

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 Committee met for the first time in August 2020 and was then convened once a month for the remainder of the year. Since the Committee’s work began midway through the third quarter of 2020, the data presented here will reflect all of the uniformed members of the service (“UMOS”) who were reviewed for potential intervention between August and December 2020.

During that period, 173 UMOS were assessed for potential early intervention. Eighty-four UMOS were assessed due to having three or more declinations to prosecute in a 12-month period in certain specified categories. Fifty-three UMOS were assessed due to having at least one racial profiling or racial slur complaint. Thirty UMOS were assessed due to their recent history of overall CCRB complaints. 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. Two UMOS were assessed due in part to their recent history of use of force. One UMOS was assessed due to a recent suppression decision. Three UMOS were assessed for potential intervention, not because they triggered any particular threshold, but rather because they were referred for review. This option is always open to

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.

any commanding officer who thinks one of their subordinates could potentially benefit from early intervention or to any Bureau within the Department that becomes aware of such an officer. In 2020, no officer triggered a review for potential early intervention more than once.

The assessment of these 173 UMOS, first by their commanding officers, then by the Early Intervention Committee, resulted in some type of intervention being ordered for 58 UMOS and no intervention ordered for the remaining 115. A significant percentage of the UMOS for whom no intervention was ordered had triggered review by virtue of declinations to prosecute that resulted from prosecutorial discretion or other categories that do not necessarily, in and of themselves, implicate individual officer behavior.

Training was ordered for 49 UMOS. The length of the training ordered is case-specific but can vary from approximately an hour to two full days. Fifteen UMOS were ordered to participate in some type of mentoring, the length of which, again is case-specific. Twenty 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. Fifteen UMOS were placed on monitoring, which lasts for a minimum of one year. Two had their assignments changed. One was referred to the Health and Wellness section. It should be noted that multiple interventions can be ordered for a single UMOS, when warranted. Fifty-five of the 58 UMOS for whom intervention was ordered have either completed their interventions or are in the process of completing their interventions. The remaining three will begin their interventions in the near future.

The Department is also tracking what happens to officers following their EIP assessment. Out of the 173 UMOS that were assessed for potential early intervention in 2020, six have since received CCRB complaints subsequent to being assessed (interventions had been ordered in four of those six cases); one has since become the subject of an internal investigation (intervention had been ordered); and one has

since become the subject of a lawsuit (intervention had been ordered). No UMOS has been terminated or placed on dismissal probation after their EIP assessment.

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 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.