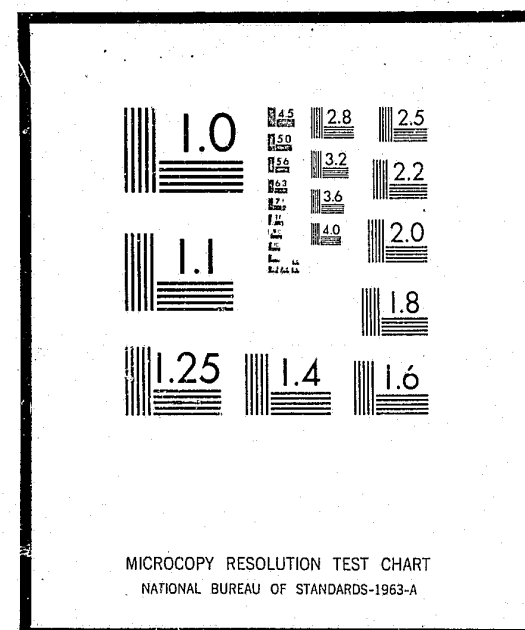


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THE POLICE INTERNAL ADMINISTRATION OF JUSTICE IN NEW YORK CITY

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PREFACE

This document, dealing with complaints against police officers and the procedures employed to manage police misconduct, is one part of our study examining the selection, assignment, promotion and reward procedures in the New York City Police Department. The purpose of the study is to develop a basis for improving police personnel policies.

To perform the overall study we collected data from the Police Department on each officer who entered the Department in 1957. Our data file consists of more than 150 descriptors for each of nearly 2,000 officers. Some of the data relate to the officers' backgrounds and include police character investigations, appraisals of their home situation, criminal record, unemployment history, education and I.Q. Other data reflect the officers' 11-year history of performance in the Department. They include awards, assignments, promotions, criminal charges, civilian complaints, absentee records and medical history. The anonymity of each officer in the cohort is preserved by using a code number instead of his name on the data file.

ACKNOWLEDGMENTS

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I also wish to express many thanks to Jan Chaiken for his insights and suggestions during the course of this work. Peter Szanton's review of this paper is gratefully acknowledged. Thanks also to Gerard McCadden, who helped tabulate and organize the detailed statistics that appear throughout this work, and to Joan Held, who provided the excellent programming support for this research.

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SUMMARY

In the present study we analyzed records from the New York City Police Department which showed allegations of misconduct and the disposition of those allegations for 1,915 officers (1,608 actives and 307 inactives) appointed in 1957. Nearly every officer appointed in 1957 is included in this cohort, except that some records of dismissed men were not obtained. The findings given below should be updated following an inspection of the records of dismissed men.

Our main findings are that 204 allegations of criminal misbehavior by members of our cohort were recorded by the police investigatory units. This averages out to 19 allegations per year for the 1,915 men. Thirty-one (15 percent) of the criminal charges were brought to departmental trial; six resulted in severe dispositions. For allegations of crimes classified by the FBI as index and non-index offenses, 5 of 54 went to departmental trial.

Among the 204 criminal allegations were the following 144 allegations of corruption: 121 allegations of accepting gratuities, 7 gambling charges, and 16 charges of consorting with criminals. Of these 144 allegations, 23 resulted in formal charges and a hearing. Five of the 23 cases resulted in severe dispositions (major fine or suspension); one of the remaining charges received a verbal sanction, but most of them were either filed or dismissed. Exactly one officer in our cohort charged with accepting a gratuity received a penalty more severe than a verbal sanction or minor fine.

A large majority of civilian complaints (83 percent) were dismissed or filed (51.6 percent and 31.4 percent respectively). In 21 cases out of 541 recorded civilian complaints officers were found guilty, and departmental charges were brought against 4 of these men, with one case resulting in a fine. The remaining 17 cases received no more than verbal sanction, although five of them involved unnecessary use of force. Of 230 cases of "protest summons," not one was brought to trial. In all, of 1,915 men for an 11-year period, five were suspended for criminal charges or civilian complaints.

Though no significant differences were observed between the races in the proportions brought to trial or in dispositions, there were differences between detectives and non-detectives in each of these phases of the police justice system. First, 2 out of 45 (or 4 percent) of the criminal charges leveled against detectives were brought to trial. One case was dismissed and the other resulted in a suspension. Thus, exactly one of 256 detectives was punished for criminal charges or civilian complaints during an 11-year period. Also, about 34 percent of departmental charges (compared to 61 percent for the non-detectives) were brought to trial. Finally, 91 percent of the civilian complaints against detectives were dismissed or filed, even though more than half were alleged instances of unnecessary use of force.

I. INTRODUCTION

THE POLICE JUSTICE SYSTEM

There have been many studies of the criminal justice system in this country.* The data used in these studies usually pertain to crimes or criminals and how they progress through the police, court and correctional agencies.

Knowledge of the criminal justice system, although useful for many purposes, tells us little about police officers who violate the law. One reason for this is that police departments operate their own internal judicial system, which is in many ways independent of the civil courts. Police officers who break the law will rarely be processed by the civil criminal justice system unless the police choose to investigate the crime and report it to civil authorities. This is true whether the officer's actions occurred in the performance of his duty or not. Alternatively, the police may dismiss charges of misconduct by officers or process them by departmental trials.

This report is a summary of what we have been able to determine about police misconduct and the operations of the police justice system from data which were collected for our study of selection, assignment, promotion, and reward procedures in the New York City Police Department. For this study we have utilized a cohort consisting of all officers who were appointed to the Department in 1957. The present analysis concerns the recorded allegations of misconduct for the 1,915 men in this cohort.** These recorded allegations are followed through the police justice system in order to determine which offenses were brought to departmental trial and which were dropped. Then the final dispositions of those brought to trial are examined.

* A review of some of these studies appears in Crime and Race, by Marvin E. Wolfgang and Bernard Cohen, New York: Institute of Human Relations Press, 1970, pp. 66-88.

** Twenty-six officers were excluded from our analysis because their race was unknown.

A detailed discussion of our overall research plan and methodology is described in our report on selection, assignment, promotion, and reward procedures, to appear later. We will, however, elaborate here on the types and sources of data used for an analysis of complaints against members of the police department.

II. DATA SOURCES

Our data on complaints come primarily from the Public Morals Section, the Chief Inspector's Investigating Unit, the Civilian Complaint Review Board and the Disciplinary Record Section. During the latter part of 1968 and in 1969, our research teams visited these units and gathered all allegations of misbehavior which were on record for the cohort of officers who were appointed in 1957. (Typical forms used by the Department to record charges may be found in Appendix E.) A brief description of the units visited will be helpful in interpreting our data.*

BUREAU OF PUBLIC MORALS**

The Rules and Procedures of the New York City Police Department*** spell out clearly the responsibilities of the Bureau of Public Morals. The unit is under the jurisdiction of the Chief Inspector and is charged with notifying appropriate licensing agencies on police action involving violations of the law relating to gambling, vice and alcoholic beverages. The unit also distributes complaints made against officers involving gambling, vice and alcoholic beverages to the appropriate investigatory units.****

THE CHIEF INSPECTOR'S INVESTIGATING UNIT

The Chief Inspector's Investigating Unit was originally established in 1949, known then as the Supervisory and Investigation Unit of the Chief Inspector's Office. In September of 1953 it was merged with the

* Much of this discussion is drawn from Police Department City of New York Rules and Procedures, and An Organizational Study of the Police Department New York City, New York, by the International Association of Chiefs of Police, July 1967.

** This unit is now known as the Public Morals Section.

*** New York City Police Department Rules and Procedures, Amendments, Chapter I, paragraph 123, p. 257.

**** Each of the units usually has other functions in addition to the ones we describe. In the present context, however, we point out mainly those responsibilities that pertain to police misconduct.

Police Commissioner's Confidential Investigation Unit. It was re-established in February of 1954 as the Chief Inspector's Investigating Unit but about a year later it was again combined with the Police Commissioner's Confidential Investigation Unit. In October of 1955 it was once again reestablished. During the next ten years it had various investigatory responsibilities including the enforcement of the department's public morals. Specifically, the Chief Inspector's Investigating Unit is charged with:

1. The investigation of certain alleged acts of misconduct by members of the force.
2. The supervision of members of the department who are on sick report and/or probation where malingering or other dereliction of duty is likely.
3. The conduct of personnel security checks for the property clerk or others as requested.
4. Assisting movie and television production companies in their work within the City.
5. The performance of other confidential investigations as may be directed by the Police Commissioner and/or the Chief Inspector.

Reports of police misconduct come to the attention of the Chief Inspector's Investigating Unit in many ways. Some result from citizen complaints and reach the Chief Inspector's Investigating Unit through channels. Others are reported by departmental commanders or fellow police officers. Some investigations are initiated as a result of surveillance of certain officers for disciplinary control. Finally, unit investigators may see a violation while observing patrol practices or during periodic inspections of precinct activities.

THE CIVILIAN COMPLAINT REVIEW BOARD

The Civilian Complaint Review Board was first formed in 1953 in response to criticism of the departmental investigation procedures by a federal Grand Jury. In 1965 the unit established separate headquarters

where a desk was maintained on a 24-hour basis manned by civilian personnel to accept complaints from citizens. The Civilian Complaint Review Board received approximately 200 complaints in 1963 but the number has increased steadily and by 1969 more than 2,000 complaints involving nearly 3,006 members of the force were reported.

In 1966, as a result of a very vigorous and heated public campaign by the various police associations against civilian participation on the Board, the issue came up for a referendum vote. On November 22, 1966, the public voted to forbid review of civilian complaints against police by civilians outside the police department. Subsequently, the Police Commissioner issued an order calling for the establishment of a new Civilian Complaint Review Board comprised only of police personnel and civilian employees of the police department.

According to Chapter 21, section 3.1 of the Rules and Procedures the Civilian Complaint Review Board is empowered to investigate and review the following allegations of misconduct by members of the force:

- Unnecessary or excessive use of force
- Abuse of authority (these complaints usually include unreasonable action taken in an official capacity which deprives individuals of rights guaranteed by law)
- Discourteous behavior or abusive or insulting language
- Ethnic slurs (language, conduct or behavior which is derogatory of a person's race, religion or creed).

THE DISCIPLINARY RECORD SECTION

The Disciplinary Record Section is part of the Chief Clerk's Unit. This unit has the responsibility of maintaining disciplinary records as ordered in Section 1/84.0 (a) of the Rules and Procedures established by General Order 2, S. 1966. This unit records, for each officer on the force, all complaints for which charges were preferred and which appear in the Special Orders. The records contain the charge number, date of charge, officer's name, rank and shield number, a description of the charge, and its disposition.

III. DESCRIPTION OF THE TYPES OF CHARGES

The charges which appeared on the records we examined ranged from minor violations such as absent from post to more serious complaints involving acceptance of gratuities, the use of unnecessary force, etc. At the time they are first recorded, these complaints represent allegations of misconduct; they are not formal charges arising from an investigation. We grouped the complaints into three categories: departmental complaints, criminal charges and civilian complaints.*

Civilian complaints are those which must be disposed of by the Civilian Complaint Review Board according to the Department's Rules and Procedures. These complaints almost always involved allegations of unnecessary force, abuse of authority, discourteous behavior and ethnic slurs. According to our definition, civilian complaints do not necessarily have to be initiated by civilians, though they always involve civilians. In fact, in a few instances, police officers while on duty initiated civilian complaints in behalf of civilians against fellow officers.

Complaints which do not involve unnecessary force, abuse of authority, discourtesy or ethnic slurs, but are in violation of the New York State Penal Code, were grouped as criminal charges. These complaints may be reported either by civilians or police personnel and are handled internally by the Department's investigation units. Some typical examples are gambling, consorting with criminals, and burglary.

All other complaints, mainly those which violate departmental regulations and procedures or result in disruption of the internal organization of the department, were classified as departmental complaints. These complaints were usually initiated by commanding officers or supervisory personnel.** Examples of these violations include sleeping while on duty and losing a shield.

* A detailed breakdown of each charge proceeding through the police justice system is presented in Appendix C.

** It should be made clear that both departmental and criminal charges can be, and often are, initiated by civilians. According to the Rules and Procedures (section on charges and trials, 21.5):

Our classification of charges into three categories was done to facilitate analysis and does not represent any formal labelling of charges by the Department. In some cases it was necessary to make judgments about how to classify the complaints, and we do not claim that our choice is the only way this could have been done.

