

Under the Department’s Early Intervention Program (“EIP”), when a designated threshold¹ is triggered, Risk Management Bureau staff prepare an overview of the officer’s entire history with the Department and their commanding officer is asked to make a recommendation regarding potential intervention to the Early Intervention Committee. The Early Intervention Committee then makes a final decision for the commanding officer to implement. The data presented in this report reflects all of the uniformed members of the service (“UMOS”) who were reviewed for potential intervention between April and June 2021.

During that period, 137 UMOS were assessed for potential early intervention. Eighty-two UMOS were assessed due to having three or more declinations to prosecute in a 12-month period in certain specified categories. Seventeen UMOS were assessed due to their recent history of overall CCRB complaints. Thirty-seven UMOS were assessed due to having at least one racial profiling or racial slur complaint. It should be noted that in the case of officers who trigger review by the Early Intervention Committee due to racial profiling or slur complaints or overall CCRB complaints, that most complaints will still be pending, meaning no determinations have been made, at the time the officer is reviewed by the Early Intervention Committee. To the extent such complaints are subsequently substantiated, they are handled by the Department’s disciplinary system, separate and apart from EIP. One UMOS was assessed as the result of a referral from their Commanding Officer. Two UMOS who were assessed this quarter had previously been reviewed by the Early Intervention Committee.

The assessment of these 137 UMOS, first by their commanding officers, then by the Early Intervention Committee, resulted in some type of intervention being ordered for 26 UMOS and no intervention ordered for the remaining 111. A significant percentage of the UMOS for whom no intervention was ordered had triggered review by virtue of declinations to prosecute that resulted from

¹ Designated thresholds include but are not limited to three or more declinations to prosecute in 12-month period in certain specified categories, a suppression decision in a case involving stops, trespass enforcement or racial profiling or slurs, a court finding of incredible testimony, a declination by the Law Department to represent or indemnify the officer in a lawsuit, and any complaint against the officer involving racial profiling or a racial slur.

prosecutorial discretion or other categories that do not necessarily, in and of themselves, implicate individual officer behavior.

Training was ordered for five UMOS. The length of the training ordered is case-specific but can vary from approximately an hour to two full days. Seventeen UMOS were placed on enhanced supervision, which requires their supervisor to review a greater number of their subordinate's body-worn camera videos than what is usually required. This is generally done by number of videos, rather than for a specific length of time. Two UMOS were ordered to participate in some type of mentoring, the length of which, again is case-specific. Ten UMOS were ordered to be re-instructed on Department policy by an appropriate supervisor. Seven UMOS were ordered to meet with a high-ranking executive either within or outside their command. Two UMOS were referred for possible monitoring, which lasts for a minimum of one year. One UMOS was referred to the Employee Assistance Unit. It should be noted that multiple interventions can be ordered for a single UMOS, when warranted. Twenty-four UMOS for whom intervention was ordered have completed their interventions, and the other two UMOS are in the process of completing their interventions.

The Department also tracks what happens to officers following their EIP assessment. Out of the 137 UMOS that were assessed for potential early intervention in the second quarter of 2021, six have since received CCRB complaints subsequent to being assessed (intervention had been ordered for two of those six UMOS); ten have since become the subject of an internal investigation (intervention had been ordered for three of those ten UMOS); and one has since become the subject of a lawsuit² (intervention had not been ordered). No UMOS has been terminated or placed on dismissal probation after their EIP assessment.³

The Department's Early Intervention Program will continue to evolve going forward. The Department will continue to improve the process as it gains more data on what non-disciplinary

² Lawsuit data as of June 30, 2021.

³ One UMOS was placed on dismissal probation prior to their EIP assessment and remains on dismissal probation.

interventions work best to mentor and support members of the service, effectively serve the public better, and prevent officers from engaging in conduct that would merit discipline.