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## **DOI INVESTIGATION FINDS NON-COMPLIANCE BY NYPD WITH NEW USE-OF-FORCE REPORTING REQUIREMENTS**

The New York City Department of Investigation (“DOI”) issued a Report today examining the New York City Police Department’s (“NYPD”) implementation of, and compliance with, NYPD’s new rules on use-of-force reporting. The Report revealed that while NYPD has made notable improvements in certain aspects of use-of-force reporting, officers are still not properly documenting all reportable use-of-force incidents, including an under-reporting of force incidents in arrest reports. In [October 2015 DOI issued a report that focused on use of force by members of NYPD](#), which recommended, among other things, a comprehensive system for tracking force. The following year, NYPD implemented new policies on the tracking of use-of-force encounters. Considering the critical importance of the new reporting system implemented by NYPD, DOI investigated NYPD’s compliance with the new rules, finding gaps in the force-reporting process and practices, including a failure to consistently report the use of force in all required instances, the absence of a deadline for use-of-force documentation to be completed, insufficient training and guidance for officers, and lingering confusion at the precinct-level regarding the new policies. A copy of DOI’s Report is attached to this release and can be found at the following link: <http://www1.nyc.gov/site/doi/newsroom/public-reports.page>

Commissioner Mark G. Peters said, “In 2015, DOI’s investigation pointed out demonstrable issues with NYPD’s policies on force, leading NYPD, for the first time, to begin comprehensively tracking incidents of force with the public. The Police Department pledged to do better and has made some progress, but as we start 2018, this Report demonstrates there is still more work to do towards making the NYPD fully accountable on this issue.”

DOI’s Inspector General for the NYPD Philip K. Eure said, “A healthy relationship between the public and NYPD requires transparency and accountability—especially when it comes to police use of force. Failures to comprehensively and accurately document the use of force by police officers are not only missed opportunities to improve policing, but risk jeopardizing the trust NYPD has worked to build with communities across the City.”

A central finding of DOI’s previous 2015 use-of-force report was NYPD’s inability to capture, track, and report on every force incident involving an officer. Instead, NYPD was using a patchwork set of forms that only captured a limited set of force incidents. NYPD largely accepted these findings and, consistent with DOI’s recommendations, in 2016 implemented new force-reporting policies and procedures, requiring any officer involved in force against a member of the public (or has forced used against the officer) to complete a “Threat, Resistance, or Injury” (T.R.I.) form. The T.R.I. form is then reviewed by a supervisor, and, if appropriate under the circumstances, referred for further investigation, corrective action, and/or discipline. If used properly, the T.R.I. will enhance departmental supervision and accountability of officer use of force, while also providing NYPD with a better understanding of why and under what conditions NYPD officers use force.

For its 2018 follow-up Report, DOI reviewed incidents during two three-month periods (September through November of 2016, and again in May through July of 2017) in which an NYPD officer used force against a member of the public and failed to complete a T.R.I form. When officers affirmatively stated on arrest reports that they had used

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force, DOI's review found that officers failed to submit required T.R.I. forms only 10% of the time in 2017, as compared to 36.2% in 2016 – a notable improvement. However, in some cases when officers stated on arrest reports that they did not use force, DOI found evidence of officers having used force without submitting a T.R.I. For example, DOI identified Medical Treatment of Prisoner forms in which an officer described using force, but did not complete the required T.R.I. or indicate on the arrest report that force was used. The investigation demonstrated that NYPD does not have sufficient controls in place to ensure that T.R.I. forms are being completed when arrest reports say that no force was used but the officers in fact used force.

In addition to problems with T.R.I. compliance, DOI found that officers were not accurately stating whether force was used when completing arrest reports. In at least 30% of arrest reports with a resisting arrest charge, officers stated on arrest reports that they did not use force yet filed T.R.I. forms declaring that they had in fact used force. This represents a critical breakdown in NYPD's force-reporting system because the Department relies on arrest report data to calculate its use-of-force statistics.

The Report also found that NYPD has no established deadline for completing T.R.I. forms, creating potential accountability issues for officers who fail to document uses of force. Further, through interviews with precinct-level supervisors, DOI found that officers and supervisors remain confused by the new force-reporting system, including what types of incidents to report and how to report them. Additionally, the T.R.I. form contains no narrative field for officers to explain their force encounter, only checkboxes that do not allow for detail and could be considered vague.

The Report makes a series of recommendations covering compliance, accountability, training, discipline, and public reporting, including proposals that:

- NYPD should enhance supervisory review of all arrest-related documentation by imposing a set of standardized, on-going quality-control procedures at the local command level. In high-volume commands, NYPD should assign specially-trained supervisors at the rank of sergeant or above to carefully review such documents during arrest processing to ensure that all uses of reportable force are properly documented.
- NYPD should impose an "end of tour" deadline by which police officers must complete required T.R.I. forms, and impose appropriate discipline against officers who fail to meet the deadline.
- NYPD should add a narrative section to the T.R.I. form and require officers to provide a full account of the force incident, including specific details on the force used by the officer and/or member of the public, as well as any injuries sustained by either.
- NYPD should establish a clear written policy that requires arresting officers to select "Yes" on the arrest report in response to the "Force Used" section if any officer used force during the encounter. NYPD should impose, after proper training on this issue, discipline against arresting officers who fail to select "Yes" when reportable force is used.
- NYPD should use data from T.R.I. forms to publish annual Use-of-Force reports that identify and analyze trends in all force categories. The report should contain all information currently mandated by law and include additional trend analyses such as demographic characteristics of members of the public involved in force incidents (age, gender, race, national origin, etc.).

The investigation was conducted by DOI's Office of the Inspector General for NYPD, specifically, Senior Policy Manager Joseph Lipari, Policy Analyst Tyler Gibson, Policy Analyst Sean McMahon, Policy Analyst Justyn Richardson, Special Investigator Michael Acampora, Special Investigator Sarolta Toscano, under the supervision of Director of Investigations Daniel Boylan, Deputy Inspector General Asim Rehman, Inspector General Philip K. Eure, Associate Commissioner Paul Cronin, Deputy Commissioner/Chief of Investigations Susan Lambiase, and First Deputy Commissioner Lesley Brovner.