Our definition of the three types of complaints is made precise by the following list of the allegations which fall in each category:

Departmental Complaints

Procedural (e.g., improper entries on departmental records; omitted required entry from memo book)

Insubordination

Absences (e.g., from post without permission)

Sick Absences

Moonlighting

Failure to Safeguard Revolver (e.g., lost revolver; negligent use of revolver)

Failure to Safeguard Property (e.g., lost shield; lost summons book)

Inappropriate Behavior Off Duty (e.g., drunkenness; police card illegally displayed)

Inappropriate Behavior On Duty (e.g., smoking, sleeping, reading)

Failure to Perform Duty Properly (e.g., lost prisoner)

Moral Turpitude (e.g., complaints by wife that husband is not faithful; fathered son out of wedlock)

Purposive Falsification of Report (e.g., forged book entry)

P.A. Violations (violation of departmental rules while training in the Police Academy)

5.0 Complaints of any nature against members of the department may be made at any time, at any patrol precinct, safety unit, the Office of the Civilian Complaint Review Board or any other office of this department including the Office of the Police Commissioner or any Deputy Commissioner. Complaints may be filed by any interested person or group. Complaints shall be accepted in writing, in person, or by telephone, whether or not the complainant offers his name.

Supervision on Patrol (inappropriate behavior on patrol)

False Statements

Family Probity (e.g., former wife failed to obtain support for her two children)

Protest Summons (the complainant, subsequent to receiving a summons for an offense - usually a minor one - protests the actions taken by the officer. In many cases, the complainant also protested the basis for receiving the complaint. Typical complaints were that the officer made a false arrest, or conducted an illegal search of house or person. Other times, the complainant maintained he was taken into an RMP car without apparent reason and detained unjustifiably in a stationhouse. In one case, the person protested the summons because some of his property was missing)

Police Inaction (e.g., failure to pursue investigation)

Living Above Means

Excessive Debts (e.g., failure to meet payments)

Criminal Complaints

Consorting with Criminals (e.g., associates with prostitutes; associates with suspected gamblers)

Gratuity and Shakedown (e.g., extortion, collects fees from peddlers, free food or other merchandise)

Gambling and Policy Operations (receives payment to permit gambling and policy operations)

False Testimony in Court (e.g., perjury, testifying falsely regarding his actions)

Criminal Offenses - First 8 FBI Uniform Crime Codes (e.g., mainly larceny, burglary, and robbery)

Criminal Offenses - Other FBI Uniform Crime Codes (e.g., intoxication, narcotics)

Civilian Complaints

Unnecessary Force (e.g., assaults on people or suspects; brutality)

Abuse of Authority (e.g., harassment, threatens people, destruction of one's property, breaks in door, upsets peddler's pushcart)

Discourteous Behavior (e.g., impolite, rude language, laughs at complainant)

Ethnic Slurs (e.g., religious prejudice; racial remarks)

IV. PROCEDURES FOR PROCESSING CHARGES

Detailed procedures for processing departmental, criminal and civilian complaints are outlined in the New York City Police Department Rules and Procedures.* A brief review of the major steps will help clarify the basic elements of the structure of the police justice system.

All Complaints

1. A complaint may be made at any time, at any patrol precinct, safety unit, the office of the Civilian Complaint Review Board or any other office of the Police Department.
2. Complaints are accepted in writing, in person or by telephone.
3. All civilian complaints are transmitted immediately to the Civilian Complaint Review Board and given a number from a special series.
4. All complaints other than civilian complaints are within the jurisdiction of the Chief Inspector and receive a number from a separate series reserved for these complaints.

Civilian Complaints

1. In cases of civilian complaints, a Form U.F. 245 is made out incorporating the major facts and elements of the complaints.
2. A Form U.F. 246 is used to record all statements of witnesses and is attached to each Form U.F. 245.
3. Every effort is made to resolve the civilian complaints by informal settlement.
4. Within 30 days of receipt of the civilian complaint, a report must be submitted to the Executive Director by the investigator with recommendations and comments for further action.
5. At this point the Executive Director may decide a hearing is appropriate. His decision is subject to review by the Board.

*Chapter 21, "Charges and Trials".

6. Hearings are not open to the public, but the complainant and the officer complained of, and their lawyers or representatives, may be present throughout the entire hearing.
7. The Board determines whether or not a recommendation should be made to the Police Commissioner that charges be preferred against the accused officer. The recommendations are advisory only and in no way limit the authority of the Police Commissioner.
8. The complainant and the member complained of are notified in writing and by certified mail of the Commissioner's disposition.
9. No notation of any action taken by the Civilian Complaint Review Board may be made in the personal record folder of the officer.

Departmental and Criminal Complaints [called "Civilian Complaints - General" in the Rules and Procedures (22.07)]

1. All required copies of Form U.F. 245 and Form U.F. 246 are prepared as with civilian complaints.
2. When the allegations involve graft, gratuities, or property missing from police custody, the superior officer responsible for the investigation is notified immediately.
3. The commanding officer assigned to the investigation is responsible for its thoroughness.
4. Within twenty days after receipt of the complaint, the investigating officer must send a report directly to the Chief Inspector.
5. The member of the force investigating a complaint decides on whether a hearing should be held.
6. If a hearing is deemed appropriate, charges and specifications are prepared on Form U.F. 160.
7. Minor violations may be disposed of by the officer's commander through application of appropriate corrective measures such as oral or written reprimand, change of assignment inside or outside the command.* Minor violations include:

* This procedure was not in effect for the full period of time covered by this study. Prior to 1967, minor violations were processed in the same way as others.

Improper uniform or equipment
Absent from meal location
Absent from post-relieving point
Failure to sign return roll call
Failure to signal
Improper or omitted book or form entries
Smoking
Unnecessary conversation.

8. The First Deputy Commissioner reviews all charges and may direct them to be filed or approve them for trial.
9. The Disciplinary Record Section usually serves all charges.
10. The defendant (called respondent in the Rules and Procedures) is arraigned. He is given the right to be represented by counsel, to move for a dismissal of the charges or to move for adjournment.
11. He may plead guilty or not guilty.
12. If he pleads not guilty, the case goes to departmental trial.
13. Disposition of charges is documented in Special Orders of the New York City Police Department.

Dispositions

All civilian complaints as described by the New York City Police Department Rules and Procedures, which come to the attention of the Civilian Complaint Review Board, are investigated to determine whether the complaint is substantiated or not. Representatives of the Board, acting in an advisory capacity only, make recommendations to the Police Commissioner. Experience shows that in the majority of cases, the Commissioner follows the advice of the Board.

We have identified the dispositions taken by the Board in the following categories:

- Complaint Dismissed - The complaint is reviewed and unsubstantiated on its merits. It is dismissed.
- Conciliation - This is an informal settlement reached by both parties. The Assistant Director of the Civilian Complaint Review Board acts as mediator and decides whether conciliation is appropriate. It is then reviewed by the Executive Director who files a report to the Board and Police Commissioner.
- Reprimand - The officer receives an oral or written reprimand of his actions. A copy of a written reprimand is filed with the papers.
- Instructions - Members of the Civilian Complaint Review Board talk to the officer about his inappropriate behavior and offer instruction.
- Filed - The complaint is filed because the complainants refuse to submit to interview; or complaint is filed because of absence of evidence or witnesses.
- Complainant Uncooperative - The complainant refuses to cooperate.
- Minor Fine - A fine of less than 10 days' pay or vacation.
- Major Fine - A fine equal to 10 or more days' pay or vacation.
- Unknown - Dispositions which were still pending or not known at the time our data were collected.

These same categories as well as the following three additional dispositions were employed for departmental and criminal charges.

- Suspended - The officer is suspended from the force for a specified period of time.
- Probation - The officer is placed on probation for a specified period of time.
- Dismissed - The officer is dismissed from the force.

V. DESCRIPTION OF THE COHORT: ACTIVES AND INACTIVES

The group of police officers which we studied consists of 1,915 men who were appointed to the police department in 1957. Most of these men (1,608) are still members of the force and comprise our active cohort. An additional 307 men left the force during the past 11 years and are referred to hereafter as "inactives".

This cohort was selected for reasons which have to do with our study of selection, assignment, promotion, and reward policies. In particular, the eleven-year period between 1957 and the time we collected data was suitably long to enable us to discern the career paths available to officers in the Department.

Thus, it is important to note that our data have not been sampled exclusively from records of the operations of the police justice system under its most recent administrations. Rather, we have aggregated records for an eleven-year period which saw, for example, both civilian-dominated and police-dominated Civilian Complaint Review Boards. Nonetheless we believe that our findings are not unrepresentative of current operations, since in the case of civilian complaints we have been able to compare the fraction of dispositions of each type for our cohort with fractions which can be calculated from recent Department press releases, finding no significant differences.

In our description of the incidence of complaints against officers, we consider only the active members of the cohort, since otherwise we would be attempting to compare charges accumulated over different periods of time. However, a detailed comparison of the incidence of allegations against inactives and actives appears in Appendix A. An advantage of using only the actives is that we can determine the extent and variety of alleged misconduct which the Department will tolerate and still permit a man to remain on the force.

When we proceed to an analysis of what happens to complaints as they are processed by the police justice system, we naturally include allegations against inactives as well as actives, since one would expect to

find the officers who had experienced the most severe discipline among the inactives.

VI. INCIDENCE OF COMPLAINTS AGAINST OFFICERS

Our data provide us with the number of complaints against each officer in the cohort and the type of each complaint. When these data are aggregated for all the members of the cohort, we obtain a distribution from which one can determine the average number of complaints experienced over 11 years and also the chances of having an extremely large or small number of complaints.

Our findings on the incidence of complaints are summarized in Table 1. They reveal that 41.7 percent of the active officers had no complaints against them during their 11 years on the force, while 58 percent incurred at least one complaint. We see also that nearly a third of the men (30.6 percent) received 2 or more complaints. Thus, about half of those with at least one complaint went on to incur another. Half of these (260 men, or 16 percent of the cohort) received at least 3 complaints. The highest number of complaints recorded for a single officer in our cohort was 16, but 5 or more charges can be considered extremely rare, since 95 percent of the men had fewer than 5. However, it is noteworthy that an officer can accumulate as many as 16 complaints and still remain on the force.

Our data also show that blacks received more complaints than whites, and whites more than Puerto Ricans, though in each racial group the majority of officers experienced at least one complaint. Nearly 80 percent of the black officers received at least one complaint, compared to only 57 percent of the whites and 56 percent of the Puerto Ricans. Also, on the average, each black officer incurred 1.8 complaints, compared to 1.2 for the white and 1.1 for the Puerto Rican officers.

The difference in rates of repeating complaints also varied by race. Nearly half of the black officers (49.5 percent) incurred at least two charges each, compared to about a third of the whites (29.4 percent) and a fifth of the Puerto Ricans (20 percent). Further, 63 percent of the black officers with at least one charge received another, compared to 48 percent and 36 percent respectively for whites and Puerto Ricans.

Although the data could be interpreted as showing that either blacks engage in misconduct more frequently than others or they have a higher

Table 1

DISTRIBUTION OF COMPLAINTS BY RACE FOR THE COHORT
OF ACTIVE OFFICERS APPOINTED IN 1957

| Number of Complaints | Race | | | | | | | |
|-------------------------|----------|----------|----------|----------|--------------|----------|----------|----------|
| | Black | | White | | Puerto Rican | | Total | |
| | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> |
| 0 | 21 | 21.2 | 638 | 43.0 | 11 | 44.0 | 670 | 41.7 |
| 1 | 29 | 29.3 | 410 | 27.6 | 9 | 36.0 | 448 | 27.9 |
| 2 | 23 | 23.2 | 204 | 13.7 | 1 | 4.0 | 228 | 14.2 |
| 3 | 12 | 12.1 | 106 | 7.1 | 1 | 4.0 | 119 | 7.4 |
| 4 | 7 | 7.1 | 54 | 3.6 | 2 | 8.0 | 63 | 3.9 |
| 5 | 4 | 4.0 | 33 | 2.2 | 1 | 4.0 | 38 | 2.4 |
| 6 | 1 | 1.0 | 16 | 1.1 | | | 17 | 1.1 |
| 7 | 1 | 1.0 | 8 | 0.5 | | | 9 | 0.6 |
| 8 | 1 | 1.0 | 5 | 0.3 | | | 6 | 0.4 |
| 9 | | | 2 | 0.1 | | | 2 | 0.1 |
| 10 | | | 1 | 0.1 | | | 1 | 0.1 |
| 11 | | | 3 | 0.2 | | | 3 | 0.2 |
| 12 | | | 1 | 0.1 | | | 1 | 0.1 |
| 13 | | | | | | | | |
| 14 | | | | | | | | |
| 15 | | | | | | | | |
| 16 | | | 1 | .1 | | | 1 | .1 |
| Unknown | | | 2 | .1 | | | 2 | .1 |
| Total Men | 99 | 100.0 | 1484 | 100.0 | 25 | 100.0 | 1608 | 100.0 |
| Total Charges | 180 | | 1798 | | 27 | | 2005 | |

proportion of their misconduct reported, neither of these interpretations is necessarily correct. In fact, the number of charges against officers varies with their assignment, and, as we shall show in a later report, blacks receive a disproportionate number of assignments in special units where all officers, regardless of their race, are more likely to receive complaints.* The general volume of allegations of misconduct indicated by the data is more significant than the differences among the races.

