CITIZENS UNION OF THE CITY OF NEW YORK

Diminished Accountability:

How Discipline for Police Misconduct is Downgraded by the NYPD

March 2012

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Acknowledgements

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I. INTRODUCTION

The New York City Police Department (NYPD) has been beset in recent months by a number of high-profile cases of police misconduct and corruption including officers fixing parking tickets, smuggling guns into the city, planting drugs on innocent civilians, pepper-spraying seemingly unthreatening protesters, and conducting a record number of stop and frisks. The actions of a few officers engaging in misconduct or corruption have tarnished two decades of professionalism and hard work at the NYPD that has resulted in record reductions in crime in New York City while keeping the city safe from additional terrorist attacks after 9/11.

Citizens Union believes this misconduct is due in part to the manner in which the NYPD handles allegations of police misconduct substantiated (a determination that misconduct did occur) by the Civilian Complaint Review Board (CCRB), the city's independent police oversight body. This report analyzes data over a nine-year period and evaluates it in the context of a needed public policy change that Citizens Union has pressed for in the past four years – granting the CCRB the authority to prosecute the cases it substantiates. Citizens Union believes that public oversight of police misconduct must be strengthened so that the CCRB is not merely the grand jury in recommending discipline, but also prosecutes the charges it has substantiated. Even with this change, the NYPD still would retain its role as judge and jury in the handling of cases of police misconduct.

Among the report's major findings are:

1. From 2002 through 2010, the NYPD in 92 percent of the cases did not follow the CCRB's recommendation that officers with substantiated claims of misconduct be disciplined with the most serious penalty of charges and specifications. During those nine years, the CCRB recommended that 2,078 officers receive the most severe penalty (charges and specifications) for alleged misconduct, but the NYPD only levied that suggested discipline for 151 officers, or just 1 in 13 officers recommended for the penalty.

2. Of the cases closed in 2011 between January and August, only 13 of 143 officers recommended for charges and specifications actually received that discipline – amounting to only 9 percent. Ninety-three of those officers were recommended by the CCRB to receive the most severe discipline for improper searches, including some for improper stop and frisks, yet only 6 received that penalty; 45 of those officers were instead disciplined by being told the proper procedures informally by their commanding officer.

3. The NYPD almost always did not follow CCRB recommendations to administer the most severe penalty despite the fact that the CCRB shows great discretion in accepting and investigating complaints against police officers. The CCRB

recommends the most severe penalty (charges and specifications, which includes the loss of more than ten vacation days, probation, suspension or termination) be levied by the NYPD in just 5 percent of all allegations of police misconduct made to the CCRB during the Bloomberg administration.

Citizens Union believes the agreement announced on March 27, 2012 by Mayor Michael Bloomberg, Police Commissioner Ray Kelly, City Council Speaker Christine Quinn, and CCRB Chair Daniel Chu, granting the CCRB the authority to prosecute allegations of police misconduct for which it has made substantiated findings will have a greater impact than the current system in holding officers accountable who have been found to have engaged in misconduct. This agreement will both ensure a greater level of independence and also combat the perception of or actual bias that the NYPD may exercise in the resolution of substantiated cases by the CCRB. The greater level of CCRB independence will strengthen public perception of the agency, and encourage the public to file complaints when incidents occur, knowing that they will be handled with independence and that they will have more information regarding the ultimate outcome of their case. It will recognize in practice that the NYPD should not serve as prosecutor, judge and jury for alleged misconduct of its own officers.

Citizens Union in 2008 first supported this position as part of a larger series of recommendations we made in a position statement entitled "Public Oversight of Police Misconduct."[1] Our organization worked to put these proposals into place with Councilmember Daniel Garodnick and Public Advocate Bill de Blasio by drafting and introducing a bill, Intro 72, which attracted co-sponsorship from more than half of the City Council. Citizens Union also proposed a charter change in 2010 to effectuate this change but it was not addressed by the City Charter Commission at that time.
The implementation of a pilot program begun in 2008 by the CCRB and Police Commissioner Raymond R. Kelly by which CCRB attorneys, acting in a similar capacity as NYPD Advocates, worked collaboratively with the NYPD to litigate CCRB findings of police misconduct, was a step forward that Citizens Union also backed and paved the way for the agreement today. The program's effectiveness was undermined by inadequate financial support.

