

# CIVILIAN COMPLAINT REVIEW BOARD

Frederick Davie, Chair



## WHAT WE DO

The Civilian Complaint Review Board (CCRB) is an independent agency empowered to receive, investigate, prosecute, mediate, hear, make findings and recommend action on complaints alleging the use of excessive or unnecessary force, abuse of authority, discourtesy, the use of offensive language, and untruthful statements by New York City police officers. The Board's investigative staff, composed entirely of civilian employees, conducts investigations in an impartial fashion. The Board forwards its findings to the Police Commissioner.

## FOCUS ON EQUITY

CCRB focuses on equitable service delivery by resolving civilian complaints impartially and speedily, conducting outreach to the diverse communities of the City, and examining the policies and systemic practices that lead to misconduct complaints. Toward that end, CCRB works to increase the percentage of complaints where findings on the merits are reached and, when officers are found to have committed misconduct, to recommend an effective level of discipline. CCRB continues to extend its outreach to underserved communities. CCRB has provided greater access for individuals who cannot travel to Manhattan to meet with investigators and CCRB's investigative team regularly conducts field interviews throughout the five boroughs, as well as on Rikers Island. The Board also conducts evening public meetings across the City. CCRB's website, which contains materials in eight languages, allows the public to file complaints, track the status of their complaints and view up-to-date maps with the number of misconduct complaints filed in each police precinct.

The CCRB is in the process of building a new Civilian Assistance Unit (CAU) to serve and support complainants, victims and witnesses with special needs, particularly victims of sexual misconduct. Over Fiscal 2020, as part of a forthcoming report on Homelessness and Policing, CCRB identified homeless complainants as a group with significant challenges to serve. CCRB performed outreach presentations to homeless services, shelters and advocacy agencies to inform both potential complainants and the professionals who already provide direct services to the homeless of their right to file complaints. CCRB is working to build relationships with other agencies to create new ways to locate complainants after the COVID-19 shutdown has ended. The CCRB Youth Advisory Council (YAC), a 19-member working committee made up of young leaders, ages 10-24, who are committed to criminal justice issues and improving police-community relations, was initially launched in winter of 2018. The YAC meets quarterly and advises CCRB staff about its efforts to engage young New Yorkers, serve as ambassadors to their communities about the Agency, and join team-building activities. The YAC also served as part of the planning committee for the CCRB's spring 2019 event, "Speak Up, Speak Out: A Youth Summit on Policing in NYC," the CCRB's first ever summit focused exclusively on youth. The CCRB used information learned from the YAC and the Youth Summit to inform the Agency's issue-based report on police interactions with young people in New York City, "Youth and Police," released in June 2020. CCRB also maintains a fellowship focused on equity. The James Blake Fellow aims to reduce the number of complaints closed without a full investigation by identifying complaints least likely to result in full investigations and recommending policy changes to address underserved groups.

## OUR SERVICES AND GOALS

### **SERVICE 1 Investigate, prosecute and resolve claims of police misconduct.**

- Goal 1a Improve the quality and timeliness of investigations.
- Goal 1b Increase the use of mediation to resolve complaints.
- Goal 1c Improve the quality and timeliness of prosecutions.

### **SERVICE 2 Inform and educate the public about the agency.**

- Goal 2a Increase outreach and education of City residents.