TYPE OF COMPLAINT

It is important to recall that some complaints are for minor violations of departmental regulations, so that the figures shown on Table 1 are not indicative of widespread corruption or criminal behavior by officers. Nor is this suggested when the data are classified by type: departmental violations, criminal charges, and civilian complaints. The details are shown in Table 2.

Our data show that well over half of the complaints were for departmental violations, with the next largest category being civilian complaints. Only 185 of the 1,938 charges for which we knew the type were allegations of criminal activities. Examination by race reveals that 71 percent of the complaints against black officers were departmental compared to 63 percent for whites. Also, the average number of departmental charges was nearly twice as high for black as for white or Puerto Rican officers (1.3 compared to .7 and .8 respectively). On the other hand, the average number of criminal charges was equal for the officers regardless of race (.1), while differences in the proportion of civilian complaints were extremely small (.4 for blacks and .3 for whites respectively - there were only 3 civilian complaints against Puerto Ricans). Thus, the relatively high incidence of offenses for blacks is almost entirely accounted for by a greater number of departmental charges, rather than criminal charges or civilian complaints.

* For instance, men in plainclothes assignments are particularly susceptible to complaints. By the second assignment, four times as many blacks (12 percent) as whites (3 percent) in our cohort performed plainclothes duties.

Table 2

DEPARTMENTAL, CRIMINAL AND CIVILIAN COMPLAINTS BY RACE
FOR THE COHORT OF ACTIVE OFFICERS APPOINTED IN 1957 (PERCENTAGES & MEANS)

| Type of Complaint | Race | | | | | | | | | | | |
|------------------------|----------|----------|--------------------------------|----------|----------|-----------------------------|--------------|----------|-----------------------------|----------|----------|-----------------------------|
| | Black | | | White | | | Puerto Rican | | | Total | | |
| | <u>N</u> | <u>%</u> | <u>\bar{X}</u> ** | <u>N</u> | <u>%</u> | <u>\bar{X}</u> | <u>N</u> | <u>%</u> | <u>\bar{X}</u> | <u>N</u> | <u>%</u> | <u>\bar{X}</u> |
| Departmental | 126 | 71.2 | (1.3) | 1095 | 63.1 | (0.7) | 20 | 76.9 | (0.8) | 1241 | 64.0 | (0.8) |
| Criminal | 13 | 7.3 | (0.1) | 169 | 9.7 | (0.1) | 3 | 11.5 | (0.1) | 185 | 9.5 | (0.1) |
| Civilian Complaints | 38 | 21.5 | (0.4) | 471 | 27.1 | (0.3) | 3 | 11.5 | (0.1) | 512 | 26.4 | (0.3) |
| Total Charges* | 177 | 100.0 | | 1735 | 100.0 | | 26 | 100.0 | | 1938 | 100.0 | |
| Number of Officers | (99) | | | (1484) | | | (25) | | | (1608) | | |

* These totals differ slightly from those in Table 1 because our method of collecting data did not permit us to record, for 67 complaints (mostly departmental), the precise type of charge, whether it was brought to trial, or the disposition. These complaints were all registered against men who had more than 4 charges and constitute 3 percent of the total number of complaints.

** \bar{X} indicates the mean, or average, number of complaints per man.

A more detailed breakdown of complaints is given in Table 3. The category with the highest proportion of charges is absences (21.1 percent). Other categories with a substantial number of complaints include unnecessary force (13.6 percent), protest summons (11.2 percent), abuse of authority (7.8 percent), police negligence (7.0 percent) and gratuities (5.7 percent). There were few complaints for gambling (.4 percent) or consorting with criminals (.7 percent) and not one recorded instance of collusion in narcotics operations.

In general, the types of complaints against white and black officers were similar. The only substantial differences were for absences, failure to safeguard guns, failure to safeguard property, and protest summons. The black rate was twice as high for absences and protest summons (.2 to .1 for protest summons and .4 to .2 for absences) while it was three times greater for failure to safeguard property and guns (.1 to .03).

DETECTIVES

Since detectives are specially selected by the Detective Division and are subject to different administrative controls from those applied to uniformed officers, one might suspect that their patterns of charges would differ. We found, however, that the total incidence of charges for these men over the 11-year period (i.e. both before and after they became detectives) was nearly the same as for non-detectives. In fact, the average number of complaints for detectives and non-detectives were 1.1 and 1.2 respectively (see Tables 2 and 4).

When broken down by type of complaint the incidence of departmental violations was nearly equal (.6 for detectives and .8 for non-detectives) while no difference appeared for civilian complaints (.3 for both). The only significant difference between the two groups occurred for criminal charges. The rate of criminal allegations against detectives (.2) was twice as high as the corresponding rate for non-detectives (.1). Our data also show that the differences resulted primarily from gratuities and the more serious index offenses. Though there are only one-fifth as many detectives as non-detectives, they account for nearly one-third of the allegations concerning gratuities (32 for detectives, 78 for non-detectives) and other criminal offenses (8 for detectives and 20 for non-detectives). Further details are shown on Table 4.

Table 3

DEPARTMENTAL, CRIMINAL AND CIVILIAN COMPLAINTS BY
TYPE AND RACE FOR COHORT OF ACTIVE OFFICERS APPOINTED IN 1957

| Type of Complaint | Race | | | | | | | |
|------------------------------------|----------|----------|----------|----------|--------------|----------|----------|----------|
| | Black | | White | | Puerto Rican | | Total | |
| | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> |
| Procedural | 7 | 4.0 | 70 | 4.0 | 1 | 3.8 | 78 | 4.0 |
| Insubordination | 2 | 1.1 | 9 | 0.5 | | | 11 | 0.6 |
| Absence (AWOL) | 39 | 22.0 | 368 | 21.2 | 2 | 7.7 | 409 | 21.1 |
| Sick Absences | | | 12 | 0.7 | 1 | 3.8 | 13 | 0.7 |
| Moonlighting | | | 34 | 2.0 | 1 | 3.8 | 35 | 1.8 |
| Failure to Safeguard Guns | 14 | 7.9 | 40 | 2.3 | | | 54 | 2.8 |
| Failure to Safeguard Property | 13 | 7.3 | 49 | 2.8 | 1 | 3.8 | 63 | 3.3 |
| Inappropriate Behavior Off Duty | 4 | 2.3 | 28 | 1.6 | | | 32 | 1.7 |
| Inappropriate Behavior On Duty | 3 | 1.7 | 65 | 3.7 | 1 | 3.8 | 69 | 3.6 |
| Fail to Perform Duty | 6 | 3.4 | 33 | 1.9 | 1 | 3.8 | 40 | 2.1 |
| Moral Turpitude | 3 | 1.7 | 8 | 0.5 | 1 | 3.8 | 12 | 0.6 |
| Purposely Falsifying Report | 2 | 1.1 | 9 | 0.5 | | | 11 | 0.6 |
| Police Academy Viol. | | | 1 | 0.1 | 1 | 3.8 | 2 | 0.1 |
| Supervise on Patrol | | | 11 | 0.6 | | | 11 | 0.6 |
| False Statements | 1 | 0.6 | 4 | 0.2 | | | 5 | 0.3 |
| Family Probity | | | 1 | 0.1 | | | 1 | 0.1 |
| Protest Summons | 19 | 10.7 | 193 | 11.1 | 5 | 19.2 | 217 | 11.2 |
| Police Negligence | 10 | 5.6 | 124 | 7.1 | 1 | 3.8 | 135 | 7.0 |
| Fail to Pay Debts | 1 | 0.6 | 8 | 0.5 | | | 9 | 0.5 |
| Consorting with Criminals | 1 | 0.6 | 13 | 0.7 | | | 14 | 0.7 |
| Gratuities | 6 | 3.4 | 101 | 5.8 | 3 | 11.5 | 110 | 5.7 |
| Gambling or Policy Operations | | | 7 | 0.4 | | | 7 | 0.4 |
| False Testimony | 2 | 1.1 | 4 | 0.2 | | | 6 | 0.3 |
| Criminal Offense (8 Codes) | 3 | 1.7 | 25 | 1.4 | | | 28 | 1.4 |
| Criminal Offense (Other) | 1 | 0.6 | 19 | 1.1 | | | 20 | 1.0 |
| Unnecessary Force | 26 | 14.7 | 236 | 13.6 | 2 | 7.7 | 264 | 13.6 |
| Discourtesy | 5 | 2.8 | 84 | 4.8 | 1 | 3.8 | 90 | 4.6 |
| Abuse of Authority | 7 | 4.0 | 145 | 8.4 | | | 152 | 7.8 |
| Ethnic Slurs | | | 6 | 0.3 | | | 6 | 0.3 |
| Unknown | 2 | 1.1 | 28 | 1.6 | 4 | 15.4 | 34 | 1.8 |
| Total | 177 | 100.0 | 1,735 | 100.0 | 26 | 100.0 | 1,938 | 100.0 |

Table 4

DEPARTMENTAL, CRIMINAL AND CIVILIAN COMPLAINTS BY
RACE FOR DETECTIVES (PERCENTAGES AND MEANS)

| Type of Complaint | Race | | | | | | | | | | | |
|----------------------|----------|----------|-----------------------------|----------|----------|-----------------------------|--------------|----------|-----------------------------|----------|----------|-----------------------------|
| | Black | | | White | | | Puerto Rican | | | Total | | |
| | <u>N</u> | <u>%</u> | <u>\bar{X}</u> | <u>N</u> | <u>%</u> | <u>\bar{X}</u> | <u>N</u> | <u>%</u> | <u>\bar{X}</u> | <u>N</u> | <u>%</u> | <u>\bar{X}</u> |
| Departmental | 25 | 55.6 | (1.0) | 112 | 51.1 | (0.5) | 9 | 64.3 | (1.0) | 146 | 52.5 | (0.6) |
| Criminal | 5 | 11.1 | (0.2) | 37 | 16.9 | (0.2) | 3 | 21.4 | (0.3) | 45 | 16.2 | (0.2) |
| Civilian | 15 | 33.3 | (0.6) | 70 | 32.0 | (0.3) | 2 | 14.3 | (0.2) | 87 | 31.3 | (0.3) |
| Total | 45 | 100.0 | (1.7) | 219 | 100.0 | (1.0) | 14 | 100.0 | (1.3) | 278 | 100.0 | (1.1) |
| Number of Detectives | 27 | | | 218 | | | 11 | | | 256 | | |

ACTUAL INCIDENCE OF MISCONDUCT

Just as arrest figures do not accurately measure the extent of crime among civilians, the data concerning charges against officers is not a true measure of police misconduct. On the one hand, some of the officers may not have been guilty of the offense appearing in the complaint. On the other hand, some misconduct may not have been recorded. Thus the figures reported above may be either higher or lower than the true incidence of misconduct.

Instances of misconduct may fail to appear in our data for perfectly legitimate reasons or because of inadequacies in the police system of justice. For example, certain records of misconduct are destroyed after a specified period of time in accordance with regulations; these are for minor departmental violations.

Other possible reasons for the absence of records of misconduct, which our data can neither confirm nor deny, are the following:

- The investigative machinery available to the police department may be inadequate to uncover many offenses.
- An informal system of sanctions may exist to punish officers guilty of misconduct without making an entry on the record. For example, changes in the time or location of an officer's assignment can be used as informal sanctions.
- Evidence of misconduct may not be pursued by those having the responsibility to report such evidence.

In any event, since the number of recorded charges for criminal activities is not very substantial, the official records do not provide any evidence of widespread corruption in the New York City Police Department.

SUMMARY OF INCIDENCE DATA

- Fifty-eight percent of the police officers in our cohort received at least one complaint.
- Half of the officers with one complaint received at least an additional one.

- Blacks exhibited the highest incidence of complaints, with whites next, and then Puerto Ricans. However, the differences among races are almost entirely accounted for by differences in departmental violations, rather than in criminal charges or civilian complaints.
- Most of the complaints were departmental violations (64 percent).
- A significant proportion of recorded allegations of misconduct involved civilian complaints (26 percent).
- One hundred thirty-one complaints characterizable as corruption were recorded against 1,608 officers in eleven years.
- The total incidence of complaints was equal for detectives and non-detectives, but detectives had a greater proportion of charges that may be characterized as corruption.

VII. POLICE JUSTICE

Our data describe not only the nature of each charge brought against an officer in our cohort, but also the manner in which it was processed by the police justice system. Such information illuminates the extent to which charges are found to be valid and also reveals where the police place their emphasis in prosecuting charges. For this analysis, we use data about all charges brought against inactive as well as active officers, so the incidence of charges differs slightly from that shown in the preceding section.

The most serious limitation of our data occurs for the men who were dismissed from the Department. For various reasons, their files may not be retained in the same locations as those of the other inactive officers. Especially in cases where an officer is dismissed prior to completion of a departmental trial (e.g., if he is indicted by a grand jury), we may have no record of the disposition of his case.