II. ABOUT THE CIVILIAN COMPLAINT REVIEW BOARD

The CCRB is a quasi-independent and non-police mayoral agency created in 1993 responsible for holding the NYPD members of the service accountable for certain types of misconduct, discourage future misconduct and thereby contribute to improved police-community relations. The CCRB is not part of the NYPD. It is guided by an all civilian board composed of thirteen members all of whom are appointed by the mayor. Eight members of the Board are selected from nominees made by the City Council and

[1] Available on the Citizens Union website at:
http://www.citizensunion.org/www/cu/site/hosting/IssueBriefs/2008IB_PoliceMisconduct.PDF

the Police Department. As conceived, the CCRB board is to be representative and reflective of the City's diverse population.

The CCRB screens and accepts for investigation only those complaints within its jurisdiction: allegations of force, abuse of authority, discourtesy, and offensive language, referred to by the acronym FADO. Complaints often have multiple and/or different FADO allegations. Allegations regarding the use of unnecessary or excessive force are the most common complaint to the CCRB, and in addition to including alleged use of physical misconduct like punching or kicking, may also include the improper pointing or use of a gun, pepper spray or a nightstick.[2] Abuse of authority allegations includes claims related to stop and frisk tactics, as well as improper searches of premises or vehicles.[3] Discourtesy allegations include the use of inappropriate language or gestures, for example cursing or flipping the finger. Offensive language refers to gestures or acts derogatory of a person's race, ethnicity, color, sex, gender identity, religion or other personal identity aspects.[4]

Upon acceptance of a complaint, the CCRB, which is headed by an Executive Director hired by the board, conducts an investigation of the allegations and makes findings and recommendations concerning the disposition of the allegations and the complaint. The findings and recommendation are then reviewed by board subcommittees and subsequently as a whole committee during the monthly meetings. If the CCRB endorses, or makes a recommendation on a complaint that a subject (accused) police officer should be formally charged and/or appropriately disciplined, that recommendation is then sent to the Police Commissioner for consideration. Pursuant to the NYC Charter, only the Police Commissioner is empowered to impose formal discipline on police officers. However, as described below, the process for determining whether or not to recommend discipline is shared by the CCRB and other internal police department units.

The CCRB issues its recommendations after months of investigation – including interviews with victims, witnesses, and officers, and analysis of police documents – and five levels of review. The possible dispositions are:

1. Substantiated - the preponderance of the evidence indicates that the officer was guilty of misconduct;
2. Exonerated - the evidence indicates the officer committed act alleged lawfully;
3. Unfounded - the evidence indicated the action in question did not in fact occur;
4. Unsubstantiated - there was not enough evidence to make a determination;
5. Miscellaneous - alleged officer is no longer part of the NYPD; or
6. Officer(s) Unidentified - the agency could not identify the officer(s) allegedly engaging in misconduct

[2] CCRB Annual Report 2010: http://www.nyc.gov/html/ccrb/pdf/ccrbann2010.pdf, p. 5.
[3] Ibid, pgs 5-6.
[4] Ibid, p. 6.

Since the CCRB does not have the power to discipline officers, it issues recommendations concerning which level of discipline the NYPD should apply, if any. The NYPD comes to its disposition after review of the CCRB investigation, a *de novo* or parallel internal investigation, a full administrative hearing in the NYPD Trial Room or a plea bargain conducted by its Department Advocate's Office. Moreover, Department Advocate Office investigators and prosecutorial attorneys may have played no part in the CCRB's investigatory or review process.

The NYPD has three different types of disciplinary processes for its officers:

1. charges and specifications;
2. command discipline; and
3. instructions.

Charges and specifications are the most serious form of discipline, and the only one that includes a formal administrative hearing process that can lead to the loss of no less than ten vacation days, probation, suspension, or termination. Both command discipline and instructions are much less serious; they cannot result in suspension or termination, and may be handled by a superior or commanding officer rather than through the formal administrative process. These often are seen as little more than a slap on the wrist.

Command Discipline is divided in two categories – "A" and "B." Imposition of Command Discipline A allows a commanding officer to penalize a subject officer by taking away up to 10 of his/her vacation days. Imposition of Command Discipline B could lead to the loss of one vacation day, a verbal warning and admonishment as the disciplinary penalty. Instructions are a completely informal procedure, and involve only the commanding officer instructing the subject officer regarding the proper procedures.[5] In terms of severity of disciplinary process and penalty, there is a significant difference between formal charges and specifications, and the less formal command discipline and instructions.