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**New York City Department of Investigation's  
Inspector General for the NYPD**

**AN INVESTIGATION OF NYPD'S  
NEW FORCE REPORTING SYSTEM**

**MARK G. PETERS  
COMMISSIONER**

**PHILIP K. EURE  
INSPECTOR GENERAL FOR THE NYPD**

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## I. EXECUTIVE SUMMARY

The ability to accurately track and report on officer-involved force incidents is critical to effectively managing a police department and maintaining the public's trust in law enforcement. In October 2015, however, the New York City Department of Investigation's (DOI) Office of the Inspector General for the NYPD (OIG-NYPD) determined that the New York City Police Department (NYPD or the Department) was unable to identify and track such incidents.<sup>1</sup> Among DOI's 15 recommendations to NYPD was the need for a separate, uniform use-of-force reporting form that allows NYPD to capture and track all officer uses of force and injuries that occur in the course of a police encounter.

NYPD agreed in its response to the 2015 Report that such a tracking system was necessary and stated its plan to build one.<sup>2</sup> In June 2016, the Department replaced its existing use-of-force policies, Patrol Guide Series 212, with a new set of use-of-force procedures, Patrol Guide Series 221. A new form—the Threat, Resistance, and Injury Worksheet (T.R.I.)—was introduced to NYPD system-wide as the foundation of the new force-reporting protocols. NYPD designed the new form to record certain uses of force *by and against* police officers as well as any injuries occurring during the course of a police action or while an individual is in police custody.

Considering the importance of the new T.R.I. use-of-force reporting system, DOI investigated NYPD's compliance with the new policy, focusing on whether officers were

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<sup>1</sup> See NEW YORK CITY DEPARTMENT OF INVESTIGATION, OFFICE OF THE INSPECTOR GENERAL FOR THE NYPD, POLICE USE OF FORCE IN NEW YORK CITY: FINDINGS AND RECOMMENDATIONS ON NYPD'S POLICIES AND PRACTICES 3 (2015), available at [http://www1.nyc.gov/assets/oignypd/downloads/pdf/oig\\_nypd\\_use\\_of\\_force\\_report\\_-\\_oct\\_1\\_2015.pdf](http://www1.nyc.gov/assets/oignypd/downloads/pdf/oig_nypd_use_of_force_report_-_oct_1_2015.pdf).

<sup>2</sup> NYPD's response to OIG-NYPD's 2015 Use of Force report is available at: <http://www1.nyc.gov/assets/oignypd/downloads/pdf/NYPD-response-to-use-of-force-report-dec-2015.pdf>.

completing T.R.I. forms when they used reportable force during an arrest.<sup>3</sup> Following the examination of over 30,000 pages of NYPD documents and interviews with both the NYPD bureau overseeing the T.R.I. program and precinct supervisors responsible for executing the program in the field, DOI arrived at the following findings:

➤ **Despite a Weak Start in 2016, NYPD was Largely in Compliance in 2017 with Respect to Certain T.R.I. Metrics.** NYPD arrest reports contain dropdown boxes in which officers can select “Yes/No” on whether they used force; a “Yes” would require the officer to also complete a T.R.I. During September – November 2016, officers failed to complete a T.R.I. in 36.2% of cases in which they had reported “Force Used: Yes” on an arrest report. A sample of nine precincts between May – July 2017, however, showed notable improvement; officers failed to complete T.R.I.s in only 10% of such cases.

➤ **Continuing Problems with T.R.I. Compliance: T.R.I.s Not Always Completed When Documents Signal That Reportable Force Was Used.** DOI identified arrest reports with a resisting arrest charge in which the arresting officer selected “Force Used: No” on the arrest report dropdown box but the narrative suggests that the officer may have used force. DOI also identified Medical Treatment of Prisoner forms in which the officer’s narrative description strongly suggests or clearly indicates that the officer used force on a member of the public, yet

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<sup>3</sup> With regard to uses of force by officers, a T.R.I. is required when the force falls into one of three levels defined in Patrol Guide Series 221. Level I force “is defined by the use of hand strikes, foot strikes, forcible take-downs, the wrestling of the subject to the ground, the discharge of Oleoresin Capsicum (O.C.) pepper spray, the deployment of a Conducted Electrical Weapon (CEW) in “cartridge mode” or the use of a mesh restraining blanket to secure a subject.” Level II “is defined by the intentional striking of a person with any object (e.g., baton, other equipment, etc.), a police canine bite, and the use of a CEW in “drive stun mode.” Level III force “is defined by the use of physical force that is readily capable of causing death or serious physical injury and includes the discharge of a firearm.” In this report, DOI uses the term “reportable force” to refer to any Level I, II, or III use of force. Patrol Guide Series 221 also stipulates that “allegations of excessive force” and “suspected excessive force” must be recorded on a T.R.I. form.

no T.R.I. was completed. NYPD does not have sufficient controls in place to identify these other uses of force – which are indeed harder to detect – and to ensure that T.R.I.s are completed when required. Such cases would not be captured in an audit that focuses solely on arrest reports where officers say “Force Used: Yes” in a dropdown box. However, because force used is not formally documented in these instances, the completion of T.R.I. forms is even more important.

➤ **Continuing Problems with Force Reporting on Arrest Reports.** In at least 30% of the arrest reports with resisting arrest charges in the 2016 study period (and 55.9% in a 2017 sample), officers stated that “No” force was used but still filed a T.R.I. affirming that the officer indeed used reportable force during the incident. This means that officers are underreporting force on arrest reports and, as a result, certain statistics in NYPD’s recent Annual Use-of-Force Report do not accurately reflect the universe of force incidents.

➤ **Supervisory Failures in the T.R.I. Program.** In addition to broader, technological solutions that are helping NYPD achieve better force reporting, supervisors play a vital role in ensuring T.R.I. compliance. DOI identified several supervisory failures in the T.R.I. program that NYPD must address. These include the failure to record T.R.I. information in command logs, to complete required steps when investigating a force incident, and to submit quarterly T.R.I. reports to the NYPD First Deputy Commissioner, as indicated in Patrol Guide Series 221.

➤ **Continued Concerns in the Field.** Candid interviews with NYPD precinct commanders revealed the growing need for deadlines on T.R.I. forms (currently there are none), additional training for officers, a narrative section on the T.R.I. forms where officers can further document

the incident (currently there is none), and a more effective hotline for supervisors to call when T.R.I. questions emerge.

➤ **Opportunities for More Detailed and More Transparent Reporting.** Enhancing accountability and public trust requires that NYPD publish accurate and useful data on officer use of force. While NYPD's recent Annual Use-of-Force report provides useful base-line data on general uses of force, the report does not satisfy all legal reporting requirements. NYPD can do more to ensure that the public has a fuller understanding of force incidents involving police officers. Comprehensive force reporting will ultimately bolster NYPD's efforts at community engagement by providing reliable and relevant data that will better inform the public discussion about officer use of force.