A special search by the Personnel Record Unit, conducted at our request, revealed that twenty-eight members of the 1957 cohort were dismissed.* For only five of them do we have the record of a departmental trial resulting in dismissal. Since dismissal is a serious punishment, the figures which follow should be updated after a brief review of the records of the dismissed men.

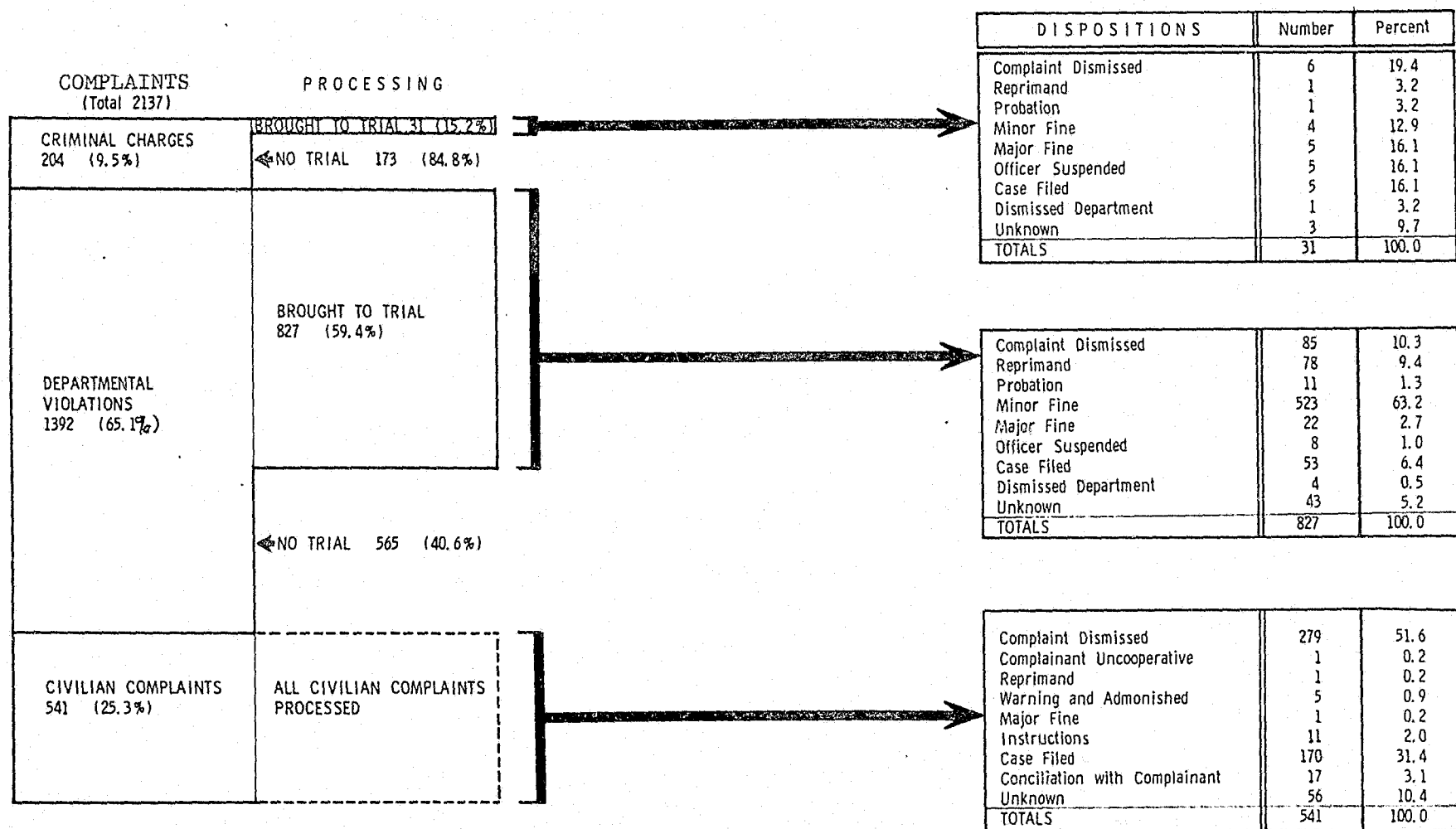
CASES BROUGHT TO TRIAL

As shown in Figure 1, approximately 59 percent of departmental violations against members of our cohort were brought to trial, compared to 15 percent of allegations of criminal misconduct brought to departmental trial. Considering the fact that departmental violations are usually reported by superior officers, while criminal allegations may be anonymous or otherwise insubstantial, it is not surprising to find a larger proportion of the former brought to trial. However, under the reasonable assumption that charges arising from independent probes by the Department's own investigatory units would be strong enough to come to trial, the data

* See Appendix B.

FIGURE 1:

THE POLICE JUSTICE SYSTEM:
ACTIVES AND INACTIVES: ALL CHARGES
1,915 Officers Appointed in 1957



indicate that these units press fewer than two criminal charges per thousand men per year. The police justice system succeeds in detecting and bringing to trial a much larger number of alleged violations of the Department's rules and procedures.

Civilian complaints cannot properly be separated according to which of them were brought to trial, since every civilian complaint is investigated, evaluated, and adjudicated by the Civilian Complaint Review Board. It is necessary to examine the dispositions of these cases to determine how the Department processes allegations of this type of misconduct.

DISPOSITION

The data show that very few charges of any type resulted in serious punishment. The majority of departmental violations received minor fines (63 percent) while major fines were given in 22 (3 percent) of the cases. In only 8 cases (1 percent) were men suspended. Four men in our cohort were dismissed from the Department. ^{**} Approximately 10 percent of the complaints were dismissed, 9 percent resulted in reprimands, while 1 percent received probation.

Dispositions for criminal charges are more difficult to interpret because of the small number (31 out of a total of 204) brought to trial. One of the men was reprimanded, one was placed on probation and six had their complaints dismissed. Nine men were fined, five of whom received major fines. Only 5 of the 1,915 men were suspended for criminal charges during the 11-year period on the force. Most of the remaining cases were filed (5).

The dispositions for crimes that may be characterized as corruption were analyzed separately. Our data show that 121 gratuities charges, 7 gambling charges and 16 charges of consorting with criminals were recorded. Of these, 23 cases (16 percent) were brought to trial. Three cases of consorting with criminals, and 1 case each of gambling and

* See p. 12 for definitions of minor and major fines.

** This figure would presumably change to 28 men dismissed after the update suggested above (p. 24).

gratuities received the two most severe penalties of "major fine" and "suspension". The remainder of the 23 cases (18) received dispositions of complaint dismissed, reprimand, probation, filed and minor fine. Three cases of gratuities resulted in a minor fine, but none received a major one. (Two cases were filed and 2 cases fell into the "unknown" category.)

The remaining criminal cases, most of which consisted of burglary, larceny and minor assault, show similar patterns. Of 54 index and non-index offenses, 5 were brought to trial, with 2 resulting in a major fine and 1 a suspension. One complaint was dismissed and in one the disposition was unknown. Three cases of false testimony were brought to trial. Two resulted in major fines and 1 a minor fine.

During the entire 11-year period covered by this study, civilian complaints were investigated and disposed of by members or representatives of the Civilian Complaint Review Board. Our cohort of men experienced the Board during the years of civilian control as well as the period during which the Board was operated by the police.

There were 541 civilian complaints with a little more than half (280) involving unnecessary force. Abuse of authority was next with 160 complaints, 92 complaints involved discourteous behavior, while there were 9 instances of ethnic slurs. Approximately 85 percent (449) of all civilian complaints were dismissed or filed. ^{*} [The same proportion holds for complaints of unnecessary force (241 out of 280).] In 17 cases, conciliation was effected between officer and complainant. In 21 cases (4 percent) officers were found guilty. Eleven of the officers received instructions, five were admonished and one was reprimanded. Charges and specifications were brought in 4 instances (or less than 1 percent of the total cases); one case resulted in a major fine, while in the other 3 cases

* Exactly 51.6 percent were dismissed and 31.4 percent filed.

the disposition was unknown. All four of these cases involved allegations of unnecessary force.*

The absence of severe penalties in instances involving civilian complaints is repeated in cases where citizens "protest summons". This offense was designated a departmental violation because it was usually recorded by the Bureau of Public Morals or the Chief Inspector's Investigation Unit, but was not processed as a civilian complaint by the Civilian Complaint Review Board. Most cases of "protest summons," however, were initiated by civilians. Moreover, in many cases the officer's personal behavior as well as the legitimacy of the offense was called into question. In any event, none of the men involved in the 230 cases of "protest summons" were brought to trial.

* A detailed breakdown of the disposition of other types of civilian complaints is as follows: Five cases of unnecessary force received instruction and 6 resulted in conciliation between officer and complainant. In cases involving abuse of authority, 96 percent resulted in no penalty while warnings and/or instructions were given in 5 cases. Conciliation was effected in 3 cases. Likewise in only 6 out of 90 cases where discourteous behavior resulted did officers receive even a warning, reprimand or instruction. Seven cases resulted in reconciliation between the officer and complainant. One of nine known dispositions for ethnic slurs resulted in instruction while the others were either dismissed (2), filed (4), or conciliated (1). In one the disposition was unknown.

THE INFORMAL SYSTEM OF JUSTICE

Our data, which come mainly from official records of the disciplinary and investigatory units of the Department, reflect the formal structure of police justice and require careful interpretation. One major limitation is that our data do not capture directly the informal system of punishments and rewards that presumably exists side by side with the formal system. The fact that a civilian, criminal or departmental complaint is not brought to trial does not necessarily mean that no punishment is inflicted. Punishments ranging from verbal sanctions to reassignment may be applied. In serious instances, especially when evidence is difficult to obtain, officers might even be forced to resign without any official documentation being made of this action. In any case, our data do not directly reflect the existence or incidence of these informal sanctions nor do they indicate the effectiveness of such procedures, should they exist.

Certain inferences can be made from some of our data, however, regarding the informal system of justice. Should resignation in lieu of trial be either permitted or encouraged by the Department, we would expect the inactives to have much more serious disciplinary records than their active counterparts. Our analysis of the inactives showed this not to be the case (see Appendix A for details). Only 30 percent of the inactive officers had charges recorded against them compared to 58 percent of the actives, and the average number of charges among inactive officers was .6 compared to 1.3 for the active officers. The difference is explained by the shorter tenure of inactives in the Department (averaging 3.7 years) and the fact that about half of all charges were incurred during the first 4 years on the force.* Thus the history of charges for the inactives is about the same as for the actives.

* The fraction of charges occurring in each year could only be determined from our data for those charges which were brought to trial.

The results in Appendix A also show that the proportion of charges which were for criminal complaints are almost identical for actives and inactives, while the actives had a higher proportion of civilian complaints and a lower proportion of departmental charges than inactives. These data fail to support the argument that many men resigned involuntarily from the Department because they were threatened with the more serious charges involving corruption, brutality or other forms of criminal behavior.

The notion that the presence of charges on an officer's record might prevent him from obtaining certain desirable assignments is not entirely supported by our data. In fact, as we shall report elsewhere, in the case of appointment to the Detective Division our preliminary analysis showed that unsuccessful applicants did not have more criminal allegations than successful applicants prior to their appointment. We have similarly been unable to find evidence in our data that men are reassigned out of units such as the Detective Division as a consequence of accumulating charges.

Other aspects of the informal system of justice in the Department deserve future attention. We discuss some of them in Section VIII, below.