III. CCRB DISCRETION IN INVESTIGATING ALLEGATIONS OF POLICE MISCONDUCT

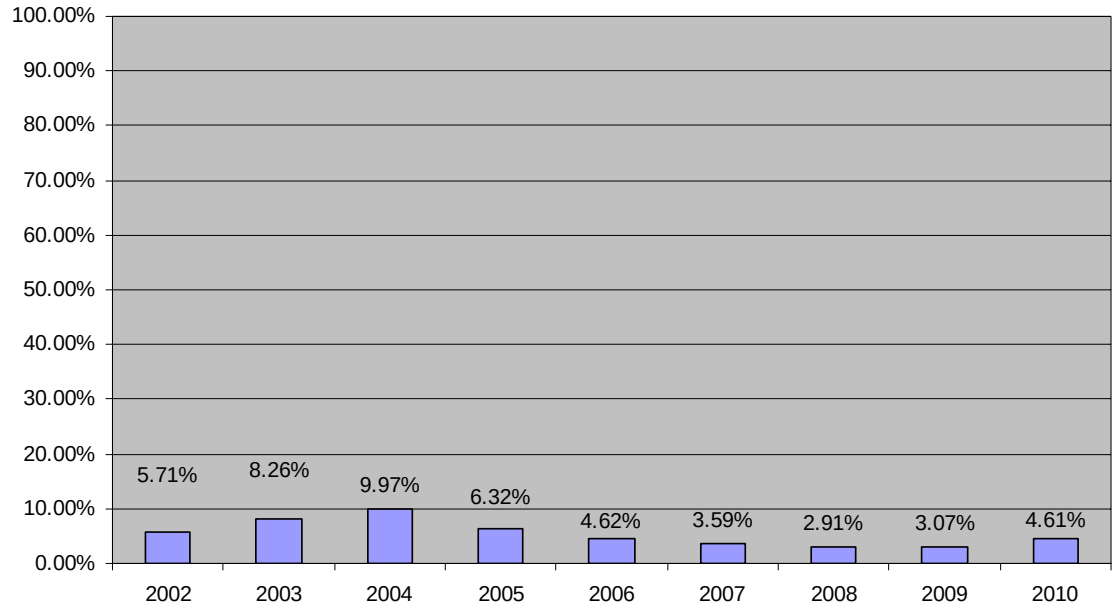
The CCRB has demonstrated great discretion in investigating police misconduct and determining whether or not disciplinary recommendations should be made to the NYPD. The agency, for instance, in 2010 fully investigated 8,893 allegations.[6] Of those

[5] All information on police discipline from CCRB website: http://www.nyc.gov/html/ccrb/html/ccrbsub.html: accessed July 12, 2010.

[6] The CCRB's most recent comprehensive data set made public on its website is updated through 2010. A status report (http://www.nyc.gov/html/ccrb/pdf/ccrbsemi2011_Jan_Jun.pdf) for the first six months of 2011 indicates on p. 11 that of the 3,040 allegations fully investigated, just 113, or 3.72 percent, were substantiated. This lowers the overall substantiation rate as a proportion of fully investigated allegations

allegations, the CCRB substantiated just 550 allegations, or 6.18 percent, between January and December 2010.[7] For those 550 substantiated allegations, the CCRB recommended the filing of charges and specifications in 410 instances (the most significant level of discipline). In other words, the CCRB recommended that the NYPD discipline its officers with more than minor discipline for only 4.61 percent of the fully investigated allegations during 2010 affecting just 259 officers.[8] Chart 1 below illustrates that the CCRB's discretion in recommending the most severe penalty is common practice dating back to 2002.

