

Mass Demonstration Response Recommendations Tracker

As of 3/31/2021

	Overview	Report Recommendation	EXTERNAL Progress/ Proposed Next Steps	Status	Estimated Completion Date	Source
1	Patrol Guide policy on Protests and First Amendment Activity	NYPD should draft a Patrol Guide policy specific to policing protests and protected First Amendment activity. NYPD should consult on this policy with individuals and entities outside of the Department, including civil rights attorneys, community organizations, and police reform experts.	Policies around policing protests and disorder control are being reviewed regarding First Amendment rights, and a new policy is being drafted.	In Progress	May 2021	DOI Mass Demonstration Report
2	Create a Protest Response Unit	NYPD should create a new Protest Response Unit, that does not report to Strategic Response Group, to lead the planning and strategy for response to large protests, to collaborate with the Community Affairs Bureau on community engagement, and to coordinate with other divisions, borough commands, and precincts on response.	NYPD has evaluated existing operational units and is updating its organizational structure for a protest response group.	In Progress	June 2021	DOI Mass Demonstration Report
3	Reevaluate the role of the Strategic Response Group and Disorder Control Unit	NYPD should reevaluate the central role of the Strategic Response Group and Disorder Control Unit in response to large protests given their orientation to handle counterterrorism, riots, and other serious threats, and better calibrate their use to circumstances that require such specialized force.	NYPD is evaluating current responsibilities of SRG and conducting research into other jurisdictions.	In Progress	June 2021	DOI Mass Demonstration Report
4	Document reasons and authority for deploying SRG, DisCon, and other specialized units	NYPD should create internal written records explaining the reasons and documenting authorization for deployment of the Strategic Response Group, Disorder Control Unit, and other specialized units for disorder control purposes at protests.	NYPD is reviewing current procedures related to the deployment of specialized units at protests and documenting reasons for such deployments.	In Progress	June 2021	DOI Mass Demonstration Report
5	Develop approach for staging officers in "riot gear" out of sight until necessary	To the extent NYPD deems the assignment of specialized units or officers in "riot gear" or "hard uniforms" potentially necessary to a protest response, it should stage those officers in nearby areas not visible to protesters for deployment only if necessary.	NYPD is reviewing relevant policies and operational guidelines surrounding uniforms and equipment.	In Progress	June 2021	DOI Mass Demonstration Report
6	Develop policy on limitations of Disorder Control Tactics	NYPD should develop a written policy outlining reasonable limitations on the use of disorder control tactics, such as encirclement and mass arrests, specific to their use at First Amendment-protected protests.	NYPD is reviewing existing policies surrounding disorder control tactics and is drafting new policy as needed.	In Progress	June 2021	DOI Mass Demonstration Report
7	Expand training and policy to differentiate between violent and peaceful protests	Through both training and policies, NYPD should expand incorporation of differentiation methods into their protest policing to reduce reliance on indiscriminate enforcement approaches that fail to distinguish between those engaged in peaceful First Amendment activity and those engaged in violence or property destruction.	NYPD has completed an assessment of existing training curricula for recruits, in-service, and leadership and has developed new content related to protests, first amendment activity, and de-escalation/crowd psychology. Protest-related training will be shared with community partners for feedback.	In Progress	April 2021	DOI Mass Demonstration Report
8	Standardize internal communications regarding protests	NYPD should employ standardized daily messages or instructions for use by commanders and supervisors during roll calls or briefings involving officers responding to protests, including guidance about the constitutional rights of protesters and the objectives of the response.	The NYPD is drafting guidelines and instruction on appropriate enforcement actions at the scene of a protest.	In Progress	May 2021	DOI Mass Demonstration Report
9	LRAD: Deployment Standards	NYPD should play any LRAD dispersal orders or warnings at least three times from multiple locations at large protests and events, unless emergency circumstances do not permit.	The practice of playing the LRAD warning three times has already been put into practice; memorialization in relevant procedures is in progress.	Complete	March 2021	DOI Mass Demonstration Report
10	LRAD: Documenting deployment	NYPD should audio or video record LRAD dispersal orders or warnings when made at protests both from a location near the device and, if practicable, a location near protesters at the furthest distance from the device.	The practice of recording the LRAD warning has already been put into practice; memorialization in relevant procedures is in progress.	Complete	March 2021	DOI Mass Demonstration Report
11	Expand de-escalation and crowd psychology training	NYPD should consider expansion of instruction on de-escalation and crowd psychology in training relating to policing protests.	NYPD has completed an assessment of existing training curricula for recruits, in-service, and leadership and has developed new content related to protests, first amendment activity, and de-escalation/crowd psychology. Protest-related training will be shared with community partners for feedback.	In Progress	April 2021	DOI Mass Demonstration Report