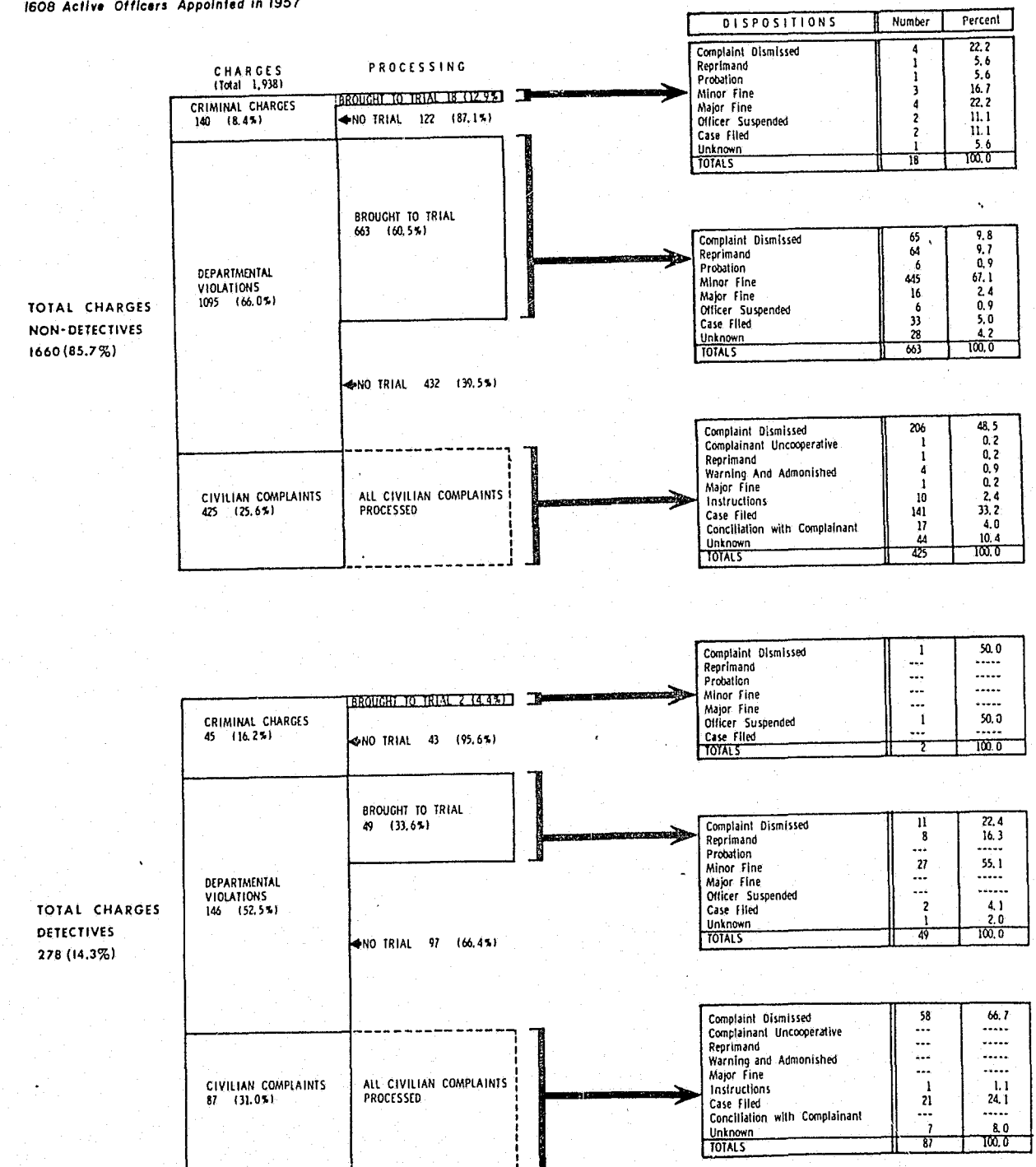
DETECTIVES AND NON-DETECTIVES

Are detectives treated differently from their uniformed counterparts by the police justice system? Because detectives comprise the elite of the Department and are recruited mainly from the ranks of plainclothes units, some of which conduct internal investigations, it might be expected that they are treated less severely by police justice. This would be reflected in few instances of alleged misconduct brought to trial, and less severe dispositions.*

The data in Figure 2 show how charges were processed for men who eventually became detectives. These data cover the entire eleven-year history of these men, but since most of them spent at least seven of the eleven years in specialized units, the data apply mostly to the period of time when they were not in uniform. The data show that 4 percent of criminal charges against detectives were brought to trial. This is less than a third of the corresponding number for non-detectives (14 percent).

* On the other hand, they may be treated more severely because they might be held to higher standards than the uniformed force.

FIGURE 2:
THE POLICE JUSTICE SYSTEM:
DETECTIVES AND NON-DETECTIVES
1608 Active Officers Appointed in 1957



Moreover, 34 percent of departmental violations by detectives were brought to trial compared to 60 percent for non-detectives.

The data on final dispositions show that of two detectives brought to trial for a criminal charge, one had his charge dismissed and the other was suspended. Thus, for an 11-year period only 1 out of 256 detectives was punished for criminal charges.

A similar pattern is discernible for civilian complaints. Ninety-one percent of complaints against detectives were either dismissed or filed (this compares to 82 percent for non-detectives). In one case (unnecessary force), an officer received instruction, while in seven, we were unable to determine the final disposition.

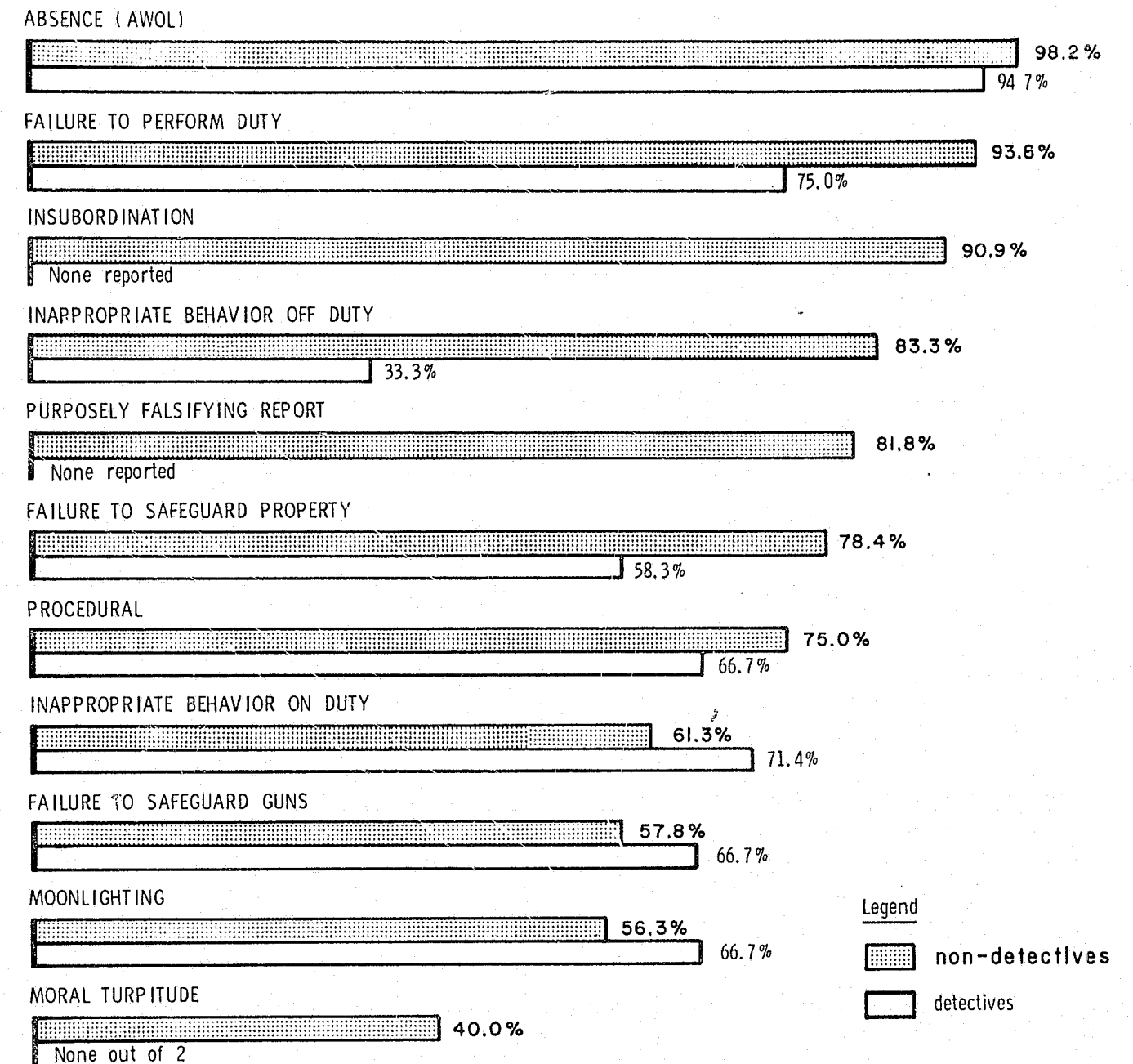
As with non-detectives, departmental violations received the most severe dispositions. Exactly 27 detectives were fined, all of whom received minor ones. Another eight men were reprimanded. In 11 of the cases, the charges were dismissed while 2 cases were filed. No detective was placed on probation.

A more detailed comparison of charges brought to trial for detectives and non-detectives is presented in Tables 5 and 6. Departmental and criminal charges are ordered and separated into categories of high, medium and low depending upon the proportion of cases out of the total that have been brought to trial. If formal charges are preferred in 3/4 or more of the cases, we say the offense falls into the "high" category; offenses where between 1/3 to 3/4 are brought to trial go into the "middle" group, while offenses where fewer than 1/3 go to trial are designated to the "low" category.

It is apparent from Table 5 that detectives have fewer departmental offenses in the "high" categories "brought to trial" than their non-detective counterparts. Only 2 types of complaints, excessive absences and failure to perform one's duty properly, fall into the "high" category of cases brought to trial. For non-detectives, infractions of insubordination, inappropriate behavior while off duty, false reporting, failure to safeguard one's property and procedural violations fall into the "high" category.

More detectives, however, are brought to trial for inappropriate behavior while on duty (71 percent compared to 61 percent), failure to safeguard guns (67 percent compared to 58 percent) and moonlighting (67 percent compared to 56 percent).

TABLE 5: PERCENT OF COMPLAINTS BROUGHT TO TRIAL
DEPARTMENTAL



Legend
 non-detectives
 detectives

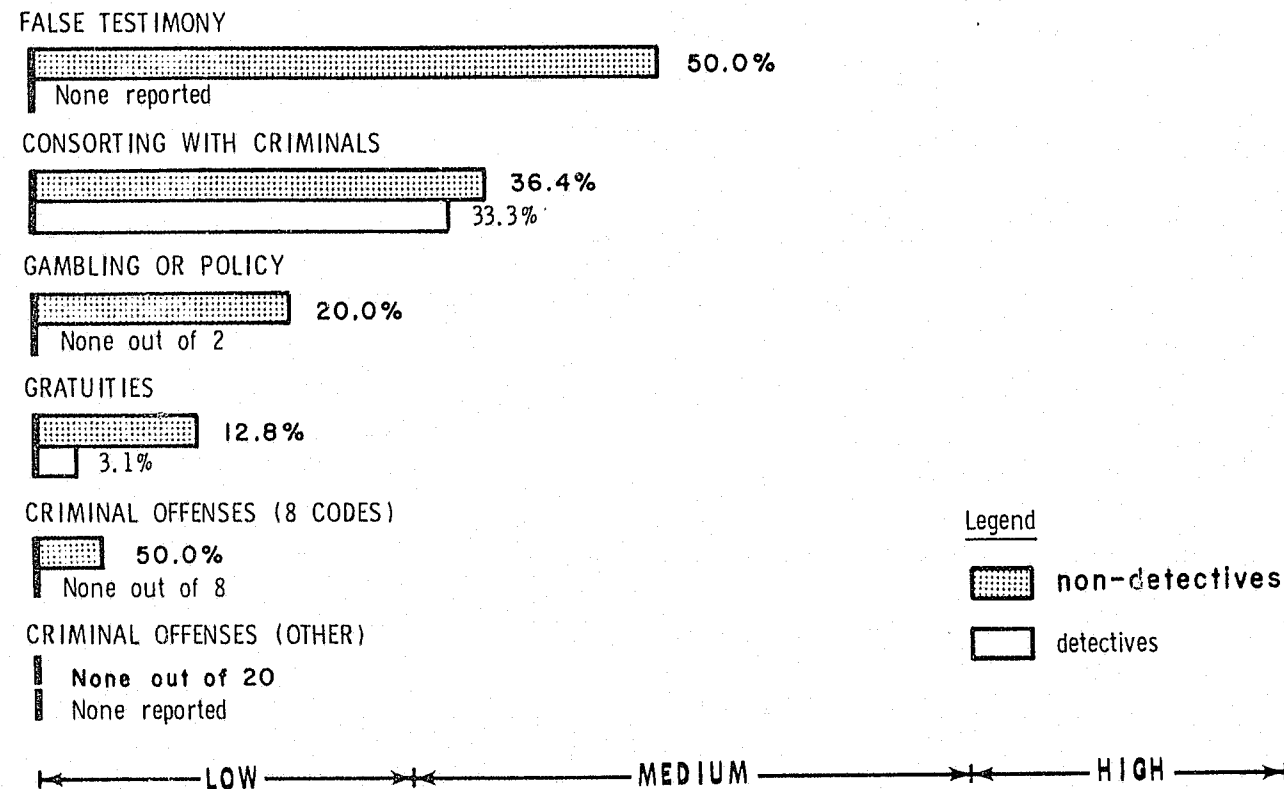
← LOW → → MEDIUM → → HIGH →

NONE BROUGHT TO TRIAL:

Supervise on Patrol (out of 11)
False Statement (out of 5)
Police Negligence (out of 135)

Failure to Pay Debts (out of 9)
Protest Summons (out of 217)
Family Probity (out of 1)

TABLE 6: PERCENT OF COMPLAINTS BROUGHT TO TRIAL
CRIMINAL



No cases involving police negligence or "protest summons," as previously noted, were brought to trial.*

The rank order of criminal charges (Table 6) is consistent with our previous finding that few complaints are brought to trial for the force as a whole or for detectives. Not one criminal charge for detectives or non-detectives fell into the "high" category. Moreover, in only two types of crimes, false testimony and consorting with criminals, were more than a third of the cases brought to trial for non-detectives. A third of the detectives charged with consorting with criminals (1 of 3 cases) were also brought to trial. Most of the criminal charges fell into the "low" category with gambling for non-detectives showing the highest incidence of charges preferred (20 percent) while none were brought to trial for criminal violations (8 codes, other) for either group (detectives and non-detectives). Note that only 1 of 32 gratuities and none of the gambling charges (2) or criminal complaints (8) against detectives resulted in preferred charges.