Chart 1: Percentage of Full Investigations the CCRB Has Substantiated and Recommended the Most Severe Penalty (2002-2010)



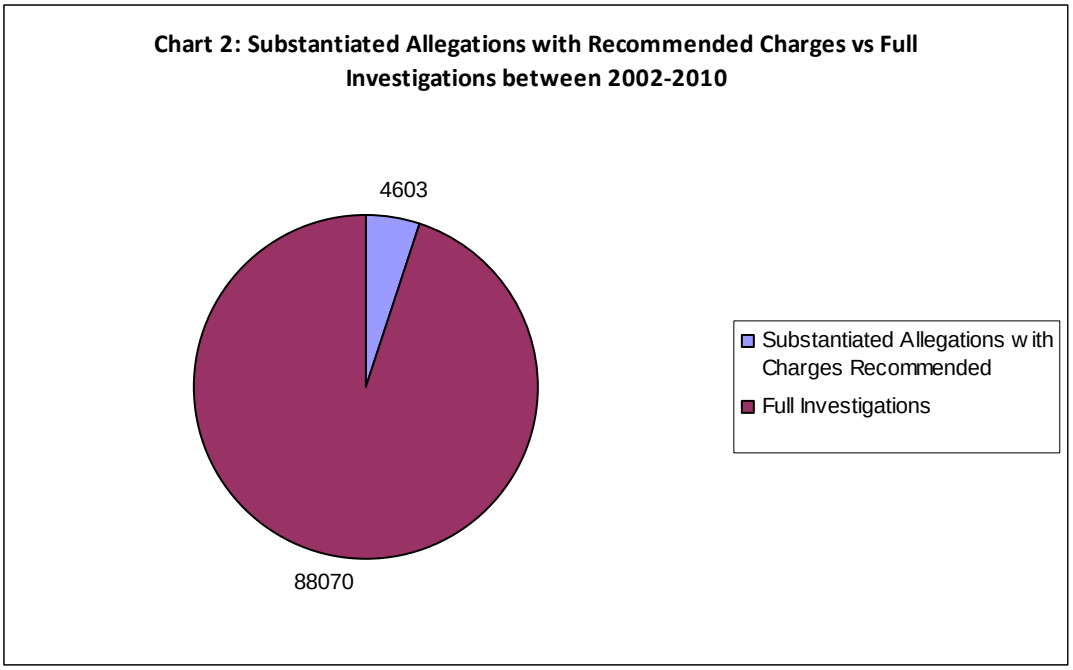
The recent increase to 4.61 percent represents an uptick from recent years in which the substantiated allegations as a proportion of all full investigations had generally declined. Even with the increase in 2010, the CCRB has averaged recommending the filing of charges and specifications in just 5.28 percent of all allegations during the Bloomberg

during the Bloomberg administration to 5.23 percent, or 4,603 substantiated allegations of 88,070 total allegations.

[7] CCRB Annual Report 2010: http://www.nyc.gov/html/ccrb/pdf/ccrbann2010.pdf, Table: Disposition of All Allegations in Full Investigations 2006-2010, p. 12.

[8] CCRB Statistical Appendices – January -December 2010: http://www.nyc.gov/html/ccrb/pdf/ccrbappendices2010.pdf, Table 30: CCRB Disciplinary Recommendations for Officers against Whom the CCRB Substantiated Allegations 2006-2010, p. 76 and CCRB Status Report, January-December 2006. http://www.nyc.gov/html/ccrb/pdf/ccrbann2006.pdf, Table 30: CCRB Disciplinary Recommendations for Officers against Whom the CCRB Substantiated Allegations 2002-2006, p. 98.

administration (4,490 substantiated allegations in which charges were recommended out of 85,030 full investigations as indicated in chart 2 below).[9]



IV. NYPD DOWNGRADING OF CCRB RECOMMENDATIONS FOR SIGNIFICANT DISCIPLINE

Despite the judiciousness with which the CCRB approaches the investigations of alleged police misconduct, and the selectivity of the allegations for which the CCRB recommends charges, the NYPD – which did not conduct the initial investigation – rarely follows the CCRB's recommendation to discipline with charges and specifications on substantiated allegations. For example, of the cases closed by the NYPD between January and August of 2011, the CCRB recommended charges for 143 officers. The NYPD did not follow the disciplinary recommendation of charges for 130 of those officers, downgrading the disciplinary action for 61 officers to "instructions."