In light of these findings, DOI provides 21 recommendations that, if implemented, will make the T.R.I. process more accurate and effective. A full list of proposals is provided at the end of this Report, including the following key recommendations:

- 1. NYPD should enhance supervisory review of all arrest-related documentation by imposing a set of standardized, on-going quality-control procedures at the local command level. In high-volume commands, NYPD should assign specially-trained supervisors at the rank of sergeant or above to carefully review such documents during arrest processing to ensure that all uses of reportable force are properly documented.**
- 2. NYPD should impose an "end of tour" deadline by which police officers must complete required T.R.I. forms.**
- 3. NYPD should add a narrative section to the T.R.I. form and require officers to provide a full account of the force incident.**



4. **NYPD should establish a clear written policy that requires arresting officers to select “Yes” on the arrest report in response to the “Force Used” section if any officer used reportable force during the encounter.**
5. **NYPD should use data from T.R.I. forms to publish annual Use-of-Force reports that identify and analyze trends in all force categories. The report should contain all information currently mandated by law and include additional trend analyses discussed at the conclusion of this Report.**

## II. METHODOLOGY

The new T.R.I. form is meant to record certain force encounters involving NYPD officers, including: 1) uses of reportable force by officers; 2) uses of force against officers; 3) any allegations that an NYPD officer used excessive force against a citizen; and 4) any injuries sustained by members of the public or officers during the course of a law enforcement action or while a citizen was in police custody. For the purposes of this investigation, DOI focused primarily on the first of these categories, uses of force by police officers, and evaluated T.R.I. compliance by comparing completed T.R.I. forms to NYPD documents containing evidence of officer use of force.<sup>4</sup> In total, DOI reviewed more than 30,000 pages of NYPD documents, including more than 3,000 T.R.I. worksheets, 1,800 arrest reports, 8,000 Medical Treatment of Prisoner forms, and 4,800 pages of precinct command logs.<sup>5</sup>

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<sup>4</sup> Using NYPD's own documents and forms provides for a clean review of whether police officers are properly filling out and submitting T.R.I. forms in situations where they are required to do so. Thus, this investigation excludes use-of-force encounters that require a T.R.I. but for which no police documentation exists.

<sup>5</sup> The arrest report contains two possible indications of force: the “Force Used” dropdown box and a narrative section where the officer briefly summarizes the arrest. The “Force Used” dropdown box requires that an officer select “Yes” or “No” in order to digitally process an arrest report. Department training on the use of this form

Finally, DOI made five precinct visits to interview commanding officers, attended NYPD’s November 2017 Force Review meeting, and interviewed an official from NYPD’s Risk Management Bureau who is responsible for improving the Department-wide T.R.I. process.

**III. T.R.I. COMPLIANCE - ARREST REPORTS WHERE OFFICERS SELECT “FORCE USED: YES”**

This investigation revealed that with respect to one particular aspect of force reporting, officer compliance with the T.R.I. program had a weak start but has significantly improved. Every NYPD arrest report has a “Force Used” dropdown box and requires the officer to indicate whether force was used (yes/no), and if so, what type (forcible takedown, hand strike, impact weapon, etc.), the reason (overcome resistance/aggression, defense of public, fleeing suspect, etc.), and whether the officer was injured.

<b>ARRESTING OFFICER:</b> [REDACTED]		<b>Arrest #:</b> [REDACTED]
Tax Number: [REDACTED]	On Duty: <b>YES</b>	<b>Force Used: YES</b> Type: <b>FORCIBLE TAKE DOWN</b> Reason: <b>OVERCOME RESIST/AGGR</b> Officer Injured: <b>NO</b>
Other ID (non-NYPD): [REDACTED]	In Uniform: <b>YES</b>	
Shield: [REDACTED]	Squad: [REDACTED]	
Department: <b>NYPD</b>	Chart: [REDACTED]	
Command: <b>001</b> Primary Assignment:		

requires the arresting officer to select “Yes” if any officer used reportable force against an individual during an arrest. There should be no ambiguity about the dropdown box’s use.

A Medical Treatment of Prisoner (MTP) form is completed when a person in police custody is in apparent need of treatment, claims injury, receives (or refuses) medical treatment, requires medication, has a communicable disease, or already has previously treated injuries. This form includes a narrative section that is filled out at the officer’s discretion. OIG-NYPD considered only explicit descriptions of police force while auditing these forms. Command logs are large, hand-written books in which precinct desk officers record all arrests and other pertinent information. In addition to reviewing the command logs to assess whether T.R.I. information was recorded, OIG-NYPD reviewed the logs to identify other potential force incidents not captured by the arrest reports or MTPs. For various reasons, the command logs were not useful sources for such data.

If reportable force occurs during the arrest, arresting officers (the officer completing the arrest report) are expected to select “Yes” for “Force Used” on the arrest report. If “Yes” is selected, a T.R.I. form should be completed.

#### **A. Poor T.R.I. Compliance in 2016 – Improved T.R.I. Compliance in 2017**

To assess NYPD's most basic form of T.R.I. compliance – whether officers completed a T.R.I. form after selecting “Force Used: Yes” on the arrest report dropdown box – DOI initially conducted a comparison of all T.R.I.s and “Force Used: Yes” arrest reports for the months of September, October, and November 2016. This time period essentially marks the one-year anniversary of when NYPD first announced plans for the new-force reporting system on October 1, 2015, and also represents the fourth, fifth, and sixth months of the T.R.I. form's actual use within the Department.

Out of 594 arrest reports in which officers selected “Force Used: Yes” in the three 2016 months under review, DOI identified 215 instances (36.2%) in which an arresting officer did not submit a T.R.I. form. These cases included, among other things: 120 forcible takedowns, seven use of hand strikes, 13 CEW (Taser) deployments, and two uses of O.C. spray. While the non-compliance rates varied by precinct and month, the rate was lower for October 2016 (30.5%) and November 2016 (33%) as compared to September 2016 (44.7%).<sup>6</sup>

DOI subsequently conducted the same review of all T.R.I.s and “Force Used: Yes” arrest reports for a sample of nine precincts covering the period May, June, and July 2017. DOI's

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<sup>6</sup> DOI submitted its first document request to NYPD for this investigation on October 7, 2016. Three weeks later, NYPD issued a Police Academy Training Memo on October 28, 2016, calling officers' attention to common mistakes being made on T.R.I. worksheets. See New York City Police Academy Training Memo #40-16, THREAT, RESISTANCE, OR INJURY INCIDENT (TRI) WORKSHEETS (Oct. 2016).

