



The City of New York  
Department of Investigation

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**TESTIMONY OF DOI'S INSPECTOR GENERAL FOR THE NYPD PHILIP K. EURE  
AT THE CITY COUNCIL HEARING EXAMINING  
THE OFFICE OF INSPECTOR GENERAL FOR THE NYPD**

Good afternoon Chairpersons Gibson and Gentile and committee members. I am Philip Eure, The Department of Investigation's ("DOI") Inspector General for the New York City Police Department ("NYPD"). Thank you for giving me the opportunity to testify today. I am eager to tell you about the work that we have been engaged in for the last four years, its impact on the policies and practices of NYPD, and how we have helped New York City continue to be a national leader in the field of police accountability.

In many ways, with the passage of Local Law 70 in 2013, the members present here today are responsible for having established a model of police oversight and accountability, while cementing a commitment to constitutional policing and public safety for all New Yorkers. That legislation was based on a simple premise that remains relevant today: in a City as diverse as New York, with a police department as large as NYPD, vigorous external review is needed to ensure that the police keep the City safe while remaining responsive to community concerns.

The Inspector General's mission is to enhance the effectiveness of the police department, increase public safety, protect civil liberties and civil rights, and increase the public's confidence in the police force, thereby building stronger police-community relations. We believe that we have made important strides towards accomplishing all of these goals in the last four years, and we look forward to continuing to build upon that work in the years to come.

When we first set out to build this unit following my appointment by Commissioner Peters in March 2014, it was clear that success would be rooted in a diverse set of skills: our multidisciplinary staff has a range of professional experiences, including attorneys, investigators, auditors, police oversight specialists, former law enforcement, criminal justice researchers, policy analysts, and others.

We have learned about many issues through our continual outreach work, in which we have had meetings with a variety of community groups, advocates, and local organizations focused on criminal justice reform. Our office has presented before precinct community councils and grassroots organizations, and we have ongoing meetings and briefings with high-ranking NYPD officials, police union representatives, and individual officers themselves.

In the past three years, we have also produced nine reports that have examined a number of critical policing issues. From our very first report, on officers' use of chokeholds and the frequent lack of resulting discipline, to our most recent report on U-visa certifications issued to undocumented immigrant victims of crime,

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we have been grounded in the reality that policing in New York City is complicated and urgent. But protecting individuals' rights and fostering public confidence must also be at the core of NYPD's goals.

The other topics we have investigated include: surveillance of political activity; use of force policies and practices; the use of body cameras; the relationship between quality of life policing and felony crime in New York City; the use of data from lawsuits to improve the performance of both individual officers and the Department overall; inefficiencies in how NYPD investigates public complaints; and NYPD's approach to dealing with people in mental crisis.

Approximately eight months after this office published its first report on use of force by NYPD, the Department released a set of revised policies that more precisely define the use of force, as well as a more detailed tracking form. All uniformed members of the Department are now required to use a "Threat, Resistance, or Injury Form" ("TRI") whenever they use force or witness another officer using force at the scene. NYPD uses the data from these TRIs in publically reporting about the Department's use of force, as is now required due to legislation passed by City Council last year. As a result, the public has access to data it never did before: previously, NYPD's release of use of force data to the public was intermittent and ad hoc. This information is vital to assessing and improving tactics, training, policies, supervision, and discipline involving the use of force by police. Accurate and detailed reporting on police use of force also impacts public confidence in the police by providing greater clarity on why officers use force. We will soon release the results of our follow up investigation into NYPD's compliance with the new TRI mandate.

In 2016, we published another significant report: it was the first independent, data-driven investigation into the relationship, over time, of what is known as quality-of-life enforcement and felony crime. Our team analyzed over 1.8 million quality-of-life summonses, 650,000 quality-of-life misdemeanor arrests, 600,000 felony complaints, and 200,000 felony arrests over six years. We found that between 2010 and 2015 there was a dramatic decline in quality-of-life enforcement with no increase in felony crime. In fact, felony crime, with a few exceptions, declined along with quality-of-life enforcement. Furthermore, we found that quality-of-life enforcement was not evenly distributed across the City: instead, in 2015, it was concentrated in precincts with high proportions of black and Hispanic residents, New York City Housing Authority ("NYCHA") residents, and males aged 15-20.

Later in 2016, we released another well-recognized report, this time on NYPD's compliance with court-mandated rules, known as the Handschu guidelines, for surveilling political activity. The investigation found that NYPD, while able to articulate a valid basis for commencing investigations into political activity, was often non-compliant with a number of the rules governing the conduct of these investigations. A federal judge from the Southern District of New York recognized the significance of this investigation when he cited our report in rejecting a proposed settlement from NYPD and other parties regarding police conduct going forward.

That federal judge noted, the report "describes a near-systemic failure on the part of the NYPD to comply," and that "[i]t is incumbent upon me to consider the Report, as relevant to, and inconsistent with, the NYPD's repeated contention that it always complies with the Handschu Guidelines." As a result of the judge's reading of our report on NYPD's surveillance tactics, the parties' proposed settlement in the Handschu case was revised to include a stronger role for its Civilian Representative in the surveillance decision-making process.

In addition to these large-scale changes, we often see significant, on-the-ground changes during the course of our investigations and as the result of our work. For instance, this past summer, we released a report concerning the Department's process for certifying applications for U-visas: special visas granted to undocumented immigrants who are victims of crimes and who also help law enforcement investigate and prosecute those crimes. As undocumented victims of crimes, these applicants are among the most vulnerable members of our community.

As noted in its public response to our report, NYPD now provides applicants with greater information about why an application was denied and provides more instructions on what recourse the applicant can take. As a result of changes like these, the hundreds of people who now apply for a U-visa every year with the Department will have an improved experience with NYPD.

In addition to our substantive reports, every year in our Annual Report, we describe which

recommendations NYPD has implemented or moved forward on and those it has decided not to adopt. Follow up on these issues both by DOI and this Council is critical.

For example, in our report on crisis intervention training, we recommended that NYPD begin working towards a dispatch system in which the officers trained in crisis intervention are those who are sent to mental crisis incidents. We also recommended that NYPD substantially revise one of its current forms or develop a new permanent form to capture more useful data about mental crisis incidents. This analysis should be done in order to measure the extent to which Crisis Intervention Team (“CIT”) skills and policies are being used and followed by officers, to assess the need to revise the content of the Department’s CIT curriculum and policies, and to identify the most prevalent mental health conditions in the City.

By conducting fact-driven investigations, listening to the public’s concerns, issuing sound recommendations, promoting accountability and transparency, and fulfilling the mission of Local Law 70, our goal is to help NYPD do an even better job. By doing a better job, improved police-community relations, increased confidence in the police force, and enhanced public safety --in short, real police reform-- can be expected to follow. We encourage members of the City Council to continue to engage with us, as we continue to bring New York City to the forefront of effective independent police review.

Thank you.

*DOI is one of the oldest law-enforcement agencies in the country and New York City’s corruption watchdog. Investigations may involve any agency, officer, elected official or employee of the City, as well as those who do business with or receive benefits from the City. DOI’s strategy attacks corruption comprehensively through systemic investigations that lead to high-impact arrests, preventive internal controls and operational reforms that improve the way the City runs.*

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