Ninety-one percent of officers recommended for a penalty that can result in suspension, termination, probation and the loss of ten or more vacation were not disciplined in that manner, and 43 percent of officers facing these penalties instead received instructions on proper procedure in an informal process from a superior officer. The officers receiving the downgraded penalties were alleged to have used improper physical force

[9] CCRB Status Report, January-December 2006: http://www.nyc.gov/html/ccrb/pdf/ccrbann2006.pdf, Table 24B: Disposition of all Allegations 2002-2006, p. 94 and CCRB Statistical Appendices, January-December 2010: http://www.nyc.gov/html/ccrb/pdf/ccrbappendices2010.pdf, Table 24B: Disposition of all Allegations 2006-2010, p. 52.

(including improper force related to the use of a chokehold and pepper spray) and much more commonly - for 93 officers- alleged to have made improper stops and searches, including of vehicles and as part of the controversial stop and frisk program. A summary and full listing of 2011 allegations (for January to August) against officers, recommended penalties of the CCRB, and disposition by the NYPD is provided in appendices A and B.

The NYPD's discarding or downgrading of the CCRB's recommendation to file charges and specifications is not isolated to the months for which data is available in 2011, but rather is indicative of a larger trend by which the NYPD-directed disciplinary process almost always significantly reduces the CCRB-recommended discipline of charges for its own officers. Between 2002 and 2010, the CCRB recommended 2,398 officers be disciplined with charges.[10] Three-hundred-twenty cases from the period are still pending, 210 of which were referred by the CCRB during 2010.[11]

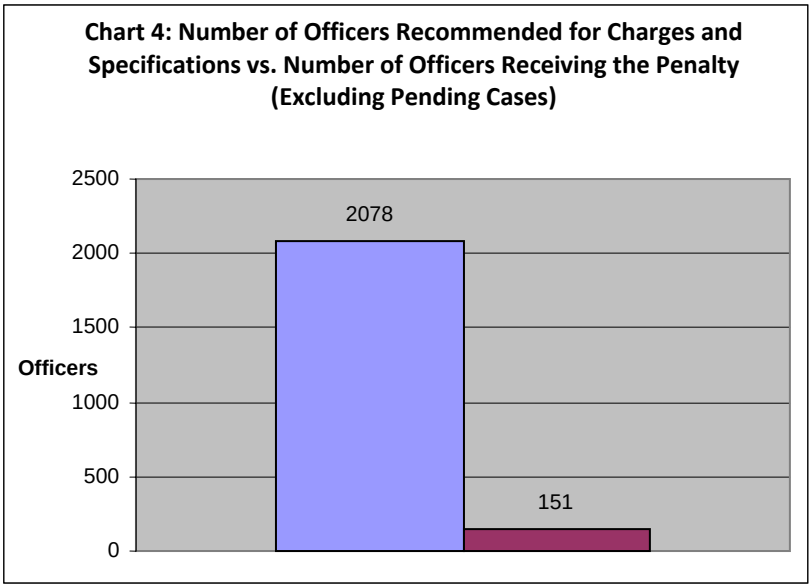
Chart 3: Number of Officers Recommended by the CCRB to Receive Charges vs Number of Officers Receiving the Penalty, 2002-2010

	2002	2003	2004	2005	2006	2007	2008	2009	2010	Total
Number of Officers Recommended to Receive Charges by the CCRB	221	316	459	310	265	225	167	176	259	**2,398**
Number of Officers Disciplined with Charges by the NYPD	41	29	32	6	12	16	8	7	0	**151**
Cases Pending	0	2	8	25	1	10	12	52	210	**320**

Eliminating those pending cases for the period, for which findings are not known, 2,078 officers were recommended for formal charges and specifications by the CCRB yet only 151 were disciplined with charges by the NYPD, or 7.27 percent as indicated in Chart 4 on the next page. In short, just over 1 in 13 subject officers recommended for charges and specifications between 2002 and 2010 by the CCRB actually had formal charges imposed by the NYPD, as shown in Chart 4.

[10] CCRB Status Report, January-December 2006: http://www.nyc.gov/html/ccrb/pdf/ccrbann2006.pdf, Table 30: CCRB Disciplinary Recommendations for Officers against Whom the CCRB Substantiated Allegations 2002-2006, p. 98 and CCRB Statistical Appendices, January-December 2010: http://www.nyc.gov/html/ccrb/pdf/ccrbappendices2010.pdf; Table 30: CCRB Disciplinary Recommendations for Officers against Whom the CCRB Substantiated Allegations 2006-2010, p. 76.