We conclude that it is less likely for charges against detectives to be brought to departmental trial than is the case for their uniformed counterparts. This is especially true for charges characterizable as corruption, where only 2 out of 37 cases (5 percent) were brought to trial compared to 14 (16 percent) for non-detectives.

POLICE JUSTICE AND RACE

We know from several recent National Commissions convened to study crime, riots and violence, as well as from studies of selected areas that black citizens are more likely to be stopped on suspicion, interrogated, searched

* The other offenses in this category are too small in number to draw meaningful conclusions, despite the fact that very few of these offenses were brought to trial.

and arrested than their white counterparts.* Moreover, they are likely to be treated more severely by the courts. Are there similar differences between the races in the way in which the police justice system handles officers who violate the law or departmental rules?

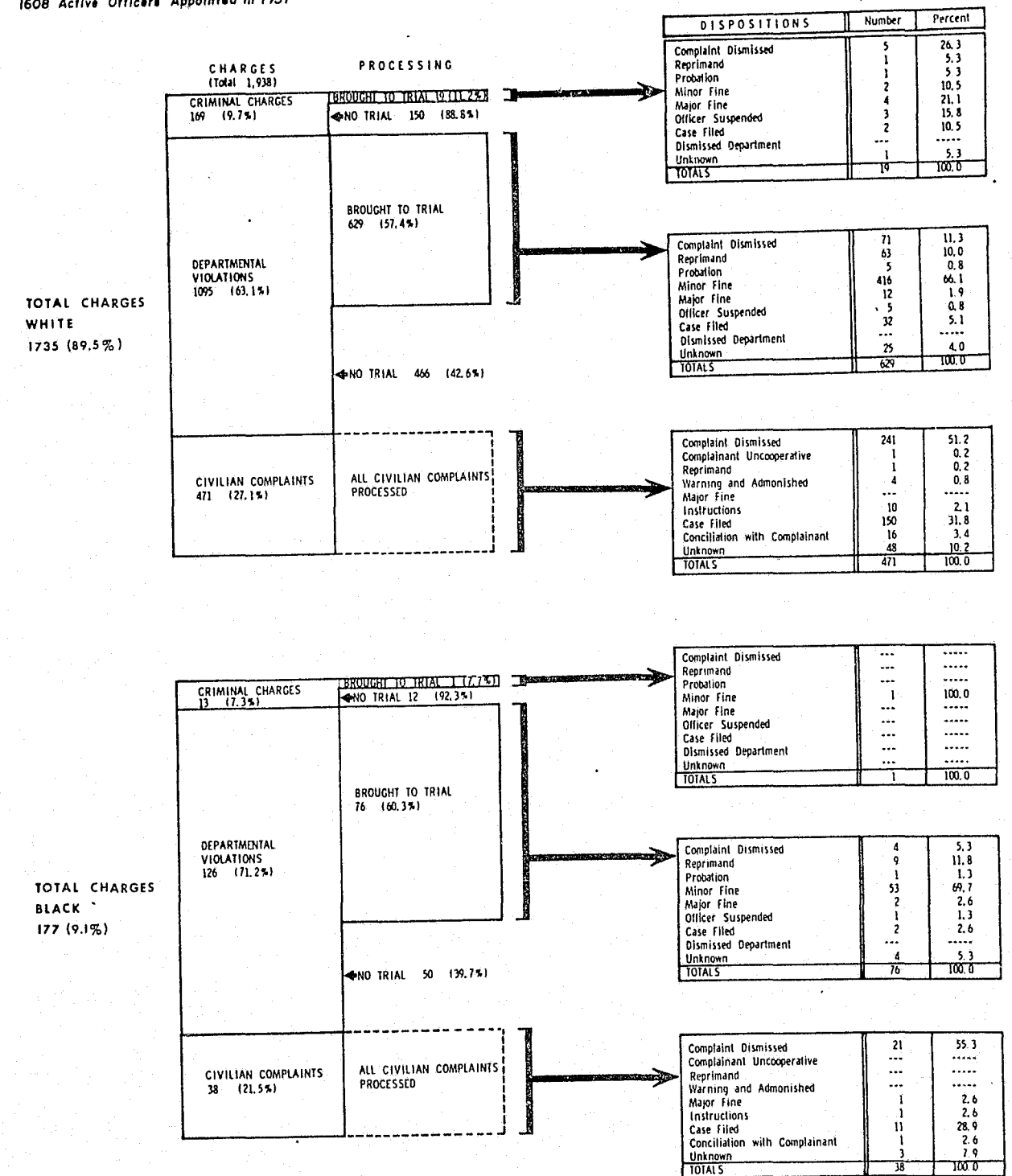
In general, our data showed few differences in the proportion of complaints brought to trial or their dispositions for members of the different races. The data are shown in Figure 3. Sixty percent of the black officers were brought to trial for departmental violations, compared to approximately 57 percent of the white officers. With criminal charges nearly 8 percent of the black officers were brought to trial compared to 11 percent for whites. Only 7 Puerto Ricans were tried for departmental violations (35 percent) but none (of 3) for criminal charges. Finally, there were no significant differences in disposition of civilian complaints for members of different races.

SUMMARY OF DATA CONCERNING THE PROCESSING OF CHARGES

- Fifteen percent of allegations of criminal misconduct were brought to departmental trial.
- One hundred forty-four allegations of corruption were recorded in eleven years against nearly 2,000 officers. Twenty-three of these were brought to departmental trial, with 5 of them receiving penalties more severe than a minor fine.

* See The Challenge of Crime in a Free Society, A Report by the President's Commission on Law Enforcement and Administration of Justice, Washington, D.C.: U.S. Government Printing Office, 1967; Report of the National Advisory Commission on Civil Disorders, New York: Bantam Books, 1968; To Establish Justice, To Insure Domestic Tranquility, A Report by the President's Commission on Law Enforcement and Administration of Justice, Washington, D.C.: U.S. Government Printing Office, 1969; and Wolfgang and Cohen, op. cit.

FIGURE 3:
THE POLICE JUSTICE SYSTEM:
BY RACE OF OFFICER
1608 Active Officers Appointed in 1957



26 CHARGES WERE RECORDED FOR PUERTO RICANS. 20 DEPARTMENTAL VIOLATIONS AND 3 COMPLAINTS EACH INVOLVING CRIMINAL AND CIVILIAN MISCONDUCT. 7 DEPARTMENTAL VIOLATIONS WERE BROUGHT TO TRIAL. 5 RECEIVED MAJOR OR MINOR FINES WHILE 2 WERE DISMISSED AND FILED. ALL THREE CIVILIAN COMPLAINTS WERE DISMISSED OR FILED. NONE OF THE CRIMINAL CHARGES WERE BROUGHT TO TRIAL.

- One of the officers accused by civilians of unnecessary force, abuse of authority, discourteous behavior or ethnic slurs received a penalty more severe than a verbal reprimand.
- Approximately 85 percent of alleged instances of unnecessary force were either dismissed or filed.
- No charges were brought to trial in any of the 230 cases involving "protest summons".
- Fewer detectives than non-detectives were brought to trial for departmental violations or criminal charges.
- Detectives received less severe dispositions for departmental violations, criminal charges and civilian complaints than non-detectives.
- There were no meaningful differences among the races (blacks, whites and Puerto Ricans) in the proportions brought to trial.
- There were no meaningful differences in final dispositions, regardless of the type of complaint, for black, white and Puerto Rican police officers.

VIII. CONCLUSION

Our findings neither confirm nor deny allegations of widespread corruption in the Department. Moreover, our data could not possibly have been used to investigate the honesty and integrity of any particular members of the Department. Instead, our findings raise doubts about the effectiveness of the Department's routine operations for dealing with police misconduct, especially criminal and civilian complaints. On balance, they suggest that the Department's formal disciplinary system is better suited for handling violations of internal rules and procedures that disrupt the normal and routine operations of the force than for responding effectively to complaints where individual citizens or the community at large are victims. We believe that the police, who are most clearly charged with the maintenance of law and the defense of our Constitution, should not tolerate any procedures which leave room for the suspicion that policemen are themselves virtually immune from the law.

For this reason, we believe that an effort to bring about long-term reform of the police system of justice should be as important to the Department as investigations to uncover current instances of misconduct. In this connection, we would urge the Police Commissioner and the Knapp Commission to give some attention to the following questions raised by our findings, which have not been completely resolved here:

1. Are existing procedures adequate to assure that all allegations of misconduct received by the Department are recorded by the appropriate units?

Although it would be difficult to determine what fraction of past allegations were recorded, it should certainly be possible to undertake an experiment in which allegations are reported to 911, to local precincts, and to various other units. Later, one could determine whether any records of the experimental allegations exist. Provision would have to be made so that no officer would suffer as a result of this experiment.

2. Are complainants ever discouraged from pressing charges or from making future complaints?

The answer to this could be determined by interviewing past complainants and by observing what happens to the complainants in the experiment suggested above.

3. Are appropriate criteria used in deciding not to bring a particular allegation to a departmental trial?

The actual criteria used could be determined from examination of a sample of records and from interviews with responsible officials. In addition, it would be valuable to know whether civilian investigators would have made the same decision about bringing the case to trial. For this purpose, a sample of allegations which have already been processed by the police and not brought to trial could be reinvestigated by civilians. The objective of this investigation would not be to place officers in jeopardy for a second time but to determine whether the large fraction of allegations not brought to trial is explained by the lack of adequate evidence.

4. Is investigatory manpower effectively utilized?

Answering this question would involve collecting data on how much time is spent by investigators on various activities, dividing the time spent investigating allegations according to the type of each allegation, its source, and its ultimate disposition. The advantages and disadvantages of having so many independent investigating units should also be considered. Of interest here is the extent to which records and activities are duplicated in the separate units, the extent to which information is exchanged among them, and the extent to which their responsibilities are clearly distinguished.

5. Have the punishments given to officers found guilty of misconduct been adequate?

Essentially, this is a matter of judgment for the Police Commissioner. He could establish a schedule of punishments for various classes of offenses. In addition, the question of what

informal sanctions are applied to guilty officers could be investigated by careful analysis of their history of assignments. Also of interest is whether informal sanctions are exercised against officers who testify against other officers.

6. Why do we find officers on the force with numerous allegations of misconduct?

It may be that the absence of a central file of allegations against officers has prevented anyone, prior to this study, from knowing that some officers have had more than one allegation a year made against them. Such a failure in the Department's information system could be easily corrected.

On the other hand, it may be that the typical case of multiple allegations involves a series of identical unsubstantiated complaints by a single complainant. It should not be difficult to look at the files of officers in our cohort with numerous complaints and see whether the Department needs new procedures for identifying such men and giving them special instruction or more careful investigation.

7. Does the Department show adequate concern for the interests of civilians in its disciplinary procedures?

Are complainants notified of the progress of the investigation and the disposition of the case? Does the Department provide the public with adequate information about the progress of individual hearings and about its disciplinary activities generally?

8. Is there a clear and appropriate division of responsibility between the internal police justice system and the larger system of criminal justice?

What standards are used to determine when the District Attorney should be informed of the facts of a case? To what extent should charges which are now investigated and tried by

the police be handled by other civilian authorities? Involved here is the right of a society to treat all persons charged with similar violations of the law in similar ways.

Appendix A

TOTAL APPOINTEES IN 1957: ACTIVES AND INACTIVES

In our analysis of how the Department administers internal justice, we examined all men appointed in 1957 including those who left the force. The Department may apply severe punishments, in some instances dismissal, to men who commit serious infractions. In order to arrive at a more precise picture of how the Department handles misconduct, we examined the reasons why officers left the force. We also conducted a detailed analysis of the incidence of crimes, the total brought to trial and the dispositions, for men who left the Department and men who were still active through 1968. There were 1,608 active and 307 inactive men in our study. Records on background characteristics and performance for the men who left the force were located in the inactive files of the Chief Clerk's Office. Each inactive officer was checked through the same investigatory units visited for the actives.

REASONS FOR LEAVING THE DEPARTMENT

The reasons for leaving the Department were obtained from the inactive files in the Chief Clerk's Office. The results are summarized in Table 1a. They show that most men left the force to join the fire department (38 percent). The second highest number of resignations came from men who wished to improve their employment (14 percent). There were fewer men in the remaining categories. Twelve men left to continue their education while 15 joined the FBI or some other law enforcement agency. Eleven more resigned because of personal reasons while 14 received medical or psychological discharges and 15 died. Only 19 men were terminated or dismissed. The unknown category consists of 21 percent of the inactives.*

*Additional information issued by the police department showed that there were a total of 357 inactives, 35 of whom were dismissed from the Department or dropped from the rolls.

