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**THE CCRB ANNOUNCES HISTORIC AGREEMENT WITH THE NYPD
FOR EXPANDED PROSECUTORIAL AUTHORITY**

The Civilian Complaint Review Board (CCRB) announced that prosecutorial authority for substantiated misconduct cases against police officers will be transferred from the NYPD to the CCRB under an historic agreement between the two agencies. Under the agreement, CCRB attorneys rather than police department employees will prosecute officers when the board has recommended Charges and Specifications for substantiated misconduct. The police commissioner will retain the sole legal authority to impose discipline.

The transfer of prosecutorial power builds on a successful pilot program begun in 2010, the Administrative Prosecution Unit (APU), in which a board attorney prosecuted a small portion of the misconduct cases that went to administrative trial at the police department.

“Having the CCRB, an independent agency, prosecuting these cases will strengthen public confidence in the disciplinary process and enhance its transparency,” said Board Chair Daniel D. Chu.

During the pilot program one of the benefits that emerged was the ability of the CCRB to get cooperation and trial testimony from victims and civilian witnesses who felt more comfortable with an employee of the independent agency with whom they had an established relationship, rather than police department lawyers. Another advantage held by CCRB attorneys is their familiarity with the intricacies of the agency’s investigative process and their ability to give trial judges insight into the nature of these investigations. This can affect how judges weigh particular evidence and arguments, increasing the likelihood of a guilty finding.

From 2007 to 2011, the CCRB referred to the police department an average of 200 substantiated misconduct cases per year, involving an average of 280 officers. The board recommended Charges and Specifications, the most serious disciplinary option, in 140 cases on average each year. Under the new agreement, CCRB will be handling cases where the board has recommended Charges and Specifications, which can lead to a guilty plea or a trial.

The transfer of prosecutorial powers will occur after the board and the NYPD amend their respective chapters of the Rules of the City of New York in accordance with the city Administrative Procedure Act. The CCRB will establish a unit of attorneys and investigators as part of the expansion. The unit will be trained in all relevant aspects of the NYPD’s procedures and policies.

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