[11] CCRB Status Report, January-December 2006: http://www.nyc.gov/html/ccrb/pdf/ccrbann2006.pdf , Table 31A: Police Department Dispositions for Officers against Whom the CCRB Substantiated Allegations by Year of CCRB Referral 2002-2006, p. 99 and CCRB Statistical Appendices, January-December 2010, http://www.nyc.gov/html/ccrb/pdf/ccrbappendices2010.pdf, Table 31: Police Department Disposition of Substantiated Cases by Year of CCRB Referral 2006-2010, p. 77.

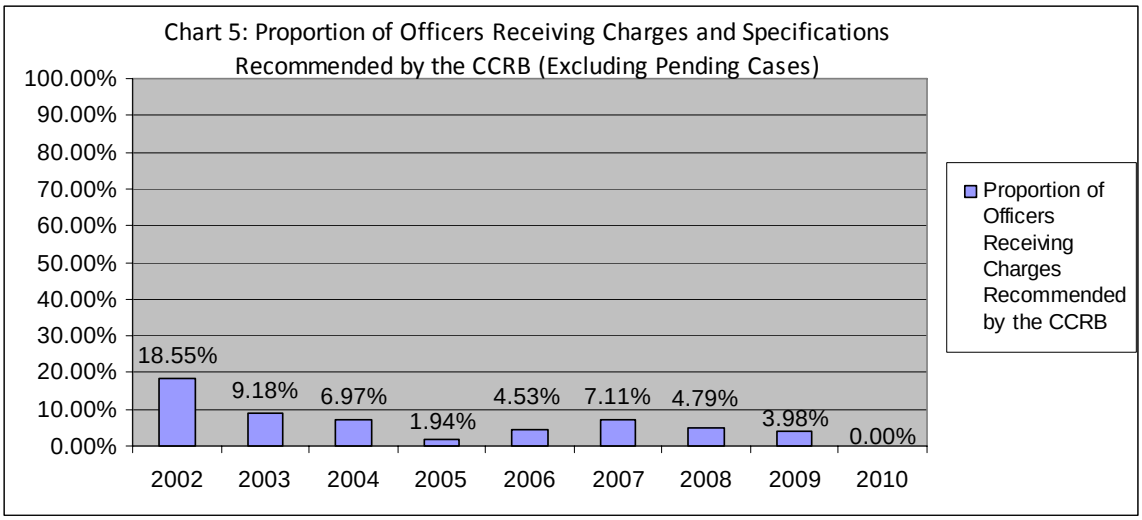


Having screened and accepted a complaint for investigation, the CCRB interviews all available participants and witnesses including the subject officer(s), obtains and analyzes relevant documents including police documentation, and comes to a determination of the facts of the case and the appropriateness of the officers' actions.

The CCRB investigatory process is a deliberate process that requires five layers of review with built-in checks and balances conducted during a period of several months. Indeed, the CCRB is so judicious that it recommends the filing of formal charges in only 1 of every 20 allegations for which it conducts a full investigation, and full investigation are initiated for only approximately half of all allegations filed with the agency.[12]

The deviation between the NYPD's disciplinary actions and CCRB recommendations on the matter has differed from year-to-year since 2002, when the NYPD's adherence to CCRB recommendations peaked at 18.55 percent. There has, however, never been a high degree of correlation between CCRB-recommended charges and specifications and NYPD disciplinary action, as shown in Chart 5 on the next page. During every year since 2002, more than 80 percent of the time, the NYPD has failed to follow the recommendations of the CCRB that subject officers be disciplined through the filing of formal charges.

[12] CCRB Statistical Appendices, January-December 2010: http://www.nyc.gov/html/ccrb/pdf/ccrbappendices2010.pdf, Table 24B: Disposition of all Allegations 2006-2010, p. 52.



The significant discrepancy since 2002 between the CCRB's disciplinary recommendations concerning the filing of charges and specifications on allegations substantiated through its investigation and process, and the NYPD's subsequent determination to not follow the CCRB's recommendation raises several issues.

First, justice may have been denied for countless civilian victims of police misconduct with possible permanent damage to their faith in the CCRB, the NYPD disciplinary system and police-community relations. As regards the latter, civilians might start to believe that some, if not all, officers with whom they interact may have committed misconduct in the past without being held fully accountable and may be less likely to adhere to higher standards of conduct, leading to further mutual distrust and alienation.

