

# CIVILIAN COMPLAINT REVIEW BOARD

Frederick Davie, Chair



## WHAT WE DO

The Civilian Complaint Review Board (CCRB) is an independent agency empowered to receive, investigate, prosecute, mediate, hear, make findings and recommend action on complaints alleging the use of excessive or unnecessary force, abuse of authority, discourtesy, the use of offensive language and untruthful statements by New York City police officers. The Board's investigative staff, composed entirely of civilian employees, conducts investigations in an impartial fashion. The Board forwards its findings to the Police Commissioner.

## FOCUS ON EQUITY

CCRB focuses on equitable service delivery by resolving civilian complaints impartially and speedily, conducting outreach to the diverse communities of the City and examining the policies and systemic practices that lead to misconduct complaints. Toward that end, CCRB works to increase the percentage of complaints where findings on the merits are reached and, when officers are found to have committed misconduct, to recommend an effective level of discipline. CCRB continues to extend its outreach to underserved communities. CCRB has provided greater access for individuals who cannot travel to Manhattan to meet with investigators and CCRB's investigative team regularly conducts field interviews throughout the five boroughs, as well as on Rikers Island. The Board also conducts evening public meetings across the City. CCRB's website, which contains materials in eight languages, allows the public to file complaints, track the status of their complaints and view up-to-date maps with the number of misconduct complaints filed in each police precinct. CCRB is in the process of building a new Civilian Assistance Unit (CAU) to serve and support complainants, victims and witnesses with special needs, particularly victims of sexual misconduct. The CCRB Youth Advisory Council (YAC), a 19-member working committee made up of young leaders, ages 10–24, who are committed to criminal justice issues and improving police-community relations, launched in winter of 2018. The YAC meets quarterly and advises CCRB staff about its efforts to engage young New Yorkers to serve as ambassadors to their communities about the Agency and join team-building activities. CCRB also maintains a fellowship focused on equity: the James Blake Fellow aims to reduce the number of complaints closed without a full investigation by identifying complaints least likely to result in full investigations and recommending policy changes to address underserved groups.

## OUR SERVICES AND GOALS

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### **SERVICE 1 Investigate, prosecute and resolve claims of police misconduct.**

- Goal 1a Improve the quality and timeliness of investigations.
  - Goal 1b Increase the use of mediation to resolve complaints.
  - Goal 1c Improve the quality and timeliness of prosecutions.
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### **SERVICE 2 Inform and educate the public about the agency.**

- Goal 2a Increase outreach and education of City residents.

# HOW WE PERFORMED IN FISCAL 2021

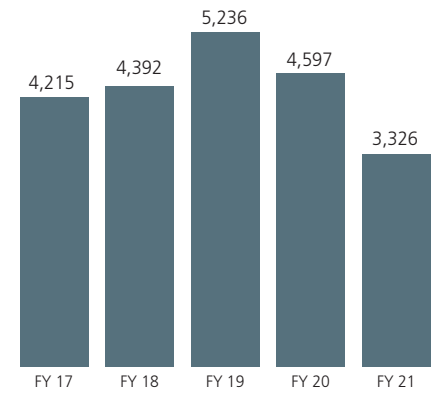
## SERVICE 1 Investigate, prosecute and resolve claims of police misconduct.

**Goal 1a** Improve the quality and timeliness of investigations.

Total civilian complaints against uniformed members of service decreased over the course of the continuing COVID-19 pandemic and subsequent closures in Fiscal 2021, dropping 28 percent to 3,326 from 4,597 in Fiscal 2020. Monthly complaints hit their lowest level in August 2020, with 218 complaints, and reached a high in March 2021, with 376 complaints.

The average time to complete a full investigation rose 30 percent, from 290 days to 378 days, largely as a continuing result of the city's COVID-19 precautions. The difficulty of shifting entirely to remote work caused by the lack of technological resources combined with the need to conduct investigations remotely caused the average time to complete investigations to rise. CCRB and NYPD agreed to conduct virtual interviews but negotiations to conduct these interviews continued through Fiscal 2021, and the delay in beginning remote interviews created a backlog of cases that is still being addressed. The average time to complete a substantiated investigation also increased, rising 33 percent from 326 days to 433 days. As cases opened during the pandemic are closed the length of time to close investigations will naturally increase until the backlog is cleared, at which point investigative times to close may normalize. Case completion times have also been strongly affected by the number of cases that include body-worn camera footage. A single case may include multiple hours of footage from several officers on the scene.