12	Involve Community Affairs Bureau in development of protest-related trainings	NYPD should involve the Community Affairs Bureau in the development and presentation of training related to policing protests.	The Community Affairs Bureau is regularly included in reviewing and providing feedback and guidance on training content.	Complete	March 2021	DOI Mass Demonstration Report
13	Engage community organizations and advocacy groups to develop content of protest-related training	NYPD should consult with community organizations and issue- advocacy groups on the content of protest policing training and consider inviting civilians with relevant experience organizing protests or other First Amendment events to participate in such training.	NYPD has begun to engage various community partners in reviewing protest-related trainings.	In Progress	April 2021	DOI Mass Demonstration Report
14	Deploy new protest-related trainings	NYPD should complete the deployment of its new training to officers as soon as possible to ensure that officers deployed to police protests have received recent and consistent training.	NYPD re-trained thousands of UMOS on disorder control tactics in the Summer/Fall of 2020. NYPD has since completed an assessment of existing training curricula for recruits, in-service, and leadership and has developed new content related to protests, first amendment activity, and de-escalation/crowd psychology. Once new trainings have been developed (per #13 above), NYPD will train all uniformed members of service.	In Progress	July 2021	DOI Mass Demonstration Report
15	Involve Chief of Community affairs in protest-related discussions/strategy	NYPD should ensure that the Chief of the Community Affairs Bureau is involved in discussions and decisions regarding the planning and strategy for policing large protests.	The Chief of Community Affairs is participating in the review and discussions surrounding strategy for protest activity.	In Progress	May 2021	DOI Mass Demonstration Report
16	Formalize use of CAB officers in protest response	NYPD should formalize the use of Community Affairs Bureau officers and individual precinct Community Affairs officers in response to large-scale protests.	NYPD has implemented this use of Community Affairs officers in practice, memorialization in relevant procedures is in progress.	Complete	March 2021	DOI Mass Demonstration Report

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17	Limit use of CAB officers in patrol/enforcement functions during protests	NYPD should require that the use of Community Affairs officers during protests be solely in a community affairs capacity and separate them from any patrol or enforcement functions, unless their alternative use is necessary due to an emergency, absence of other available personnel when immediate public safety or officer safety needs arise, or other compelling reasons.	NYPD has implemented guidelines for use of Community Affairs officers, memorialization in relevant procedures is in progress. Community Affairs officers at protests will not be assigned patrol/enforcement functions except in exceptional circumstances during an event.	Complete	March 2021	DOI Mass Demonstration Report
18	Enhance public communications during protests	NYPD should enhance and expand its public communication during protests, including additional use of social media; such communications should balance concerns about the First Amendment rights of protesters, officer and public safety, and police-community relations.	Public communications practices are being reviewed to identify ways to enhance communications during protests.	In Progress	May 2021	DOI Mass Demonstration Report
19	Establish data collection procedures specific to protests	NYPD should establish data collection procedures to reliably track complete, relevant protest data, including but not limited to arrest data. These procedures may include mechanisms for officers to designate arrests as relating to protest activity and enter such information into NYPD databases accordingly.	The NYPD has formalized the process by which it internally collects and publicly disseminates data related to protests.	Complete	March 2021	DOI Mass Demonstration Report
20	Publish responses to DOI recommendations within 90 days	To promote transparency around NYPD policing of protests, NYPD should report to the public regarding its responses to these recommendations and any additional changes or plans relating to policing of future protests within 90 days.	NYPD will provide regular public updates via this document as it implements the recommendations.	Complete	March 2021	DOI Mass Demonstration Report
21a	Consolidate existing police oversight into single agency	To streamline and strengthen external oversight of the NYPD, and to promote accountability and trust in law enforcement, DOI makes the following recommendations: 1. The Mayor and City Council should consider consolidating existing police oversight functions into a single agency, headed by an independent board.	The City has committed to consolidate the Commission to Combat Police Corruption and the NYPD Office of the Inspector General under the Civilian Complaint Review Board in order to strengthen police oversight. A consolidation plan is in development.	In Progress	Fall 2021	DOI Mass Demonstration Report