Secondly, formally disciplining with charges only 151 officers since 2002 out of the 2,078 recommended for such by the CCRB (excluding pending cases) may mean there has been less accountability and deterrence for police misconduct as found by the CCRB particularly, and less deterrence against misconduct generally. Proportionate and appropriate discipline is supposed to send a message to NYPD's members of the service that they are not above the law, and that individual police officers as well as the department as a whole, are accountable to the people whom they serve. For about 1,927 police officers, misconduct that should have resulted in the NYPD more seriously considering charges and specifications – as recommended by the CCRB after a deliberate process using appropriate discretion – ultimately resulted in only minor discipline or no discipline whatsoever.

Thirdly, the NYPD's pattern of ignoring the CCRB's recommendation of charges and specifications and imposing a lesser disciplinary process or no discipline sends a disturbing and unacceptable message to New Yorkers: that substantiated cases of misconduct will most likely be reduced to minor disciplinary measures and penalties. This message fosters a perception among the public, and possibly some officers, that the

NYPD is less accountable because it downplays the extent and severity of misconduct by some of its officers. This misperception is unfair to the vast majority of law-abiding police officers who daily provide service and safety to the NYC public with respect and integrity. It is also unfair to a police department that has an exemplary record in reducing crime to record low levels and in making the city safe from terrorism after 9/11. Yet if such a perception spreads, the NYPD – which is comprised largely of good police officers – may be forced to address a potentially more distrustful and less cooperative public.

V. GRANTING THE CCRB PROSECUTORIAL AUTHORITY

The NYPD implicitly acknowledged these problems with the announcement yesterday with Mayor Bloomberg and the City Council agreeing to grant the CCRB prosecutorial authority except for extenuating circumstances in which the Police Commissioner can request the NYPD retain the prosecutorial function. In those rare instances, the Police Commissioner must inform the CCRB of his rationale, and the CCRB has the right to appeal the request. The agreement will also require the Police Commissioner to explain any deviation between the penalty assessed by the NYPD and that recommended by the CCRB. This new transparency will ensure that the public has the full knowledge of the outcome of their complaints.

Citizens Union supports granting the CCRB prosecutorial authority for substantiated complaints of police misconduct. Citizens Union believes that in administering justice in cases of alleged police misconduct, too much unchecked authority currently resides in the Police Department as it continues to be almost exclusively responsible for determining the disciplinary process to be imposed, implementing its adjudication or prosecution, and imposing ultimate penalties. Investing so much authority in a single entity to handle essentially four different major parts of the police disciplinary process – the same entity entrusted with the right to use force to provide public safety and enforce the law – does not provide for an appropriate level of public oversight or separation of powers in a democratic society.

While this welcome agreement comes in the form of a Memorandum of Understanding (MoU), Citizens Union believes, and testified before the 2010 City Charter Revision Commission, that ultimately the City Charter should be amended to empower the CCRB to file charges and specifications against subject officers, instead of NYPD lawyers from the Department Advocate's Office, on allegations that it has investigated and substantiated.

Citizens Union believes it recommendation is bolstered by the CCRB's past practice through which it has established its credibility for discretion and high standards: for all of the allegations filed with the CCRB and full investigations it has conducted between 2002 and 2010, the CCRB has substantiated with a recommendation for formal charges

a mere 5.28 percent of allegations. That discretely low percentage notwithstanding, the NYPD-directed, post-CCRB disciplinary process has filed charges and specifications - the most significant disciplinary action - against only 7.27 percent of the officers for whom the CCRB had recommended charges. The current system is undermining public confidence that civilian allegations of misconduct accepted by the CCRB for investigation are being handled fairly, judiciously, and most importantly, independently.

