  recommended by OIG-NYPD in this Report. NYPD indicated that the new system is expected to go live
  in November 2017.

The Report makes recommendations to strengthen NYPD's investigation and processing of OG cases, including:

- NYPD should establish a uniform timeframe for completing OG investigations and a uniform system of tracking due dates to bring greater clarity and predictability to the timeframe in which the complaint investigation process should be completed.
- NYPD should implement a web-based procedure for communicating the status and results of OG investigations back to the community members who filed the complaints. Complainants currently have no ability to check the status of their complaint online when it is diverted to a local command as an OG case.
- NYPD should revise the current OG disposition form to include a box denoting the case's due date as well as a date section for each stage of the investigation to ensure continuity and that cases are being completed in a reasonable amount of time.

The New York City Department of Investigation (DOI) is one of the oldest law-enforcement agencies in the country and is New York City's corruption watchdog. DOI 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. Bribery and Corruption are a Trap. Don't Get Caught Up. Report It at 212-3-NYC-DOI. Learn more at www.nyc.gov/doi.

**DOI's Office of the Inspector General for the NYPD (OIG-NYPD)** is an oversight office charged with investigating, reviewing, studying, auditing, and making recommendations relating to the operations, policies, programs, and practices of the New York City Police Department (NYPD). The goals of OIG-NYPD are to enhance the effectiveness of the police department, increase public safety, protect civil liberties and civil rights, and increase the public's confidence in the police force, thus building stronger police-community relations. OIG-NYPD is part of the New York City Department of Investigation and is independent of the NYPD. Inspector General Eure reports to DOI Commissioner Peters.

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