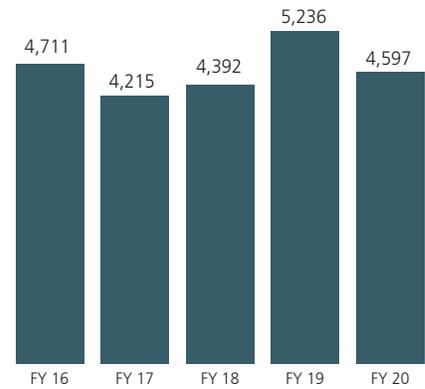
# HOW WE PERFORMED IN FISCAL 2020

## SERVICE 1 Investigate, prosecute and resolve claims of police misconduct.

### Goal 1a Improve the quality and timeliness of investigations.

During Fiscal 2020 the public filed 12 percent fewer complaints than in Fiscal 2019 and the number of cases closed decreased 17 percent, with the reduction in case closures concentrated in the months following the city's COVID-19 shutdown. Complaints in May and June rose again, with June being the single highest month for complaints received in the fiscal year, with 515 complaints. The average age (in days) of open dockets rose 30 percent, with the age of open dockets rising in the second half of Fiscal 2020. The average time to complete a substantiated investigation likewise rose 21 percent from Fiscal 2019, to 326 days, while the average time to complete a full investigation increased 16 percent to 290 days. Case completion times rose over the course of the COVID-19 shutdown, and are otherwise representative of the increased number of cases that include body-worn camera footage. Reviewing body-worn camera footage may require an investigator to watch hours of footage from multiple officers, often more than one time. The amount of time it takes to obtain footage has also significantly contributed to the increase. In Fiscal 2020 the percent of allegations closed on the merits (allegations fully investigated and closed as substantiated, exonerated or unfounded) increased more than four percentage points to 55.4 percent. The Board renders findings on the merits when sufficient evidence has been gathered to allow a factual conclusion to be made. No findings on the merits are made when allegations are unsubstantiated, the subject officer is no longer a member of NYPD or the subject officer could not be identified.

Total Civilian Complaints



Performance Indicators	Actual					Target		Trend	
	FY16	FY17	FY18	FY19	FY20	FY20	FY21	5-Year	Desired Direction
Total civilian complaints against uniformed members of the New York City Police Department	4,711	4,215	4,392	5,236	4,597	*	*	Neutral	*
Average age of open docket (days)	74	80	101	109	142	*	*	Up	Down
★ Average time to complete a full investigation (days)	162	153	190	249	290	120	120	Up	Down
★ Full investigations as a percentage of total cases closed (%)	38%	34%	32%	29%	34%	40%	40%	Down	Up
Cases closed	4,970	4,031	4,048	4,795	3,991	*	*	Down	*
★ Closed allegations with findings on the merits (%)	46%	43%	48%	51%	55%	55%	55%	Up	Up
★ Average time to complete a substantiated investigation (days)	178	168	208	269	326	140	140	Up	Down
★ Substantiated cases in which the statute of limitations expired (%)	0%	0%	0%	1%	0%	0%	0%	Up	Down
★ Officers disciplined (excluding pending and filed cases) (%)	82%	78%	73%	75%	82%	*	*	Neutral	*
★ Critical Indicator	"NA" Not Available		↑↓ Directional Target	* None					

### Goal 1b Increase the use of mediation to resolve complaints.

In Fiscal 2020 the number of cases successfully mediated declined 38 percent compared to Fiscal 2019, resulting from the cessation of mediations in March through June 2020 due to COVID-19.

Performance Indicators	Actual					Target		Trend	
	FY16	FY17	FY18	FY19	FY20	FY20	FY21	5-Year	Desired Direction
Cases with mutual agreement to mediate	444	373	550	500	237	*	*	Down	Up
Officers who accepted mediation (%)	87%	96%	85%	78%	59%	*	*	Down	Up
Civilians who accepted mediation (%)	45%	45%	46%	43%	36%	*	*	Down	Up
Cases successfully mediated	222	187	233	202	126	*	*	Down	Up
★ Average mediation case completion time (days)	93	99	106	131	129	120	120	Up	Down
★ Mediation satisfaction rate (%)	88%	88%	95%	88%	83%	94%	94%	Neutral	Up
★ Critical Indicator	"NA" Not Available		↑↓ Directional Target	* None					

**Goal 1c** Improve the quality and timeliness of prosecutions.

During the reporting period CCRB’s administrative prosecution unit closed a total of 60 cases, including 39 trials and 7 pleas. The number of APU trials completed was more than double that of Fiscal 2019.

Performance Indicators	Actual					Target		Trend	
	FY16	FY17	FY18	FY19	FY20	FY20	FY21	5-Year	Desired Direction
Administrative prosecution cases closed	210	163	83	47	60	*	*	Down	*
– Cases closed by trial	137	87	43	19	39	*	*	Down	*
– Cases closed by plea	60	63	33	16	7	*	*	Down	*
★ Critical Indicator    “NA” Not Available    ⬆️⬇️ Directional Target    * None									

## SERVICE 2 Inform and educate the public about the agency.

**Goal 2a** Increase outreach and education of City residents.

In Fiscal 2020 CCRB outreach conducted 749 presentations to inform and educate the public, a reduction of only 7 percent from Fiscal 2019 despite the difficulties presented by COVID-19. Due to COVID-19, the Outreach Department adapted their outreach approach and conducted virtual presentations. The monthly board meeting also moved online and averaged an attendance of 200 people per month.