By transferring the prosecutorial function to the CCRB, the bill would also rationalize the process of civilian oversight and make it more effective and efficient. As the Council stated to the New York City Charter Revision Commission on June 10, 2010, "The CCRB attorneys who handle substantiated cases of police misconduct are intimately familiar with the details of those cases and are the most appropriate individuals to prosecute cases within the New York City Police Department's internal disciplinary system."[13] Furthermore, the City Council stated that the prosecutorial functions should be transferred "because the Department Advocate's Office (DAO), by its own admission, is re-investigating the substantiated cases sent to it by the CCRB, the NYPD and the CCRB are currently duplicating each others' efforts, which is resulting in a considerable waste of city resources."[14]

This new authority has its origins in a trial program authorized on February 19, 2010, in which Commissioner Ray Kelly agreed to let the CCRB authority to serve as prosecutor or co-prosecute to the NYPD's Department Advocate's office on some CCRB substantiated cases for which it had recommended formal charges.[15] The CCRB has since the announcement hired a former prosecutor to head the trial program through its newly designated Administrative Prosecution Unit (APU). The APU has served as the sole prosecutor only twice, although it has participated in co-prosecution with the NYPD for seven hearings on charges and specifications arising from CCRB investigations as of the end of 2010, according to the board's annual report that year.[16] While the pilot program was a step in the right direction, the fact that it created a disparity ensuring that subject police officers and the civilian victims will be arbitrarily placed into two very different systems that will likely produce very different results was undoubtedly a motivating force in granting the CCRB more widespread prosecutorial powers in the announcement made today.

The memorandum of understand is also the result of the efforts of Councilmember Dan Garodnick and Public Advocate Bill de Blasio, who sponsored City Council Intro 72, which would amend the City Charter to authorize the CCRB to prosecute cases of police

[13] The New York City Council report to the New York City Charter Revision Commission, June 10, 2010, page 4
[14] The New York City Council, File 0072-2010: http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=652543&GUID=806E60BE-2B62-4BAD-8862-425CF534E2B5&Options=ID|Text|&Search=072.
[15] CCRB Annual Report 2010: http://www.nyc.gov/html/ccrb/pdf/ccrbann2010.pdf, p. 2.
[16] Ibid, pgs 2, 17.

misconduct it has substantiated. The bill signed by 27 co-sponsors, a majority of the City Council, would amend Paragraph (1) of subdivision (c) of section 440 of chapter 18-A of the New York City Charter to read that, "cases the board substantiates, in accordance with this chapter and the rules of the board, shall be prosecuted by the board's administrative prosecution unit (APU) before the New York City police department's deputy commissioner of trials or may be plea-bargained by the APU, subject to final approval by the police commissioner. The prosecutors of the board's APU shall have the same authority currently held by the NYPD's Advocate's Office in prosecuting substantiated cases in the trial room, including but not limited to compelling the attendance of witnesses and requiring the production of such records and other materials as are necessary for the prosecution of substantiated cases." The board would also be authorized to hire licensed attorneys for the APU. The law would mandate that the police department cooperate fully with the CCRB prosecutions.

CCRB Recommended Charges & Specifications as Compared to Discipline Administered by the NYPD (January-August 2011)

Groupings of Different Types of Allegations (CU-created groupings)	Officers the CCRB Panel Recommended Charges and Specifications	NYPD Disposition- Closed Cases								
			Charges & Specifications Not Assessed							
		Charges & Specifications Assessed	DCT Trial Guilty- Loss of 5 vacation days	DCT Pled Guilty- Loss of 5 Days	Command Discipline B	Command Discipline A	Instructions	Department Unable to Prosecute	Filed	Found Not Guilty
Discourtesy & Offensive Language- Includes discourteous language and race-related offensive language	**10**	**1**	0	0	5	0	1	2	1	0
Abuse of Authority- Searches (includes stops, searches, stop & frisks, vehicle stops, vehicle searches, and strip-searches)	**93**	**6**	2	1	15	11	45	12	0	1
Abuse of Authority- Refusal to provide name/shield information (where a search was not involved), refusal to obtain medical treatment	**11**	**0**	0	1	2	1	6	1	0	0
Abuse of Authority- Retaliatory summons & arrests (not including stops or searches where there was a retaliatory action)	**7**	**1**	0	0	1	1	3	1	0	0
Abuse of Authority- Threats of or improper use of force including gun pointed, nightstick as club, other blunt instrument as club	**11**	**1**	0	0	2	0	3	4	0	1
Force- including improper use of physical force, pepper spray, chokehold, gun or other blunt instrument as club	**11**	**4**	0	0	1	0	3	2	0	1
Total	**143**	**13**	**2**	**2**	**26**	**13**	**61**	**22**	**1**	**3**

Officers with multiple allegations had allegations categorized in the grouping perceived to be the most serious allegation unless indicated otherwise.