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EXECUTIVE DIRECTOR'S REPORT TO THE BOARD
September 10, 2014

The CCRB received 408 complaints within its jurisdiction in August 2014. This was 88 fewer complaints than in the same period of 2013, when the CCRB received 496 complaints. The total intake for the month of August 2014 was 1,129 cases. [Page 5 of the report]

The Board closed 536 cases in August, that is 3,444 cases year-to-date. In the first eight months of 2014, the Board closed 1,291 full investigations, including 196 substantiated complaints. Year-to-date, the substantiation rate is 15.2%. [Page 8 of the report]

In August, civilians and officers mediated 20 cases. Year-to-date, CCRB has mediated 117 cases. In August, the CCRB closed 22 cases as mediation attempted. From January through August, the Board closed 123 cases as "mediation attempted." [Page 8 of the report]

The numbers for July 2014 have been adjusted. We initially reported that we received 442 complaints. We can now report we received 430 complaints. The numbers for January through July 2014 have been also adjusted. The total number of complaints received from January through July 2014 is 3,131, and not 3,145 as originally reported. [Page 6 of the report]

From January through August 2014, the CCRB received 3,539 complaints. That is 19 fewer complaints than in the same period of 2013, when the CCRB received 3,558 complaints. Year-to-date, the CCRB has received .5% fewer complaints than in the same period last year. [Page 5 of the report]

The detailed monthly statistical report includes two forms of reporting on the disposition of CCRB cases: the first report indicates the truncation rate [page 8 of the report] and the second report provides the case resolution rate [page 9 of the report].

From January through August, the amended truncation rate, which excludes cases closed as complaint withdrawn, was 46%. In the same period of 2013, the truncation rate was 57%. From

January through August 2014, the case resolution rate is 44.5%. In the same period of 2013, this rate was 34%.

The agency's docket at the end of August 31, 2014 was 2,473 cases. This was a 5% decrease of the open docket of July, when it was 2,605. Measured by the date the CCRB received the complaints, 95% of our open investigations stem from complaints filed within the last year, and 66% were filed in the last four months. [Page 1 of the report]

Of those 2,473 open cases, 495 were awaiting panel review, (20% of the docket); 1,784 were being investigated (72% of the docket) and 194 cases were in the mediation program (8% of the docket.) [Page 2 of the report]

By date of incident, 9 cases in the CCRB's open docket were 18 months and older. This was .4% of the open docket. This is 3 fewer cases than in July 2014 when there were 12 such cases. [Page 3 of the report]

The breakdown of August 2014 SOL cases is as follows: No cases are currently pending Board review. All 9 cases are open investigations, the SOL crime exception applies to 6 cases.

Of these 9 cases: 3 cases are on DA hold; 5 cases were filed months after the date of incident; and 1 case was re-opened months after it was originally closed. [Page 3 of the report]

In July 2014, the Police Department closed 12 substantiated cases involving 13 officers. Of these 13 officers, 1 officer pled guilty and forfeited 52 days, 8 officers received Instructions, and the Department declined to prosecute cases against 4 officers. In July, the department's disciplinary action rate was 64%, and 60% year-to-date. The year-to-date rate, in which the Police Department has declined to prosecute, is 26%. [Page 26 of the report]

In August 2014, the Board substantiated 22 cases with a recommendation of Charges and Specifications. These cases were forwarded to the APU. [Page 10 of the report]

At the end of August, the open docket of the APU was comprised of cases involving 338 officers. Of these cases, dispositions were modified by the Police Commissioner for 2 officers and were awaiting final disposition; 25 pleas were entered and awaiting approval by the Police Commissioner; in 9 cases involving 12 officers the trial verdict was rendered and awaiting approval by the Police Commissioner; 19 trials involving 29 officers were completed and were awaiting verdicts; 9 trials involving 13 officers were commenced but not completed; 48 trials involving 77 officers were scheduled; 30 cases involving 42 officers were calendared for court appearances; 40 cases involving 61 officers were awaiting their initial court appearance after charges have been served; in 19 cases involving 33 officers, charges were filed and awaiting service; and 27 cases involving 44 officers were awaiting the filing of charges.

We are reporting final dispositions in APU cases against 38 officers. With regard to 14 of those officers, the Police Commissioner dismissed the charges that formed the basis for a plea agreement between the APU and the officer. For two of these 14 officers, the PC disapproved the plea, dismissed the APU charges and imposed no discipline. For 12 of the 14 officers, he dismissed the APU charges and imposed discipline in lieu of charges as follows: 7 officers

received a Schedule B Command Discipline, 3 will receive formalized training at the Academy; and 2 will receive instructions at their Command.

The Police Commissioner retained jurisdiction over cases involving 13 officers under Paragraph 2 of the MOU between the NYPD and the CCRB. He notified the CCRB that he does not intend to impose any discipline against 6 of those 13 officers. The other 7 officers whose cases were retained are to be disciplined as follows: 5 will receive formalized training at the Academy and 2 will receive instructions at their Command.

The statute of limitations expired against four officers before their cases were assigned to the APU. Charges were not filed against one officer because he died before his case was sent to the APU and against two others because they retired before charges could be served. Charges against three officers were dismissed by the APU.