review of the more recent 2017 data indicated improvement in NYPD's non-compliance rate for "Force Used: Yes" cases: where an officer selected "Force Used: Yes" from the dropdown box on the arrest report, ten out of 100 arrest reports (10%) did not have an associated T.R.I. form. Although this 2017 comparison has limitations, including being a smaller sample size and a different set of months, NYPD has clearly made significant progress towards full T.R.I. compliance in cases where an officer selects "Force Used: Yes" on the arrest report.<sup>7</sup>

### **B. New Developments in NYPD's Force Reporting Oversight**

The improvement noted above appears to be the result of increased focus by NYPD's Risk Management Bureau (RMB) on T.R.I. compliance. Beginning in February 2017, following the commencement of this investigation, RMB began holding monthly Force Review meetings at which selected commands are required to appear and respond to questions about specific force incidents and the completion of T.R.I. forms. RMB, nevertheless, acknowledged awareness of certain facts that DOI regards as control weaknesses, including the absence of a deadline for when officers must submit a T.R.I. form and the lack of a written policy specifically directing officers how to use the "Force Used" dropdown box on the arrest report.

According to NYPD, it is now striving to improve and digitize a number of forms and supplemental reports to make the force-reporting system more accurate and efficient. NYPD reports that, as of December 13, 2017, T.R.I. numbers are now automatically generated when "Yes" is selected on the "Force Used" dropdown box of the arrest report, and a compliance rate can subsequently be generated from this figure. Notably, the automatic creation of a T.R.I.

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<sup>7</sup> In December 2017, NYPD informed DOI that this particular non-compliance rate was down to an average of 4% during September 2017 through November 2017. DOI has not had the opportunity to verify this figure prior to publication of this report.

*number* does not mean that the T.R.I. *form* will be automatically completed; the officer must still take steps to complete the T.R.I. form. Still, the automation of this process is a positive step that should further increase the T.R.I. compliance rate for instances in which an officer selects “Yes” on the arrest report for “Force Used.”

#### **IV. CONTINUING PROBLEMS WITH NYPD FORCE REPORTING: WHERE OFFICERS USE REPORTABLE FORCE BUT SELECT “NO” FOR “FORCE USED” ON ARREST REPORTS**

Despite improvements noted above, problems with the T.R.I. process remain. “Force Used: Yes” arrest reports are easy to audit and T.R.I. compliance for such cases can be automated and digitized. Achieving more comprehensive T.R.I. compliance, however, requires looking at other metrics.

“Force Used: Yes” compliance audits do not capture the more complicated instances in which officers use reportable force but select “No” on the arrest report for “Force Used,” or no arrest report exists and only vague language is used in other documents – like Medical Treatment of Prisoner forms. Obviously, given the possibility that force in these instances will not otherwise be recorded, ensuring the completion of T.R.I.s in these circumstances is imperative. These issues are more difficult to detect and correct and cannot be solved by a technological fix or by focusing on “Force Used: Yes” incidents alone.

The first two categories below – under Sections A and B – show that NYPD does not have sufficient controls in place to assure that T.R.I.s are completed when officers use reportable force but select “No” on the arrest report for “Force Used,” or no useable arrest description exists. The third category below – Section C – identifies a fundamental problem

with force reporting on the arrest report that has resulted in significant underreporting of NYPD use of force for years.

**A. Arrest Reports with a Resisting Arrest Charge but “Force Used: No”: No T.R.I., but Narratives Signal Force Used**

To identify possible additional instances of police use of force missing a T.R.I. form, and since police use of force is often associated with charges of resisting arrest, DOI examined all 847 arrest reports for September, October, and November 2016 in which an officer selected “No” for “Force Used” but also charged a person with Resisting Arrest. DOI identified 580 such cases where there was no accompanying T.R.I. By carefully reviewing the arrest narratives of these 580 cases, DOI identified a significant number of arrest reports with a resisting arrest charge in which the arresting officer selected “Force Used: No” on the arrest report dropdown box yet the narrative suggests that the officer may have used reportable force. DOI’s review found:

- Nine arrest reports contained explicit descriptions of officer use-of-force in the narrative, but the arresting officer selected “No” for “Force Used.”<sup>8</sup> In these nine cases, in which no T.R.I. was submitted as required, officers reported using forcible takedowns, O.C. spray, CEWs (Tasers), and a hand strike.
- 110 cases in which the narrative contained a description of assaultive force against an officer, but did not explain how the resistance was overcome and how the individual was successfully arrested.

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<sup>8</sup> NYPD policy does not currently require arresting officers to indicate officer use-of-force in the arrest report narrative. Therefore, DOI’s examination of arrest report narratives could only identify instances in which the officer proactively included a reference to use of force in the narrative.

- 55 narratives where officers used vague terms such as “fighting with” and “combative,” but reported no force used.
- 30 narratives that mention injuries sustained by an officer during the course of an arrest.<sup>9</sup>

Cases like these would not be captured by a compliance audit that focuses on “Force Used: Yes” arrest reports and would not be represented in the Department’s publicly reported use-of-force rate.

DOI’s examination of 2017 arrest and T.R.I. data from a sample of nine precincts indicates that this problem remains. In the 2017 data, DOI discovered additional instances in which “Force Used: No” arrest reports contained vague narratives in which it was unclear how officers could have arrested people without using force, narratives describing arrestee injuries, and narratives describing clear force against officers.

Although proof of officer force in these cases was not unequivocal, these examples indicate that, because force was likely used in some of these instances, NYPD must enhance training of both line officers and supervisors to ensure that arresting officers in fact select “Force Used: Yes” on the arrest report every time any officer on scene uses force. Such cases also underscore the ongoing need for command supervisors to closely scrutinize arrest report narratives—as well as supporting documentation and video evidence, if available— when determining whether a T.R.I. form is required.

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<sup>9</sup> As each case could include multiple descriptions in the narrative, these examples are not mutually exclusive.