Table 1a

REASONS FOR LEAVING THE DEPARTMENT FOR THE 1957 INACTIVES

| Type | Race | | | | | | | |
|----------------------------|-------|-------|-------|-------|--------------|-------|-------|-------|
| | Black | | White | | Puerto Rican | | Total | |
| | N | % | N | % | N | % | N | % |
| Join Fire Department | 3 | 15.8 | 113 | 39.5 | | | 116 | 37.8 |
| Join FBI & Related | 2 | 10.5 | 13 | 4.5 | | | 15 | 4.9 |
| Improve Employment | 1 | 5.3 | 41 | 14.3 | | | 42 | 13.7 |
| Continue Education | 1 | 5.3 | 11 | 3.8 | | | 12 | 3.9 |
| Personal, Family | 1 | 5.3 | 10 | 3.5 | | | 11 | 3.6 |
| Service Terminated | | | 6 | 2.1 | | | 6 | 2.0 |
| Dismissed, Disciplinary | 6 | 31.6 | 6 | 2.1 | 1 | 50.0 | 13 | 4.2 |
| Died | | | 14 | 4.9 | 1 | 50.0 | 15 | 4.9 |
| Medical, Psychological | 2 | 10.5 | 12 | 4.2 | | | 14 | 4.6 |
| Unknown | 3 | 15.8 | 60 | 21.0 | | | 63 | 20.5 |
| Total | 19 | 100.0 | 286 | 100.0 | 2 | 100.0 | 307 | 100.0 |

Approximately 16 percent each of the black and white officers left the Department compared to only 7 percent of the Puerto Ricans. Separation from the force for most men occurred during the earlier years. The majority of blacks and whites plus the two Puerto Ricans (72 percent) left the Department within 5 years (by the end of 1962). Beginning with 1963, the proportion leaving declined and by 1967 it was down to 4 percent; in 1968 it decreased further to 2 percent. One of the reasons for the steady decline in the rate of resignations is that once a man remains on the force for a substantial number of years he is reluctant to give up the pension benefits accrued during his tenure.

RECORDED CHARGES

A comparison of the recorded complaints for the inactive and active officers appears in Table 2a. The distributions are strikingly similar though some small differences did emerge. The **inactives** had fewer recorded complaints of unnecessary force (8 percent) than their active counterparts (14 percent). Similarly, the inactives had fewer complaints of abuse of authority (4 percent) and discourtesy (1 percent) compared to the actives (8 percent and 5 percent respectively). The differences in civilian complaints might be partially due to the fact that men in special assignments are most susceptible to them and many inactives resigned from the Department immediately or were not on the force a sufficient length of time to progress toward these special units.

No discernible differences appeared regarding complaints of crime or corruption for the two groups. In fact, the proportions for consorting with criminals, gratuities and other criminal offenses were equal (1, 6 and 1 percent respectively). Similarly, for criminal offenses (8 codes) the proportions for both groups were nearly identical (1-1/2 percent for the actives, 2 percent for the inactives). The actives had 13 charges of gambling and false testimony compared

Table 2a

DEPARTMENTAL, CRIMINAL AND CIVILIAN COMPLAINTS FOR ALL
OFFICERS APPOINTED IN 1957 (ACTIVES AND INACTIVES)

| Type of Complaint | Active | | Inactive | | Total | |
|-------------------------------|--------|-------|----------|-------|-------|-------|
| | N | % | N | % | N | % |
| Procedural | 78 | 4.0 | 2 | 1.0 | 80 | 3.7 |
| Insubordination | 11 | 0.6 | 3 | 1.5 | 14 | 0.7 |
| Absence (AWOL) | 409 | 21.1 | 64 | 32.2 | 473 | 22.1 |
| Sick Absences | 13 | 0.7 | 3 | 1.5 | 16 | 0.7 |
| Moonlighting | 35 | 1.8 | 2 | 1.0 | 37 | 1.7 |
| Failure to Safeguard Guns | 54 | 2.8 | 10 | 5.0 | 64 | 3.0 |
| Failure to Safeguard Property | 63 | 3.3 | 6 | 3.0 | 69 | 3.2 |
| Inappropriate Behavior | | | | | | |
| Off Duty | 32 | 1.7 | 5 | 2.5 | 37 | 1.7 |
| On Duty | 69 | 3.6 | 7 | 3.5 | 76 | 3.6 |
| Fail to Perform Duty | 40 | 2.1 | 3 | 1.5 | 43 | 2.0 |
| Moral Turpitude | 12 | 0.6 | 1 | 0.5 | 13 | 0.6 |
| Purposely Falsifying Report | 11 | 0.6 | 2 | 1.0 | 13 | 0.6 |
| Police Academy Violation | 2 | 0.1 | | | 2 | |
| Supervise on Patrol | 11 | 0.6 | 5 | 2.5 | 16 | 0.7 |
| False Statements | 5 | 0.3 | | | 5 | 0.2 |
| Family Probity | 1 | 0.1 | | | 1 | |
| Protest Summons | 217 | 11.2 | 13 | 6.5 | 230 | 10.8 |
| Police Negligence | 135 | 7.0 | 3 | 1.5 | 138 | 6.5 |
| Fail to Pay Debts | 9 | 0.5 | | | 9 | 0.4 |
| Consorting with Criminals | 14 | 0.7 | 2 | 1.0 | 16 | 0.7 |
| Gratuities | 110 | 5.7 | 11 | 5.5 | 121 | 5.7 |
| Gambling or Policy Operations | 7 | 0.4 | | | 7 | 0.3 |
| False Testimony | 6 | 0.3 | | | 6 | 0.3 |
| Criminal Offense (8 Codes) | 28 | 1.4 | 4 | 2.0 | 32 | 1.5 |
| Criminal Offense (Other) | 20 | 1.0 | 2 | 1.0 | 22 | 1.0 |
| Unnecessary Force | 264 | 13.6 | 16 | 8.0 | 280 | 13.1 |
| Discourtesy | 90 | 4.6 | 2 | 1.0 | 92 | 4.3 |
| Abuse of Authority | 152 | 7.8 | 8 | 4.0 | 160 | 7.5 |
| Ethnic Slurs | 6 | 0.3 | 3 | 1.5 | 9 | 0.4 |
| Unknown | 34 | 1.8 | 22 | 11.1 | 56 | 2.6 |
| Total | 1938 | 100.0 | 199 | 100.0 | 2137 | 100.0 |

to none for the inactives. The factor that contributed most to the differences between the two groups was absences. Nearly 32 percent of the charges against the inactives were for absences compared to only 21 percent for their active counterparts.

PREFERRED CHARGES

Our examination of complaints brought to trial for all 1957 appointees showed that inclusion of the inactives did not increase substantially the total proportion of cases brought to trial (Tables 3a and 4a). In instances of departmental charges, the total increase was only 2 percent (from 57.4 percent for actives to 59.4 percent for the total) while for criminal charges it was 4.2 percent (from 10.8 percent to 15 percent). Thus our conclusion that a majority of departmental charges are brought to trial, while very few criminal charges are preferred, is valid even when the inactives are included in our analysis.

As expected, the proportion of offenses preferred for the inactives is substantially greater than for the men still on the force. The reason for this is that some of the inactives were either dismissed or forced to resign from the Department because of misconduct.

Our data show that 76 percent of the departmental charges against inactives were brought to trial compared to only 57 percent for the actives. Similarly, 58 percent of the criminal charges were preferred compared to 11 percent for the actives. The important point to bear in mind however, when evaluating the police justice system, is that the number of charges preferred against the inactives excluding civilian complaints (110 in number) comprises only 5 percent of the total recorded offenses. Likewise, 11 charges or 5 percent of the total criminal charges were brought to trial. Even with the addition of the inactives which probably includes a high proportion of "bad apples," few criminal cases (15 percent) were brought to trial.

Table 3a

PROPORTION OF DEPARTMENTAL VIOLATIONS BROUGHT TO TRIAL FOR ALL
OFFICERS APPOINTED IN 1957 (ACTIVES AND INACTIVES)

| Type of Complaint | Active | | Inactive | | Total | |
|------------------------------------|----------|----------|----------|----------|----------|----------|
| | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> |
| Procedural | 58/78 | 74.4 | 2/2 | 100.0 | 60/80 | 75.0 |
| Insubordination | 10/11 | 90.9 | 2/3 | 66.7 | 12/14 | 85.7 |
| Absence (AWOL) | 401/409 | 98.0 | 63/64 | 98.4 | 464/473 | 98.1 |
| Sick Absences | 13/13 | 100.0 | 3/3 | 100.0 | 16/16 | 100.0 |
| Moonlighting | 20/35 | 57.1 | 1/2 | 50.0 | 21/37 | 56.8 |
| Failure to Safeguard Guns | 32/54 | 59.3 | 8/10 | 80.0 | 40/64 | 62.5 |
| Failure to Safeguard Property | 47/63 | 74.6 | 5/6 | 83.3 | 52/69 | 75.4 |
| Inappropriate Behavior Off Duty | 27/32 | 84.4 | 5/5 | 100.0 | 32/37 | 86.5 |
| Inappropriate Behavior On Duty | 43/69 | 62.3 | 5/7 | 71.4 | 48/76 | 63.2 |
| Fail to Perform Duty | 36/40 | 90.0 | 3/3 | 100.0 | 39/43 | 90.7 |
| Moral Turpitude | 4/12 | 33.3 | /1 | | 4/13 | 30.8 |
| Purposely Falsifying Report | 9/11 | 81.8 | 2/2 | 100.0 | 11/13 | 84.6 |
| Police Academy Violations | 2/2 | 100.0 | | | 2/2 | 100.0 |
| Supervise on Patrol | /11 | | /5 | | /16 | |
| False Statements | /5 | | | | /5 | |
| Family Probity | /1 | | | | /1 | |
| Protest Summons | /217 | | /13 | | /230 | |
| Police Negligence | /135 | | /3 | | /138 | |
| Fail to Pay Debts | /9 | | | | /9 | |
| Unknown | 10/34 | 29.4 | 16/22 | 72.7 | 26/56 | 46.4 |
| Total | 712/1241 | 57.4 | 115/151 | 76.2 | 827/1392 | 59.4 |

Table 4a

PROPORTION OF CRIMINAL CHARGES BROUGHT TO TRIAL FOR ALL
OFFICERS APPOINTED IN 1957 (ACTIVES AND INACTIVES)

| Type of Complaint | Active | | Inactive | | Total | |
|----------------------------------|----------|----------|----------|----------|----------|----------|
| | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> |
| Consorting with Criminals | 4/14 | 28.6 | 2/2 | 100.0 | 6/16 | 37.5 |
| Gratuities | 11/110 | 10.0 | 5/11 | 45.4 | 16/121 | 13.2 |
| Gambling or Policy Operations | 1/7 | 14.3 | | | 1/7 | 14.3 |
| False Testimony | 3/6 | 50.0 | | | 3/6 | 50.0 |
| Criminal Offense (8 Codes) | 1/28 | 3.6 | 3/4 | 75.0 | 4/32 | 12.5 |
| Criminal Offense (Other) | /20 | 5.0 | 1/2 | 50.0 | 1/22 | 4.5 |
| Total | 20/185 | 10.8 | 11/19 | 57.9 | 31/204 | 15.2 |

DISPOSITIONS

The data on dispositions (Tables 5a, 6a, and 7a) show that of 29 civilian complaints by inactives, one resulted in a warning, while 23 were either dismissed or filed (in five cases the disposition was unknown).

The dispositions for criminal charges were more severe. Two officers were suspended, while one was dismissed from the Department. One officer each received a major and a minor fine. In 4 instances, the complaint was either filed or dismissed.

For complaints that could be characterized as corruption, 7 offenses, 2 for consorting with criminals and 5 for gratuities, were brought to trial. (Not one inactive was charged or brought to trial on gambling charges.) Of these seven, a minor fine and suspension were given for gratuities. The dispositions for the remaining five complaints were either "filed" (3) or unknown (2).

The majority of dismissals (4 men) resulted from departmental complaints.* Nevertheless, the most frequent dispositions for departmental violations were fines (51 minor fines and 6 major fines). Five officers were placed on probation and 6 received reprimands. Finally, 27 complaints were either filed or dismissed.

CONCLUSIONS

In this Appendix we identified reasons why men appointed to the New York City Police Department in 1957 left the force. We also traced the experience of these men through the police justice system. Records on background characteristics and performance were obtained from the inactive file located in the Chief Clerk's Office.

Our findings showed that the inactives did not alter significantly the number of recorded charges, the proportion of preferred charges or the types of final dispositions for the 1,915 men appointed in 1957. Few of the inactives had even one charge (30 percent) and little difference appeared in the distribution of charges between the actives and inactives.

