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FREDERICK DAVIE
CHAIR

Testimony of the Civilian Complaint Review Board before the New York City Charter Revision Commission

July 26, 2018

Chairperson Perales, Vice Chairperson Godsil, and members of the New York City Charter Revision Commission, thank you for the opportunity to appear before you today. I also would like to thank the staff of the Commission for all of their hard work throughout this process.

My name is Jonathan Darche and I am the Executive Director of the Civilian Complaint Review Board, or “CCRB,” an independent city Agency that investigates, prosecutes, and mediates complaints of misconduct filed by civilians against New York City Police Department officers.

In May 2018, the Agency submitted a letter to the Commission detailing four proposed changes to Charter Chapter 18-A, which governs the work of the CCRB: first, to codify the CCRB’s Administrative Prosecution Unit (“APU”); second, to enable the Board to designate subpoena signatory power to the agency’s highest ranking staff; third, to better define the Department’s duty to cooperate with Agency requests for information and documents related to policy, outreach, and operational support; and fourth, to amend the CCRB budget to be one percent of the NYPD’s budget. We’ve submitted this letter, along with my testimony this evening, for the public record, but I’m here tonight to focus on codification of the APU.

The work of the APU is governed by a 2012 Memorandum of Understanding (“MOU”) between the NYPD and the CCRB. The first unit of its kind in the United States, and heralded as a significant step for police oversight by local elected officials and advocates, the APU prosecutes nearly all of the cases in which the Board recommends Charges and Specifications, the most serious disciplinary recommendation. Since the creation of the APU, the CCRB has administratively prosecuted officers for misconduct at 367 trials.

As evidenced by the APU’s prosecution in the Garner case, the APU is a vital part of the disciplinary process for officers who commit misconduct. Amending the City Charter to codify the APU will ensure that this independent and effective tool for civilian oversight will continue.

I welcome any further opportunity to discuss these changes with the Commission or its Staff, and I am happy to answer any questions about the Agency or our Charter proposal.