## **B. Medical Treatment of Prisoner Forms: No T.R.I., but Narratives Signal Force Used**

Officers are required to complete the Medical Treatment of Prisoner (MTP) form when arrestees sustain an injury, become ill, need medication, or otherwise require medical attention. The MTP form documents the nature of the injury or illness and provides space to describe relevant details of the injury or illness. Because the MTP form is not a digital document, it must be completed by hand.<sup>10</sup>

For the three-month period under review in 2016, DOI found 33 MTP forms which contained language indicating an officer used force or a person resisted and sustained an injury during arrest but did not result in the completion of a T.R.I. form. These cases included facial lacerations and contusions, eye injuries, uses of O.C. spray, and CEW (Taser) deployments. Five of these MTP forms with no corresponding T.R.I. form had an associated arrest report that did not include any indication of force or injury. Numerous MTPs also contained vague or unclear language such as “[i]njury sustained prior to custody,” which could encompass anything from officer uses of force prior to the completion of arrest, to self-inflicted injuries, injuries caused by third parties during the commission of the alleged offense, and/or pre-existing injuries.

As with the resisting arrest cases noted above, the MTP forms illustrate the importance of training NYPD officers to include force-specific information in such narratives and the need to review these narratives to identify whether a T.R.I. form was required.

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<sup>10</sup> DOI identified many MTP forms that were only partially completed or contained inaccurate or illegible information.



**C. Systemic Failure of Force Reporting on Arrest Reports: Officers Stating  
“No” Force Used on Arrest Reports, But Stating Force Used on T.R.I.**

DOI's investigation of NYPD's force-reporting practices found considerable evidence that some force encounters requiring a T.R.I. are not captured at all by the “Force Used” dropdown box on arrest reports – a point that NYPD does not dispute – because officers do not always properly complete arrest reports when reportable force was used. For the period of September 1, 2016, through November 30, 2016, DOI found that in at least 30% of arrest reports where an officer said “No” on the “Force Used” dropdown box when arresting someone for resisting arrest, officers also filed a T.R.I. form *affirming* that they used force during that incident.<sup>11</sup> DOI's review of 2017 data suggests this problem has not improved, and may even have worsened. Of the 136 arrests in DOI's 2017 sample reporting “Force Used: No,” 76 (55.9%) had an associated T.R.I. in which an officer affirmed using reportable force.

Even with the implementation of the new T.R.I. form, inaccurate force reporting on the arrest report is a critical issue, resulting in a data conflict between arrest reports and T.R.I.s (i.e., if reportable force was used, it should be reflected on *both* forms) and indicates that arresting officers are underreporting force incidents by not properly selecting “Yes” on the arrest report when such force was in fact used in a resisting arrest case. As the accuracy of the arrest report's “Force Used” dropdown box is vital in auditing T.R.I. compliance—both by NYPD and an outside entity such as DOI—a potential error rate in the vicinity of 30% or higher regarding the

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<sup>11</sup> For the 2016 review period, DOI identified 847 arrest reports for which resisting arrest was charged, but the arresting officer selected “No” for the “Force Used” dropdown box on the arrest report. Of those 847 arrest reports, 256 were associated with T.R.I.s which affirmatively indicated that force was, in fact, used. This means that in at least 30% of such “no force” arrest reports in resisting cases, the officers incorrectly stated on the arrest report that no force was used.

“Force Used” dropdown box in resisting arrest cases compromises NYPD’s ability to audit force reporting by way of the arrest report and could ultimately undermine the integrity of the data captured by the T.R.I. system.

For example, in its recently released 2016 Annual Use-of-Force Report (released December 28, 2017), NYPD states that only 1.3% of all 2016 arrests involved the use of force by officers.<sup>12</sup> According to NYPD, this statistic relies solely on the “Force Used” dropdown box. Because of the significant rate of officers using reportable force but not selecting “Yes” on the “Force Used” dropdown box in resisting arrest cases, NYPD’s 1.3% figure does not accurately reflect the actual percentages of arrests where officers used such force.<sup>13</sup>

The inaccurate use of the “Force Used” dropdown box on arrest reports appears to be a problem that has existed for some time but has become more evident due to DOI’s examination of NYPD’s force-reporting practices in this investigation.<sup>14</sup> In fact, DOI identified this as a concern in its October 2015 Report that examined NYPD’s handling of force complaints substantiated by the Civilian Complaint Review Board (CCRB).<sup>15</sup> During the course of the present force-reporting investigation, NYPD has acknowledged officers’ inconsistent application

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<sup>12</sup> NYPD, 2016 ANNUAL USE-OF-FORCE REPORT, <http://www1.nyc.gov/assets/nypd/downloads/pdf/use-of-force/use-of-force-2016.pdf> (last visited Jan. 9, 2018).

<sup>13</sup> In its 2016 Use-of-Force Report, NYPD acknowledges several reporting and compliance problems it is working to address, including misreporting and misclassification as well as issues with proper documentation and supervisory review. NYPD’s report further indicates that these problems “may have led to some inconsistency in these numbers, as well as in the comparison between uses of force reported on arrest reports and those reported on T.R.I. Incident Worksheets.” 2016 ANNUAL USE-OF-FORCE REPORT, *supra*, at 12 and 40.

<sup>14</sup> DOI investigators discussed this matter with precinct supervisors in meetings held in October 2017 and November 2017. Several supervisors acknowledged that, in the past, officers sometimes failed to select “Yes” accurately for “Force Used.” In its 2016 Use-of-Force Report, NYPD relied on the “Force Used” dropdown box to report annual use-of-force rates since 1994.

<sup>15</sup> In its written response to DOI’s October 2015 Report, NYPD did not address the finding that in 50% of the substantiated force complaints reviewed by DOI that resulted in an arrest, the officer who completed the arrest report “affirmatively reported that force was not used.”

of the "Force Used" dropdown box. The data analysis completed for the current Report strengthens and confirms DOI's earlier finding.

The new T.R.I. form presents an opportunity for NYPD to improve the accuracy of its force data. Because one of the most basic means of auditing the T.R.I. process is a comparison to force reported on arrest reports, however, NYPD must emphasize not just full T.R.I. compliance but accurate force-reporting on the arrest reports as well.

#### **V. NECESSARY IMPROVEMENTS: THE ROLE OF SUPERVISORS IN ENSURING COMPLIANCE IN FORCE REPORTING**

As demonstrated above, multiple layers of accountability will be necessary to ensure that all reportable uses of force are captured through NYPD's force-reporting system. As RMB focuses on building technological solutions that increase compliance through automation and borough-level accountability through the Force Review meetings, it will be just as important to build practical, administrative procedures at the command level that catch uses of reportable force that are not clearly documented by officers on arrest reports or Medical Treatment of Prisoner forms. Otherwise, the Department's accountability measures risk being too narrow and could engender a false sense of compliance.<sup>16</sup>

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<sup>16</sup> These dynamics are well documented, and have long been major criticisms of approaches that measure success by the reduction of individual rates or percentages in isolation. See, e.g., Nathaniel Bronstein, *POLICE MANAGEMENT AND QUOTAS: GOVERNANCE IN THE COMPSTAT ERA*, 48 COLUM. J. L. & SOC. PROBS. 543 (2015); John A. Eterno, Arvind Verma & Eli B. Silverman (2014): *Police Manipulations of Crime Reporting: Insiders' Revelations*, Justice Quarterly.