21b	PC designate senior executive to liaise with civilian oversight agencies	To streamline and strengthen external oversight of the NYPD, and to promote accountability and trust in law enforcement, DOI makes the following recommendations: 2. The Police Commissioner should designate and empower a single senior executive, at the Deputy Commissioner level, to be responsible and accountable for providing civilian oversight agencies with the access to records that the law requires.	Police Commissioner has appointed the Deputy Commissioner of Legal Matters to fulfill this role.	Complete	March 2021	DOI Mass Demonstration Report
22	Tabletop simulations	NYPD should conduct mass demonstration tabletop simulations with internal and external stakeholders. To build institutional “muscle memory” regarding response protocols, to ensure that there is appropriate and swift coordination with prosecuting agencies, to identify gaps in policies and procedures, to foster and strengthen internal and external lines of communication, and to develop draft action plans and checklists for future use, NYPD should regularly conduct tabletop exercises focused on mass demonstration scenarios. Such exercises should include representatives from the five District Attorney offices, the Law Department, City Hall officials, including Community Affairs Unit representatives, and other necessary partners. The exercises and plans should address the strategic considerations identified above.	NYPD is reviewing existing procedures surrounding the use of tabletop simulations and will identify appropriate internal and external stakeholders to participate.	In Progress	April 2021	Law Dept Report
23	Institute regular after action reviews	NYPD should institutionalize a practice of conducting regular after-action reviews following major protest events. The lack of a formalized review process may have been a contributing factor in the way that events played out at protests. It is an important step that a formal review was commenced in the wake of the George Floyd protests. NYPD has demonstrated a culture of informal learning, but the lack of a macro-level review that incorporates broad feedback may hinder the Department’s ability to perceive the need for certain structural or policy changes. NYPD should examine how to institutionalize such reviews, including how to include officer perspectives in a non-punitive way. Looking to the practices of other police departments and police oversight entities, including the National Institute of Justice’s “21st Century Policing: Cross-Site, Multi-Stakeholder Sentinel Event Review Project,” may assist in this process. Studying how Sentinel Event reviews are carried out in other industries can also shed light on how to ensure confidentiality, reduce legal exposure, and encourage participation.	NYPD is reviewing its existing procedures surrounding after-action reviews and drafting new policies as needed.	In Progress	May 2021	Law Dept Report
24	Include external stakeholders in post-action policy review	NYPD should work to ensure that input from multiple stakeholders, including community groups, police industry groups, and civil rights and advocacy organizations, is considered in any post-action policy reviews. The Law Department found that the lack of consideration of third-party criticism and assessment may have been a contributing factor in the way that events played out at protests. In developing a plan to institutionalize a practice of after-action review, NYPD should consider the value that input from members of the community, protest organizers, and external civil rights groups may be able to bring to such review. The inclusion of such community voices as part of a structured Sentinel Event review, or comparable process, can help to instill trust between the community and the police and can improve community-police relations. At a minimum, such community input could inform the content of strategic communications to the public. The NYPD should develop a specific process for including such perspectives (e.g., including outside parties are part of a section of the Sentinel Event review, or including such parties in the full review but subject to confidentiality rules, or other alternatives).	NYPD is reviewing ways in which the community can provide input on policies, including those related to mass demonstrations and other large events.	In Progress	July 2021	Law Dept Report

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25	Incorporate community input in protest planning	NYPD should develop processes for incorporating community sentiment into planning for protests. Whether through the Community Affairs Bureau, precinct-level Community Affairs Officers, the Mayor's Community Affairs Unit, or all of the above, NYPD should develop a process to ensure that community sentiment – in its various forms – is made part of the planning process for protests. This process should include regular partners and channels (e.g., NYPD Precinct Community Councils and Chambers of Commerce) as well as less familiar voices that are not usually at the table. Outside of NYPD's existing bureaus, precincts, and processes, there are multiple tools and approaches for gathering community sentiment, including perspectives collected by various organizations that practice restorative justice and deliberative democracy. We encourage NYPD, in conjunction with City stakeholders, to explore new approaches that will increase the likelihood of broadly inclusive and productive interactions with the public. There is no question that New York City has become a different and difficult environment in which to build trust and enhance communication. Efforts that continue to use tools crafted for different times and circumstances are likely to yield disappointing and frustrating results.	NYPD regularly incorporates community group in event planning, memorialization in relevant procedures is in progress.	Complete	May 2021	Law Dept Report