**Total Civilian Complaints**



In Fiscal 2021 the percent of allegations closed on the merits (allegations fully investigated and closed as substantiated, exonerated or unfounded) increased to 56.6 percent from 55.4 percent. The Board renders findings on the merits when sufficient evidence has been gathered to allow a factual conclusion to be made. No findings on the merits are made when allegations are unsubstantiated, the subject officer is no longer a member of NYPD or the subject officer could not be identified.

Performance Indicators	Actual					Target		Trend	
	FY17	FY18	FY19	FY20	FY21	FY21	FY22	5-Year	Desired Direction
☛ Total civilian complaints against uniformed members of the New York City Police Department	4,215	4,392	5,236	4,597	3,326	*	*	Down	*
Average age of open docket (days)	80	101	109	142	263	*	*	Up	Down
★ Average time to complete a full investigation (days)	153	190	249	290	378	120	120	Up	Down
★ Full investigations as a percentage of total cases closed (%)	34%	32%	29%	34%	22%	40%	40%	Down	Up
Cases closed	4,031	4,048	4,795	3,991	2,703	*	*	Down	*
★ Closed allegations with findings on the merits (%)	43%	48%	51%	55%	57%	55%	55%	Up	Up
★ Average time to complete a substantiated investigation (days)	168	208	269	326	433	140	140	Up	Down
★ Substantiated cases in which the statute of limitations expired (%)	0%	0%	1%	0%	25%	0%	0%	Up	Down
★ Officers disciplined (excluding pending and filed cases) (%)	78%	73%	75%	82%	89%	*	*	Up	*
★ Critical Indicator    ☛ Equity Indicator    "NA" Not Available    ↑↓ Directional Target    * None									

**Goal 1b** Increase the use of mediation to resolve complaints.

In Fiscal 2021 the number of cases successfully mediated declined to 44 from 126 in Fiscal 2020 as a continuing consequence of COVID-19 precautions. Mediations were only able to resume during the second half of Fiscal 2021.

Performance Indicators	Actual					Target		Trend	
	FY17	FY18	FY19	FY20	FY21	FY21	FY22	5-Year	Desired Direction
Cases with mutual agreement to mediate	373	550	500	237	70	*	*	Down	Up
Officers who accepted mediation (%)	96%	85%	78%	59%	75%	*	*	Down	Up
Civilians who accepted mediation (%)	45%	46%	43%	36%	49%	*	*	Neutral	Up
Cases successfully mediated	187	233	202	126	44	*	*	Down	Up
★ Average mediation case completion time (days)	99	106	131	129	407	120	120	Up	Down
★ Mediation satisfaction rate (%)	88%	95%	88%	83%	94%	94%	94%	Neutral	Up
★ Critical Indicator    ● Equity Indicator    "NA" Not Available    ⬆️⬇️⬆️ Directional Target    * None									

**Goal 1c** Improve the quality and timeliness of prosecutions.

In Fiscal 2021, the number of Administrative Prosecution cases closed dropped by 65 percent, from 60 cases to 21, in part due to difficulties caused by the COVID-19 pandemic which caused the trial room to close for several months. The number of trials completed decreased from 39 in Fiscal 2020 to 10 in Fiscal 2021, and the number of cases closed by plea dropped from 7 in Fiscal 2020 to 4 in Fiscal 2021. The reduction in case completions is partly because Fiscal 2020 included a particularly high volume of Administrative Prosecution completions, more than double that of Fiscal 2019, and represents an outlier.