Performance Indicators	Actual					Target		Trend	
	FY16	FY17	FY18	FY19	FY20	FY20	FY21	5-Year	Desired Direction
Outreach presentations conducted	732	694	947	805	749	*	*	Neutral	Up
★ Critical Indicator    “NA” Not Available    ⬆️⬇️ Directional Target    * None									

## AGENCY CUSTOMER SERVICE

Performance Indicators	Actual					Target		Trend	
	FY16	FY17	FY18	FY19	FY20	FY20	FY21	5-Year	Desired Direction
Customer Experience									
Completed requests for interpretation	695	744	731	576	660	*	*	Down	*
Letters responded to in 14 days (%)	88%	80%	79%	57%	53%	*	*	Down	Up
E-mails responded to in 14 days (%)	100%	100%	86%	100%	100%	*	*	Neutral	Up
CORE facility rating	100	98	94	NA	100	*	*	NA	Up
★ Critical Indicator    “NA” Not Available    ⬆️⬇️ Directional Target    * None									

## AGENCY RESOURCES

Resource Indicators	Actual <sup>1</sup>					Plan <sup>2</sup>		5yr Trend
	FY16	FY17	FY18	FY19	FY20	FY20	FY21	
Expenditures (\$000,000) <sup>3</sup>	\$14.1	\$15.2	\$16.4	\$18.5	\$19.4	\$19.6	\$19.5	Up
Personnel	164	173	182	178	203	218	219	Up
Overtime paid (\$000)	\$360	\$330	\$444	\$544	\$339	\$229	\$0	Up
<sup>1</sup> Actual financial amounts for the current fiscal year are not yet final. Final fiscal year actuals, from the Comptroller’s Comprehensive Annual Financial Report, will be reported in the next PMMR. Refer to the “Indicator Definitions” at <a href="http://nyc.gov/mmr">nyc.gov/mmr</a> for details. <sup>2</sup> Authorized Budget Level <sup>3</sup> Expenditures include all funds    “NA” - Not Available    * None								

## SPENDING AND BUDGET INFORMATION

Where possible, the relationship between an agency's goals and its expenditures and planned resources, by budgetary unit of appropriation (UA), is shown in the 'Applicable MMR Goals' column. Each relationship is not necessarily exhaustive or exclusive. Any one goal may be connected to multiple UAs, and any UA may be connected to multiple goals.

Unit of Appropriation	Expenditures FY19 <sup>1</sup> (\$000,000)	Modified Budget FY20 <sup>2</sup> (\$000,000)	Applicable MMR Goals <sup>3</sup>
001 - Personal Services	\$14.9	\$15.1	All
002 - Other Than Personal Services	\$3.6	\$4.2	All
Agency Total	\$18.5	\$19.4	

<sup>1</sup>Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended June 30, 2019. Includes all funds. <sup>2</sup>City of New York Adopted Budget for Fiscal 2020, as of June 2020. Includes all funds. <sup>3</sup>Refer to agency goals listed at front of chapter. "NA" Not Available \* None

## NOTEWORTHY CHANGES, ADDITIONS OR DELETIONS

- On November 5, 2019, New Yorkers voted to implement a set of Charter changes, grouped together under Ballot Question 2, that make the disciplinary process more transparent, strengthen the CCRB's oversight capabilities, and improve Agency efficiency.

Previously, the Board consisted of 13 members who were all appointed by the Mayor. The City Council designated five Board members (one from each borough); the Police Commissioner designated three; and the Mayor designated five, including the Chair of the Board. As a result of the Charter revision, the Board now consists of 15 members: the City Council appoints five Board members (one from each borough); the Police Commissioner designates three; the Public Advocate appoints one; and the Mayor appoints five. In addition, now the Chair of the Board is jointly appointed by the Mayor and Speaker of City Council.

The CCRB's jurisdiction expanded to include untruthful statements made by police officers during their CCRB investigations, an allegation previously referred to the NYPD for investigation. In addition, the CCRB's budget is now tied to the NYPD's, linking the budgeted headcount for the Agency to 0.65 percent of the NYPD's uniformed headcount, unless there is a certified fiscal emergency. Finally, the Police Commissioner is now required to provide written explanations for deviations from the Board's disciplinary recommendations, providing more transparency and accountability into disciplinary decision-making.

## ADDITIONAL RESOURCES

For additional information go to:

- Monthly statistics:  
<http://www1.nyc.gov/site/ccrb/policy/monthly-statistical-reports.page>
- File complaints online:  
<https://www1.nyc.gov/site/ccrb/complaints/file-online.page>
- Status of complaints:  
<http://www1.nyc.gov/apps/ccrb-status-lookup>
- Administrative trials:  
<https://www1.nyc.gov/site/ccrb/prosecution/apu-trials.page>
- Maps of complaints in each precinct:  
<http://www1.nyc.gov/site/ccrb/policy/complaint-activity-map.page>

For more information on the agency, please visit: [www.nyc.gov/ccrb](http://www.nyc.gov/ccrb).