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**Testimony of Board Member
Bishop Mitchell Taylor
of the Civilian Complaint Review Board
before the Finance and Public Safety Committees
of the New York City Council**

May 20, 2014

Chairwomen Ferreras and Gibson, members of the Finance and Public Safety Committees, my name is Bishop Mitchell Taylor and I am a Queens City Council designee to the Civilian Complaint Review Board (or CCRB). With me today are Executive Director Tracy Catapano-Fox and members of our executive staff. We will be available to answer your questions at the conclusion of my testimony.

The CCRB is mandated to investigate, mediate, make findings, recommend actions and prosecute complaints of police misconduct involving what is commonly referred to as FADO, i.e. excessive use of force, abuse of authority, discourtesy or use of offensive language. To fulfill this mandate, the CCRB thoroughly and impartially investigates all civilian complaints typically within eighteen months of date of incident, which encourages all parties to have confidence in the process and findings by the Board. When the Board determines misconduct has occurred, it may recommend various levels of discipline, including Instructions, Command Discipline, or most seriously, Charges and Specifications. If the Board recommends Charges, the CCRB Administrative Prosecution Unit (APU) is tasked with prosecuting these cases before the NYPD Deputy Commissioner of Trials, and the Police Commissioner makes the ultimate determination for discipline. The APU has been in effect since April 11, 2013.

On May 8, 2014, Mayor de Blasio released the Executive Budget for Fiscal Year (FY) 2015. For FY 2015, the CCRB has a current preliminary budget of \$12,758,025: \$9,858,625 for PS and \$2,899,400 for OTPS. The authorized headcount is 167 positions: 120 positions in investigations, 20 positions in the APU and 27 positions in administration. The Mayor's Executive Budget added three legal advisor positions to our Investigations Division. We are very thankful to the administration for the additional funding. These experienced attorneys will be well positioned to identify, through their review of cases, those areas ripe for board policy recommendations, which can improve the overall quality of policing in New York City, and

provide high quality legal review of a greater number of cases. By improving the legal quality of CCRB investigations, we will ensure a fair and thorough review of all allegations of police misconduct brought to the CCRB.

In March we submitted a request for new needs for FY 2015 to the administration. The new needs request was thoroughly evaluated by the administration. In addition to three attorney positions that the administration granted, the CCRB requested funds for two additional proposals that the administration did not grant: five new outreach positions to launch “the CCRB in the Five Boroughs” initiative and seven investigative positions for our new “Field Investigative Team” initiative.

Initiatives for FY 2015

“CCRB in the Five Boroughs” Initiative

The “CCRB in the 5 Boroughs” is a new initiative that will expand our outreach into all communities in New York City, to provide greater resources and assistance to civilian victims of police misconduct, and educate New Yorkers about their rights and responsibilities in deescalating interactions with police officers. To support this initiative, we are seeking five new administrative staff positions, who will be present in each borough and perform the above functions for the CCRB.

One function of the “CCRB in the 5 Boroughs” initiative is to increase outreach and awareness to various communities within New York City. In 2013 the CCRB outreach program made 204 presentations. This was a significant increase from 2008, where the CCRB held 47 presentations, and 2009, where the CCRB held 49 presentations. However, due to the hiring freeze from 2009-2011, the outreach department decreased to only 1 full time employee and had to rely on temporary unpaid college interns and members of staff who volunteered to perform outreach. Despite the removal of the hiring freeze, we only have 2 full time employees to supervise and execute the tremendous increase in outreach programs, and still rely on board members, unpaid interns and staff volunteers to handle the volume.

In the first 4 months of 2014, the CCRB handled over 100 outreach programs across New York City, which is almost seven times more than were handled in the first four months of 2008 and 2009. The question begs an answer: how are we doing more with less? The Chair of our Board Outreach Committee is very aggressive concerning outreach and the Board has challenged us to make outreach a priority. Because of this, staff have volunteered their time, to field these additional outreach opportunities. However, it diminishes their capacity to do the vital work they were hired to do. Although doing it on their own time, they work long hours on weekdays and weekends to ensure the quality of investigations are maintained. Inevitably, this diminishes our ability to put out a quality work product by continuing to supplement the outreach program with staff from other divisions. The CCRB believes that there are significant limitations to the long-term sustainability of an outreach program running almost solely on

interns and volunteers, and therefore seeks five additional staff members to facilitate and offer outreach programs to the five boroughs.