Performance Indicators	Actual					Target		Trend	
	FY17	FY18	FY19	FY20	FY21	FY21	FY22	5-Year	Desired Direction
Administrative prosecution cases closed	163	83	47	60	21	*	*	Down	*
– Cases closed by trial	87	43	19	39	10	*	*	Down	*
– Cases closed by plea	63	33	16	7	4	*	*	Down	*
★ Critical Indicator    ● Equity Indicator    "NA" Not Available    ⬆️⬇️⬆️ Directional Target    * None									

## SERVICE 2 Inform and educate the public about the agency.

**Goal 2a** Increase outreach and education of City residents.

The number of outreach presentations fell in Fiscal 2021, dropping 40 percent from Fiscal 2020. Due to the COVID-19 precautions, Outreach successfully transitioned to remote presentations and gave 452 outreach presentations across Fiscal 2021. Monthly Board meetings also continued to be held digitally.

Performance Indicators	Actual					Target		Trend	
	FY17	FY18	FY19	FY20	FY21	FY21	FY22	5-Year	Desired Direction
Outreach presentations conducted	694	947	805	749	452	*	*	Down	Up
★ Critical Indicator    ● Equity Indicator    "NA" Not Available    ⬆️⬇️⬆️ Directional Target    * None									

## AGENCY CUSTOMER SERVICE

Performance Indicators	Actual					Target		Trend	
	FY17	FY18	FY19	FY20	FY21	FY21	FY22	5-Year	Desired Direction
Customer Experience									
Completed requests for interpretation	744	731	576	660	256	*	*	Down	*
Letters responded to in 14 days (%)	80%	79%	57%	53%	70%	*	*	Down	Up
E-mails responded to in 14 days (%)	100%	86%	100%	100%	69%	*	*	Down	Up
CORE facility rating	98	94	NA	100	NA	*	*	NA	Up
★ Critical Indicator    ● Equity Indicator    "NA" Not Available    ⬆️⬇️⬆️ Directional Target    * None									

## AGENCY RESOURCES

Resource Indicators	Actual <sup>1</sup>					Plan <sup>2</sup>		5yr Trend
	FY17	FY18	FY19	FY20	FY21	FY21	FY22	
Expenditures (\$000,000) <sup>3</sup>	\$15.2	\$16.4	\$18.5	\$19.7	\$21.1	\$19.7	\$24.8	Up
Personnel	173	182	178	203	191	228	269	Up
Overtime paid (\$000)	\$330	\$444	\$544	\$343.0	\$71	\$25.0	\$0	Down

<sup>1</sup>Actual financial amounts for the current fiscal year are not yet final. Final fiscal year actuals, from the Comptroller's Comprehensive Annual Financial Report, will be reported in the next PMMR. Refer to the "Indicator Definitions" at [nyc.gov/mmr](http://nyc.gov/mmr) for details. <sup>2</sup>Authorized Budget Level <sup>3</sup>Expenditures include all funds "NA" - Not Available  
\* None

## SPENDING AND BUDGET INFORMATION

Where possible, the relationship between an agency's goals and its expenditures and planned resources, by budgetary unit of appropriation (UA), is shown in the 'Applicable MMR Goals' column. Each relationship is not necessarily exhaustive or exclusive. Any one goal may be connected to multiple UAs, and any UA may be connected to multiple goals.

Unit of Appropriation	Expenditures FY20 <sup>1</sup> (\$000,000)	Modified Budget FY21 <sup>2</sup> (\$000,000)	Applicable MMR Goals <sup>3</sup>
001 - Personal Services	\$16.0	\$16.3	All
002 - Other Than Personal Services	\$3.6	\$4.8	All
Agency Total	\$19.7	\$21.1	

<sup>1</sup>Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended June 30, 2020. Includes all funds. <sup>2</sup>City of New York Adopted Budget for Fiscal 2021, as of Jun 2021. Includes all funds. <sup>3</sup>Refer to agency goals listed at front of chapter. "NA" Not Available \* None

## NOTEWORTHY CHANGES, ADDITIONS OR DELETIONS

- No service centers were open to the public during the reporting period because of the COVID-19 public health emergency
- Equity NYC indicators are identified with a burst (\*). These indicators are also reported in the Social Indicators and Equity Report (SIER) and explore the economic, social, environmental, and physical health of New York City across race/ethnicity, gender, location, and income.

## ADDITIONAL RESOURCES

For additional information go to:

- The Social Indicators and Equity Report, EquityNYC: <http://equity.nyc.gov/>

For more information on the agency, please visit: [www.nyc.gov/ccrb](http://www.nyc.gov/ccrb).