### **A. Failure of Desk Officers to Record Force Details and T.R.I. Number in Precinct Command Logs**

Arrest processing at the precinct desk requires desk officers to record the details of every reportable force incident in the command log, including the T.R.I. incident number.<sup>17</sup> This represents one of the first opportunities to record and document a use of force and provides another audit trail for command supervisors to check T.R.I. compliance and arrest report accuracy. DOI's examination of 15 precinct command logs (approximately 4,881 pages) for the period of September 1, 2016, through November 30, 2016, found only one instance in which a desk officer noted the T.R.I. incident number for arrests involving an injury or use of force. When DOI spoke to precinct supervisors, desk officers, and integrity control officers in October 2017 and November 2017, none of them seemed aware that the desk officer is required to record force details and T.R.I. numbers in the command log.<sup>18</sup>

In addition, NYPD will need to revise the arrest-processing stamp used in the command logs. NYPD should restore the "Force Used" checkbox that was once included on the stamp but that has since been removed.<sup>19</sup> NYPD should also add two other fields to the stamp to allow

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<sup>17</sup> See NYPD PATROL GUIDE § 221-03, at #5 (Procedure #15).

<sup>18</sup> NYPD indicated to DOI that this requirement is unnecessary, outdated, and under review, as NYPD is moving to an automated "big data" approach to auditing the T.R.I. process. While automated data analytics play a critical role in the quality control process, command logs and other analog forms of data are still critical to the integrity of the T.R.I. process. Focusing on "big data" alone risks creating incentives that could exacerbate arrest report inaccuracies regarding force. Requiring desk officers to record all injuries, uses of reportable force, and T.R.I. numbers provides another layer of accountability that is key to ameliorating the potential pitfalls of a "big data" approach. The provision that desk officers record all T.R.I. numbers and force details in the command log should, therefore, be retained in Patrol Guide series 221.

<sup>19</sup> DOI examined the current arrest processing stamps used in the command logs of all 77 precincts as well as older command logs of select precincts. Through this review, DOI discovered that the arrest processing stamp previously included a "Force Used?" checkbox where desk officers could indicate "yes" or "no." At some point in the late 2000s, the Department replaced the precinct arrest processing stamps with a new stamp that does not include the "Force Used?" checkbox.

space for the desk officer to provide brief details on the force encounter and record the T.R.I. number.

### **B. Quality of Supervisory Force Investigations**

The new Patrol Guide procedures on force reporting also incorporate a standardized reporting form that requires investigating supervisors to document the steps taken as part of their review of all Level II or higher force encounters.<sup>20</sup> The completion of the Investigating Supervisor's Assessment Report (ISAR) is an important step in the accountability process because the investigative steps taken and evidence documented at this stage will shape any subsequent investigation by a borough command or NYPD Internal Affairs Bureau (IAB). Patrol Guide § 221-03 instructs the investigating supervisor to follow several basic steps in following up on reported uses of force.

DOI examined the 100 ISARs completed between September 1, 2016, and November 30, 2016, for compliance with these instructions.<sup>21</sup> DOI found that in 23% of ISARs, the investigating supervisor did not report interviewing the person on whom force was used. Similarly, in 23% of ISARs, the investigating supervisor did not report conducting a canvass for video evidence. Finally, in 35% of ISARs, DOI found the investigating supervisor's narrative to be inadequate because it did not describe the force or resistance, or did not document the necessary investigative steps taken.<sup>22</sup>

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<sup>20</sup> See *supra* FN 3.

<sup>21</sup> DOI received 128 ISARs from NYPD for the period of September 1, 2016, through November 30, 2016. Cases that were sealed or where the narrative was unavailable for review because it was referred to IAB or the Force Investigation Division were removed from this data set.

<sup>22</sup> DOI deemed ISAR narratives to be inadequate when investigating supervisors failed to describe the reported force and/or resistance or failed to describe the results of their interview with the individual or involved members of service as required. In some instances, certain investigative steps could not be taken because they were inapplicable to the specific situation—i.e., there were no cameras available for canvassing, the person refused to

### C. Quarterly T.R.I. Reports to the First Deputy Commissioner

Patrol Guide Series 221 requires commanding officers from each precinct or command to prepare a monthly report to their bureau or patrol borough commander detailing all incidents involving members of their command that resulted in the preparation of a T.R.I. form. Bureau and patrol borough commanders are required to review these monthly reports and submit a quarterly report on the incidents to the First Deputy Commissioner.<sup>23</sup>

While upwards of 75 quarterly reports should have been submitted to the First Deputy Commissioner in the five quarters since T.R.I. implementation, NYPD could only produce six quarterly reports to DOI. These six quarterly reports created during the period under review vary in content and format. The quarterly reports to the First Deputy Commissioner are intended to serve as a standardized mechanism by which the Department can regularly assess the types of force and injuries occurring in the field. To do so, however, NYPD must make the reporting consistent and ensure that the quarterly reports are submitted to the First Deputy Commissioner in a timely fashion.<sup>24</sup>

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be interviewed, etc. When the inability to take such steps were documented in the ISAR narrative, DOI did not consider these ISARs to be inadequate.

<sup>23</sup> See Patrol Guide §221-03, page 7 (Procedures #27 and #28).

<sup>24</sup> NYPD has claimed that much of the information called for in the quarterly reports is shared up the chain of command in other ways and that the quarterly T.R.I. reports may be eliminated. However, reporting T.R.I. information up the chain of command is not the only benefit of the monthly T.R.I. reports. The requirement of commanding officers to produce quarterly reports should create pressure for compliance that spreads downwards towards supervisors, and, in turn, patrol officers. These multiple layers of accountability are necessary for full compliance.