26	Officer Readiness protocols	NYPD deployment protocols should have a heightened focus on officer readiness. Recognizing that the all-hands-on-deck nature of this summer's protest response strategy and the volume of the protests may not have allowed the NYPD the opportunity to be selective about which officers to send into the field, the NYPD should assess and identify ways to determine whether certain officers are appropriately prepared for protest policing work. This involves not only ensuring the officers have the appropriate equipment and have been recently trained, but also that officers are physically and mentally ready for this type of work. In approaching this, the NYPD should build upon existing strategies that are working well and should be mindful of the unique sensitivities around officer health and wellness issues.	NYPD has completed an assessment of existing training curricula for recruits, in-service, and leadership and has developed new content related to protests, first amendment activity, and de-escalation/crowd psychology.	In Progress	April 2021	Law Dept Report
27	Training Assessment	NYPD training should be assessed according to current best practices. NYPD should, in consultation with experts, conduct a top-to-bottom assessment of its protest-related training materials and methods to ensure that the content, delivery, and frequency of training is (a) properly calibrated according to the role of the particular members of service (e.g., patrol officer, field supervisors, etc.) and (b) comports with best practices and the current science on crowd psychology, the rights of protestors, behavioral science, etc. In doing so, NYPD should be open to the experience and strategies of other cities – in the U.S. and abroad – for models.	NYPD has completed an assessment of existing training curricula for recruits, in-service, and leadership and has developed new content related to protests, first amendment activity, and de-escalation/crowd psychology.	Complete	March 2021	Law Dept Report
28	Enhance Health and Wellness programs	NYPD should continue, and consider enhancing, efforts around health and wellness programs. NYPD has made important in the last two years regarding officer health, wellness, and safety. The Department should continue to promote such programs to ensure that officers are aware of the services available to them and feel comfortable taking advantage of them without repercussions. NYPD should likewise continue to ensure that these programs receive the requisite resources, including both internal services and external services (e.g., FINEST Care).	Over the last two years, the NYPD has established a variety of new and enhanced health and wellness programs and services. The Department will continue to provide and promote these resources to its members.	Complete	March 2021	Law Dept Report
29	Invest in Supervisors	NYPD reforms to protest policing should focus on investments in supervisors. As NYPD reviews its practices, policies, training, and strategy around policing protests, the Department should focus on supervisors. This includes providing regular and ongoing training to supervisors about tactics and leadership when policing protests, and developing policies that clearly specify the roles of various supervisory ranks at protests.	NYPD is reviewing existing training curricula for opportunities to provide additional relevant training for supervisors regarding policing protests.	In Progress	April 2021	Law Dept Report
30	Work with DAs to plan for 1st Amendment events	NYPD should work with the five District Attorneys to develop and implement a plan for coordination of high impact First Amendment events and set guidelines for activation of that plan. The balance between the exercise of First Amendment rights and protecting public safety can leave Borough Commanders in the position of making decisions that affect the entire city, including public trust of the police, effectiveness of the prosecution of opportunistic criminals who take advantage of large protest events and, ultimately, civil liability. New York is the rare city in which multiple, independent state prosecutors operate within City limits. What happens should not depend upon what borough one protests in. A coordinated plan for information sharing and case evaluation would minimize that risk, heighten effectiveness and ensure greater public perception of fairness. It would also provide greater consistency for members of service called out to serve in different boroughs over the course of different days.	The Legal Bureau and the Criminal Justice Bureau have established channels of communication with the District Attorney's Offices before, during and after protests. The memorialization of these communications are in the progress of being incorporated into Department procedure.	Complete	March 2021	Law Dept Report
31	Reform Implementation Team	NYPD should convene an implementation team for these and other recommendations. To implement these recommendations and those in the DOI Report, NYPD should convene an implementation team. The team should include internal stakeholders from relevant bureaus and borough commands as well as external partners (including representatives from the Law Department and City Hall). The team should be led by a senior NYPD official who has familiarity with the underlying issues, knowledge of the patrol experience, and the authority to ensure swift implementation.	NYPD has convened a team to review and implement recommendations.	Complete	March 2021	Law Dept Report