The “CCRB in the 5 Boroughs,” in addition to providing greater outreach in each borough, would also assign one staff member to each borough for weekly intake sessions, so that civilians can file complaints of police misconduct with the staff member in a location within each borough. Often we hear from victims of police misconduct that they are unable to come to the CCRB office to file complaints or be interviewed because it is a financial burden to travel to Manhattan, it is too time consuming, or that they are unable to leave work to appear at the agency during office hours. In order to create a continuity of service, we must have additional staff that will be able to work unconventional hours, to accommodate the working population of New York City. We believe that most of our complainants are part of the working poor, and to ask them to take off from their jobs in order to come to the CCRB can be daunting. It is unfair to place a greater burden on these citizens in order to pursue their civil rights. This initiative allows us to remove the barriers that are inherent with most of our complainants. By having outreach coordinators in each borough weekly, this would alleviate the burden of civilians of having to travel to the CCRB agency during work hours, and give them the opportunity to immediately file a complaint and be interviewed by a CCRB investigator within their own community. This staff member would also schedule interviews for witnesses and victims in pending CCRB cases as well as handle intake of new complaints. The outreach staff member can provide information and answer questions to civilians interested in learning more about the agency and how it can assist the community.

We are working to coordinate with Borough Presidents and City Councilmembers to facilitate obtaining locations for the “CCRB in the 5 Boroughs” initiative on a weekly basis. These conversations have bolstered our belief that having a dedicated staff member for each borough will improve community relations and provide stability and consistency for our partners in government who will offer us the facility space. We anticipate that this initiative will increase the number of outreach presentations by 50% and ensure that all communities in New York City will be reached.

To ensure the stability and success of the “CCRB in the 5 Boroughs” initiative, we are asking for five additional staff members at an annual salary of \$49,538. This funding is reasonable in light of the valuable work these employees will perform in ensuring that civilians are provided the opportunity to address their allegations of police misconduct timely and efficiently.

“Field Investigative Team” Initiative

Our second initiative is a “Field Investigative Team” to improve the quality and timeliness of our investigations. We are seeking seven investigators at an annual salary of \$49,045 each, who will respond to allegations of police misconduct throughout New York City, and obtain witness statements, audio and critical video evidence within 24 hours of the incident report.

The central mission of the CCRB is to investigate and resolve allegations of police misconduct in a timely and efficient manner. Past budget cuts and hiring restrictions have limited the CCRB's capacity to timely investigate allegations of police misconduct. In 2008, the CCRB had 153 investigators, but due to budget cuts and hiring freezes, that number has dwindled to 120 investigators in the 2014 Executive Budget for FY 2015. This massive decrease in investigators has greatly affected the agency's ability to effectively perform its core mission. In 2008, the CCRB was able to close a substantiated investigation in 351 days, less than one year after the date of incident. However, in 2013, it took the CCRB an average of 436 days to close a substantiated investigation, a 24% increase in time.

The CCRB is committed to increasing our case resolution rate by getting earlier access to video and audio evidence, interviewing complainants and witnesses earlier, and decreasing the time for mediations to occur. To address this systemic problem, the CCRB has created a new intake unit that has reallocated resources around investigative teams to more promptly receive and respond to complaints. However, our ability to increase our case resolution rate depends on our ability to reach complainants earlier and obtain interviews, as well as obtain video and locate witnesses to fully investigate cases.

The request for adding seven investigators will allow the CCRB to conduct more field operations. Under the "field investigators" initiative, the CCRB will be able to designate investigators to go to the field every day and collect video and civilian statements within two days of the complaint being filed. This will enhance the quality of the investigations, by ensuring we quickly obtain objective video evidence and witness information from the onset of the investigation. Further, this will help increase the case resolution rate, as well as enable the CCRB to conduct more investigative steps (conduct witness interviews, collect video, take photographs of the incident location, etc.) in a timely manner, thus reducing the days required to complete a full investigation.

With the support and funding for these initiatives, we are confident that we can meet the objectives of Mayor de Blasio and the City Council in fulfilling the CCRB's mission to provide quality, impartial and thorough investigations into police misconduct for the citizens of New York. We are grateful that the Administration and the Council are committed to ensuring that the Board has all the resources needed for the future success of the CCRB.

Thank you for your time and continued support. I will be happy to answer any questions you may have.