## **VI. CONCERNS FROM THE FIELD: DOI INTERVIEWS WITH PRECINCT SUPERVISORS**

In addition to the document and data analysis discussed above, in October 2017 and November 2017, DOI conducted interviews with commanding officers, integrity control officers, operations personnel, and training sergeants in five precincts throughout the City. While every police command is different, a set of common themes emerged from the interviews. These themes help explain T.R.I. compliance challenges and inform DOI's recommendations to NYPD.

a) **T.R.I. Deadlines:** Officers currently have no deadline for submitting T.R.I. forms. The absence of a deadline is in stark contrast to requirements for other forms which all must be completed by the end of a tour. Precinct supervisors who spoke to DOI confirmed having more difficulty verifying T.R.I. entries as more time passed between the incident and the supervisory review. As a result, some supervisors endorsed the concept of a deadline for officers to submit a T.R.I., arguing that requiring officers to complete the form by the end of their tour was not unreasonable.<sup>25</sup>

b) **The Need for Additional T.R.I. Training:** The primary concern precinct supervisors identified was the need for officers to receive additional training on when and how to complete the T.R.I. Many supervisors reported a low level of officer buy-in during the Department's initial roll-out of the T.R.I. process and felt that the limited training officers received was insufficient.

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<sup>25</sup> Certainly, there will be times when officers are injured, receiving medical care, or otherwise unavailable to complete the form at the end of their tour through no fault of their own. In such cases, exceptions to an end of tour deadline should be incorporated into any policy and alternate protocols clearly established. Similar deadline exceptions are already incorporated into NYPD's policy on firearm discharge investigations.

c) **The Need for a Narrative Section on the T.R.I.:** Some supervisors suggested that a narrative section on the T.R.I. form – which currently does not exist – would help to clarify the dynamics and chronology of the force encounters and would make the supervisory review more efficient and less confusing. In its 2015 Report on Use of Force, DOI previously identified the need for a narrative section on a force-reporting form.<sup>26</sup>

d) **T.R.I. Helpline for Precinct Supervisors:** Many precinct supervisors whom DOI interviewed indicated that they would like to have knowledgeable personnel within NYPD who are available to answer their questions concerning the T.R.I. process. Presently, the T.R.I. policy indicates that officers should call IAB, but precinct supervisors reported that the responses from IAB regarding T.R.I.s are often inconsistent or unhelpful.

e) **Making Necessary Adjustments to a T.R.I. after Submission:** Once a T.R.I. form is submitted by an officer, it cannot be altered or adjusted in any way—only approved or voided by a supervisor. As a result, when a T.R.I. is found to have inaccurate or missing information, the supervisor's only options are to void the T.R.I. and instruct the officer to complete the entire form again or let the T.R.I. go forward with inaccurate or missing information. Nearly every precinct supervisor DOI interviewed indicated that it would be far more efficient to build a function into the T.R.I. interface that allows reviewing supervisors to correct or add information to the form after an officer has submitted it.<sup>27</sup>

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<sup>26</sup> See POLICE USE OF FORCE IN NEW YORK CITY, *supra* note 1, at. 59.

<sup>27</sup> To address any concerns of inappropriate tampering with T.R.I. forms, any such function would also need to preserve the original information while recording who made the changes and when they were made.



## VII. PUBLIC REPORTING ON USE OF FORCE

The public reporting of comprehensive, accurate, and reliable use-of-force statistics greatly affects a community's trust in law enforcement.<sup>28</sup> As part of the NYPD reporting requirements enacted by Local Laws 85, 86, and 88 in 2016, the Department is already mandated to release an annual report on use of force.<sup>29</sup> NYPD's first annual Use-of-Force report, which combines arrest data and the new T.R.I. data with categories of information that previously appeared in the Department's Firearms Discharge Report, was released in December 2017, seven months after the May 1, 2017, due date imposed by Local Law 85. The Report provides useful base-line data on general uses of force, such as types of force and equipment used, involved officer and subject race, subject age, force by borough/shift/event type, and subject and officer injuries. As noted previously, however, the report cites a statistic of 1.3% of arrests involving officer use of force in 2016. This number is based solely on the "Force Used" dropdown box on the arrest report. As demonstrated in this DOI Report, the "Force Used" dropdown box on the arrest report has been used inconsistently by arresting officers, resulting in an underreporting of force on arrest reports. As a result, the 1.3% rate cited by NYPD does not accurately reflect the universe of force incidents for 2016.

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<sup>28</sup> The Los Angeles Police Department's 2016 Use-of-Force report demonstrates the value of comprehensive and detailed public reporting on officer use of force. See Los Angeles Police Department's *Use of Force Year-End Review 2016*, available at <http://assets.lapdonline.org/assets/pdf/2016-use-of-force-year-end-review-small.pdf>.

<sup>29</sup> See NYPD Reports Relating to Use of Force Incidents, N.Y.C. Local Law No. 85 (2016), N.Y.C. Admin. Code §14-158; NYPD Use of Force Encounter Reports, N.Y.C. Local Law No. 86 (2016), N.Y.C. Admin Code §14-159; and NYPD to Report in Relation to Deployment, N.Y.C. Local Law 88 (2016), N.Y.C. Admin. Code §14-160. As NYPD has begun to roll out its new procedures on force reporting over the past year, it has consistently not met the reporting deadlines imposed by the City Council, typically publishing the mandated information on its website several months after the dates required by the law. See NYPD, 2016 Annual Use-of-Force Report, <http://www1.nyc.gov/assets/nypd/downloads/pdf/use-of-force/use-of-force-2016.pdf> (last visited Jan. 9, 2018). NYPD must work to improve its reporting practices and ensure accurate, timely production of these reports.

The NYPD Use-of-Force report also does not meet some of the requirements mandated by Local Law 85. For example, the report provides a single graph that indicates the raw number of officers who have been terminated, disciplined, or reprimanded/retrained for violating NYPD's Use-of-Force policy. The NYPD report, however, does not disaggregate such cases by type of force, precinct, and duty status of involved officer as directed by Local Law 85.<sup>30</sup> Further, the report does not distinguish between on-duty and off-duty force encounters as the law requires, and does not break out injuries by precinct, unit, officer duty status, or whether the injury was caused by an officer.<sup>31</sup> Finally, the report does not provide a deeper, longitudinal analysis of trends or identify areas where the Department should focus its resources on improvement. Such elements are vital to the Department and the public's ability to understand the causes and consequences of such force encounters, and should be included in future NYPD use-of-force reports.

To better identify trends and patterns in force encounters, NYPD should also address the following questions in future reports:

- Which precincts and boroughs have the highest rates of force? Is the frequency of force consistent with crime and arrest rates in these commands? Are certain units more or less likely to employ force?

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<sup>30</sup> On its website, NYPD provides a chart consistent with Local Law 88 that lists the aggregate number of officers, by command, who have two or more substantiated CCRB complaints within the last three years, have been suspended over the past five years, have used excessive force over the past three years, or have been arrested within the past 10 years. However, this chart does not isolate excessive force cases and does not disaggregate such cases by type of force and officer duty status as directed by Local Law 85. This chart is posted under the website's "Deployment Law" page and should not be considered a substitute for Local Law 85's annual reporting requirements concerning the disaggregation of excessive force cases. See <https://www1.nyc.gov/site/nypd/stats/reports-analysis/deployment.page>.

<sup>31</sup> NYPD's website provides quarterly breakdowns of injuries by precinct or unit, as well as officer duty status, see <https://www1.nyc.gov/site/nypd/stats/reports-analysis/use-of-force-data.page>. However, Local Law 85 specifically directs NYPD to include this information in the Annual Report.

- Which officers are most likely to engage in force? Does this change based on officer tenure, experience, or education?
- Are there disparities in amount of force used by officers based on age, gender, race, national origin, housing status, precinct, or other factors? What are the reasons for such disparities?
- Are there disparities in the types of force used against members of the public based on age, gender, race, or national origin, housing status, or other factors? What are the reasons for such disparities?
- What kinds of interactions are most likely to result in injuries to members of the public and officers?

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As noted in this Report, NYPD must be able to collect, analyze, and report on officer use of force accurately and comprehensively. While NYPD has made real progress in this regard, the Department needs to put in place stronger measures to ensure reliable force reporting, particularly for arrests in which officers erroneously select “Force Used: No” on the arrest report. The following recommendations are designed to assist NYPD in reaching that goal.

## **VIII. RECOMMENDATIONS**

### **A. Revisions to Arrest Report**

1. NYPD should add a field to the "Force Used" section of the arrest report for officers to note the associated T.R.I. incident number(s).
2. NYPD should continue to develop its software capabilities, which now initiate the creation of a T.R.I. number when an officer indicates on an arrest report that force was used, to also prompt officers that they may have to complete a T.R.I. when certain arrest charges are entered (such as Resisting Arrest or Assault on a Police Officer), when the arrest report indicates an arrestee or officer injury has occurred, and in other similar scenarios.

### **B. Changes to the T.R.I. Worksheet**

3. NYPD should add a narrative section to the T.R.I. and require officers to provide a full account of the force incident, including specific details on the force used by the officer and/or members of the public, the chronology of the force encounter, as well as any injuries sustained by either.
4. NYPD should add additional checkboxes to the T.R.I. worksheet to allow for more specificity in describing the force used by an officer, including a closed fist strike, an open hand strike, and a knee strike.
5. NYPD should add a section to the T.R.I. worksheet that prompts officers to indicate where exactly on the person's body force was used.

**C. Timeliness**

6. NYPD should impose (a) an “end of tour” deadline by which officers must complete a required T.R.I. form, with appropriate exceptions, and (b) appropriate discipline against officers who fail to meet the deadline, except when certain exceptions apply.

**D. Desk Officer – Arrest Processing**

7. NYPD should require desk officers to question the involved officers about any force used during arrest processing so that the command log accurately reflects the force incident.
8. NYPD should reinstate the “Force Used” checkbox on the arrest-processing stamp used in precinct command logs and add an entry on the stamp for force details and the T.R.I. incident number.
9. NYPD should prompt desk officers to record the details of a force incident and the T.R.I. incident number in the command log, including details from the “Force Used” checkbox on the arrest-processing stamp, as required by Patrol Guide Series 221.
10. NYPD must enhance supervisory review of all arrest-related documentation at the local command level. In high-volume commands, NYPD should assign specially-trained supervisors at the rank of sergeant or above to carefully review such documents during arrest processing to ensure that all uses of reportable force are properly documented.

**E. T.R.I. Assistance**

11. NYPD should dedicate well-trained and knowledgeable personnel to be available by phone during all shifts to answer questions from command supervisors regarding T.R.I. worksheets and approval. NYPD should consider removing this function from the Internal Affairs Bureau.

**F. Policy**

12. NYPD should include in Patrol Guide series 221 a clear and unambiguous definition of “reportable force” by officers. The current policy provides a definition of force when used *against* officers and defines three levels of force by officers, but a lack of clarity still exists for many officers regarding whether certain actions constitute reportable force.
13. NYPD should establish a clear policy that requires arresting officers to select “Yes” on the arrest report in response to the “Force Used” section if any officer used reportable force during the encounter.
14. NYPD should impose appropriate discipline against arresting officers who fail to select “Force Used: Yes” on the arrest report when reportable force is found to have been used.
15. NYPD should revise policies to ensure that the narrative or “Remarks” section of Medical Treatment of Prisoner forms include fact-specific details sufficient to explain the individual’s condition and, where known, what caused the condition. If an individual sustained an injury in the course of the police encounter, the form should specify the type of injury and its cause.

**G. Training**

16. NYPD should provide officers with more training and formal reminders on (a) when and how to complete a T.R.I. form and the importance of submitting the T.R.I. form, and (b) how to write a detailed account of a force encounter (should a narrative section is added to the T.R.I. form).
17. NYPD should provide more training for desk officers, integrity control officers, precinct training sergeants, and other supervisors to (a) ensure T.R.I. compliance and proper supervisory review of completed T.R.I. worksheets, and (b) closely examine the arrest report narratives and the "Force Used" section on the arrest reports to ensure that officers are selecting "Yes" for "Force Used" when force was used.

**H. Auditing the T.R.I. Process**

18. NYPD should conduct an annual audit of T.R.I. compliance and include the results in its annual and public Use-of-Force report.
19. NYPD's Force Review process should include quality-control procedures that seek to improve the accuracy of force reporting not only on T.R.I. forms, but also on arrest reports and other arrest-related documentation.

**I. Reporting**

20. NYPD should standardize the quarterly reporting mechanism for bureau and patrol borough commanders and ensure that their quarterly T.R.I. reports are submitted to the First Deputy Commissioner in a timely fashion.

21. NYPD should use data from T.R.I. forms to publish annual Use-of-Force reports that identify and analyze trends in all force categories. The report should contain all information currently mandated by law and include the following trend analyses:

- A) All force encounters disaggregated by the reason force was used;
- B) Types of interactions leading to injuries;
- C) Officer use of force based on job tenure and experience;
- D) Commands with the highest rates of force;
  - Is the frequency of force consistent with crime and arrest rates in these commands?
  - Are certain units more or less likely to employ force?
- E) Demographic characteristics of members of the public and officers involved in force incidents;
  - Are there disparities in the types or amount of force used based on age, gender, race, national origin, precinct, or other factors?
  - What are the reasons for such disparities?