*One man each for excessive absences, failure to safeguard property, inappropriate behavior off duty and false reports.

Table 5a

FINAL DISPOSITION OF DEPARTMENTAL VIOLATIONS FOR ALL OFFICERS APPOINTED IN 1957 (ACTIVES AND INACTIVE)

| Disposition | Active | | Inactive | | Total | |
|----------------------|----------|----------|----------|----------|----------|----------|
| | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> |
| Complaint Dismissed | 76 | 10.7 | 9 | 7.8 | 85 | 10.3 |
| Reprimand | 72 | 10.1 | 6 | 5.2 | 78 | 9.4 |
| Probation | 6 | 0.8 | 5 | 4.3 | 11 | 1.3 |
| Fine, Minor | 472 | 66.3 | 51 | 44.3 | 523 | 63.2 |
| Fine, Major | 16 | 2.2 | 6 | 5.2 | 22 | 2.7 |
| Officer Suspended | 6 | 0.8 | 2 | 1.7 | 8 | 1.0 |
| Case Filed | 35 | 4.9 | 18 | 15.7 | 53 | 6.4 |
| Dismissed Department | | | 4 | 3.5 | 4 | 0.5 |
| Unknown | 29 | 4.1 | 14 | 12.2 | 43 | 5.2 |
| Total | 712 | 100.0 | 115 | 100.0 | 827 | 100.0 |

Table 6a

FINAL DISPOSITION OF CRIMINAL CHARGES FOR ALL
OFFICERS APPOINTED IN 1957 (ACTIVES AND INACTIVES)

| Disposition | Active | | Inactive | | Total | |
|----------------------|----------|----------|----------|----------|----------|----------|
| | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> |
| Complaint Dismissed | 5 | 25.0 | 1 | 9.1 | 6 | 19.4 |
| Reprimand | 1 | 5.0 | | | 1 | 3.2 |
| Probation | 1 | 5.0 | | | 1 | 3.2 |
| Fine, Minor | 3 | 15.0 | 1 | 9.1 | 4 | 12.9 |
| Fine, Major | 4 | 20.0 | 1 | 9.1 | 5 | 16.1 |
| Officer Suspended | 3 | 15.0 | 2 | 18.2 | 5 | 16.1 |
| Case Filed | 2 | 10.0 | 3 | 27.3 | 5 | 16.1 |
| Dismissed Department | | | 1 | 9.1 | 1 | 3.2 |
| Unknown | 1 | 5.0 | 2 | 18.2 | 3 | 9.7 |
| Total | 20 | 100.0 | 11 | 100.0 | 31 | 100.0 |

Table 7a

FINAL DISPOSITION OF CIVILIAN COMPLAINTS FOR ALL OFFICERS
APPOINTED IN 1957 (ACTIVES AND INACTIVES)

| Disposition | Active | | Inactive | | Total | |
|----------------------------------|----------|----------|----------|----------|----------|----------|
| | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> |
| Complaint Dismissed | 264 | 51.6 | 15 | 51.7 | 279 | 51.6 |
| Complainant Uncooperative | 1 | 0.2 | | | 1 | 0.2 |
| Reprimand | 1 | 0.2 | | | 1 | 0.2 |
| Warning and Admonished | 4 | 0.8 | 1 | 3.4 | 5 | 0.9 |
| Major Fine | 1 | 0.2 | | | 1 | 0.2 |
| Instructions | 11 | 2.1 | | | 11 | 2.0 |
| Case Filed | 162 | 31.6 | 8 | 27.6 | 170 | 31.4 |
| Conciliation with Complainant | 17 | 3.3 | | | 17 | 3.1 |
| Unknown | 51 | 10.0 | 5 | 17.2 | 56 | 10.4 |
| Total | 512 | 100.0 | 29 | 100.0 | 541 | 100.0 |

Appendix B



POLICE DEPARTMENT
CITY OF NEW YORK
NEW YORK 13, N. Y.
Personnel Records Unit

October 11, 1968

MEMORANDUM FOR DR. BERNARD COHEN, RAND CORPORATION.

Subject: NUMBER OF MEMBERS LEAVING THE DEPARTMENT FROM THOSE
APPOINTED IN YEAR 1957.

1. The following is a breakdown of the members appointed
to the department in 1957, Tax No. 839575 through 841843 showing
the number and reasons for leaving the department.

| | |
|--------------------|------------|
| Deceased | 23 |
| Dropped | 5 |
| Service Terminated | 2 |
| Dismissed | 28 |
| Retired | 29 |
| Resigned | <u>289</u> |

Total

376

Martin J. Lannigan
Martin J. Lannigan
Lieutenant
Temp-In-Command

cpa

Appendix C

Table 1c

DEPARTMENTAL, CRIMINAL AND CIVILIAN COMPLAINTS BY
TYPE AND RACE FOR COHORT OF ACTIVE OFFICERS APPOINTED IN 1957

| Type of Complaint | Race | | | | | | | |
|------------------------------------|-------|-------|-------|-------|--------------|-------|-------|-------|
| | Black | | White | | Puerto Rican | | Total | |
| | N | % | N | % | N | % | N | % |
| Procedural | 7 | 4.0 | 70 | 4.0 | 1 | 3.8 | 78 | 4.0 |
| Insubordination | 2 | 1.1 | 9 | 0.5 | | | 11 | 0.6 |
| Absence (AWOL) | 39 | 22.0 | 368 | 21.2 | 2 | 7.7 | 409 | 21.1 |
| Sick Absences | | | 12 | 0.1 | 1 | 3.8 | 13 | 0.7 |
| Moonlighting | | | 34 | 2.0 | 1 | 3.8 | 35 | 1.8 |
| Failure to Safeguard Guns | 14 | 7.9 | 40 | 2.3 | | | 54 | 2.8 |
| Failure to Safeguard Property | 13 | 7.3 | 49 | 2.8 | 1 | 3.8 | 63 | 3.3 |
| Inappropriate Behavior Off Duty | 4 | 2.3 | 28 | 1.6 | | | 32 | 1.7 |
| Inappropriate Behavior On Duty | 3 | 1.7 | 65 | 3.7 | 1 | 3.8 | 69 | 3.6 |
| Fail to Perform Duty | 6 | 3.4 | 33 | 1.9 | 1 | 3.8 | 40 | 2.1 |
| Moral Turpitude | 3 | 1.7 | 8 | 0.5 | 1 | 3.8 | 12 | 0.6 |
| Purposely Falsifying Report | 2 | 1.1 | 9 | 0.5 | | | 11 | 0.6 |
| Police Academy Viol. | | | 1 | 0.1 | 1 | 3.8 | 2 | 0.1 |
| Supervise on Patrol | | | 11 | 0.6 | | | 11 | 0.6 |
| False Statements | 1 | 0.6 | 4 | 0.2 | | | 5 | 0.3 |
| Family Probity | | | 1 | 0.1 | | | 1 | 0.1 |
| Protest Summons | 19 | 10.7 | 193 | 11.1 | 5 | 19.2 | 217 | 11.2 |
| Police Negligence | 10 | 5.6 | 124 | 7.1 | 1 | 3.8 | 135 | 7.0 |
| Fail to Pay Debts | 1 | 0.6 | 8 | 0.5 | | | 9 | 0.5 |
| Consorting with Criminals | 1 | 0.6 | 13 | 0.7 | | | 14 | 0.7 |
| Gratuities | 6 | 3.4 | 101 | 5.8 | 3 | 11.5 | 110 | 5.7 |
| Gambling or Policy Operations | | | 7 | 0.4 | | | 7 | 0.4 |
| False Testimony | 2 | 1.1 | 4 | 0.2 | | | 6 | 0.3 |
| Criminal Offense (8 Codes) | 3 | 1.7 | 25 | 1.4 | | | 28 | 1.4 |
| Criminal Offense (Other) | 1 | 0.6 | 19 | 1.1 | | | 20 | 1.0 |
| Unnecessary Force | 26 | 14.7 | 236 | 13.6 | 2 | 7.7 | 264 | 13.6 |
| Discourtesy | 5 | 2.8 | 84 | 4.8 | 1 | 3.8 | 90 | 4.6 |
| Abuse of Authority | 7 | 4.0 | 145 | 8.4 | | | 152 | 7.8 |
| Ethnic Slurs | | | 6 | 0.3 | | | 6 | 0.3 |
| Unknown | 2 | 1.1 | 28 | 1.6 | 4 | 15.4 | 34 | 1.8 |
| Total | 177 | 100.0 | 1,735 | 100.0 | 26 | 100.0 | 1,938 | 100.0 |

Table 2c

PROPORTION OF DEPARTMENTAL COMPLAINTS BROUGHT TO TRIAL FOR COHORT OF OFFICERS APPOINTED IN 1957

| Type of Complaint | Race | | | | | | | |
|---------------------------------|--------|-------|----------|-------|--------------|-------|----------|-------|
| | Black | | White | | Puerto Rican | | Total | |
| | N | % | N | % | N | % | N | % |
| Procedural | 6/7 | 85.7 | 52/70 | 74.2 | 0/1 | | 58/78 | 74.4 |
| Insubordination | 1/2 | 50.0 | 9/9 | 100.0 | | | 10/11 | 90.9 |
| Absences (AWOL) | 39/39 | 100.0 | 360/368 | 97.8 | 2/2 | 100.0 | 401/409 | 98.0 |
| Sick Absences | | | 12/12 | 100.0 | 1/1 | 100.0 | 13/13 | 100.0 |
| Moonlighting | | | 20/34 | 58.8 | 0/1 | | 20/35 | 57.1 |
| Failure to Safeguard Guns | 9/14 | 64.2 | 23/40 | 57.5 | | | 32/54 | 59.3 |
| Failure to Safeguard Property | 8/13 | 61.5 | 38/49 | 77.5 | 1/1 | 100.0 | 47/63 | 74.6 |
| Inappropriate Behavior Off Duty | 3/4 | 75.0 | 24/28 | 85.7 | | | 27/32 | 84.4 |
| Inappropriate Behavior On Duty | 2/3 | 66.7 | 41/65 | 63.0 | /1 | | 43/69 | 62.3 |
| Failure to Perform Duty | 5/6 | 83.3 | 30/33 | 90.9 | 1/1 | 100.0 | 36/40 | 90.0 |
| Moral Turpitude | 1/3 | 33.3 | 2/8 | 25.0 | 1/1 | 100.0 | 4/12 | 33.3 |
| Purposely Falsifying Report | 2/2 | 100.0 | 7/9 | 77.7 | | | 9/11 | 81.8 |
| Police Academy Viol. | | | 1/1 | 100.0 | 1/1 | 100.0 | 2/2 | 100.0 |
| Supervise on Patrol | | | /11 | | | | /11 | |
| False Statements | | | /4 | | | | /4 | |
| Family Probity | | | /1 | | | | /1 | |
| Protest Summons | /19 | | /193 | | /5 | | /217 | |
| Police Negligence | /10 | 10.0 | /124 | | /1 | | /135 | |
| Fail to Pay Debts | /1 | | /8 | | | | /9 | |
| Unknown | /2 | | 10/28 | 7.1 | /4 | | 10/34 | 29.4 |
| Total | 76/126 | 60.3 | 629/1095 | 56.7 | 7/20 | 35.0 | 712/1241 | 57.4 |

Table 3c

PROPORTION OF CRIMINAL CHARGES BROUGHT TO TRIAL FOR COHORT OFFICERS APPOINTED 1957

| Type of Complaint | Race | | | | | | | |
|------------------------------|-------|------|--------|------|--------------|---|--------|------|
| | Black | | White | | Puerto Rican | | Total | |
| | N | % | N | % | N | % | N | % |
| Consorting with Criminals | /1 | | 4/13 | 30.7 | | | 4/14 | 28.6 |
| Gratuities | /6 | | 11/101 | 10.8 | /3 | | 11/110 | 10.0 |
| Gambling or Policy Operation | | | 1/7 | 14.3 | | | 1/7 | 14.3 |
| False Testimony | 1/2 | 50.0 | 2/4 | 50.0 | | | 3/6 | 50.0 |
| Criminal Offense (8 Codes) | /3 | | 1/25 | 4.0 | | | 1/28 | 3.6 |
| Criminal Offense (Other) | /1 | | /19 | | | | /20 | 0.0 |
| Total | 1/13 | 7.7 | 19/169 | 11.2 | /3 | | 20/185 | 10.8 |

Table 4c

FINAL DISPOSITION OF DEPARTMENTAL COMPLAINTS
FOR COHORT OFFICERS APPOINTED IN 1957

| Type of Complaint | Complaint Dismissed | | Reprimand | | Probation | | Minor Fine | | Major Fine | | Officer Suspended | | Case Filed | | Unknown | | Total | |
|------------------------------------|---------------------|--------------|-----------|--------------|-----------|--------------|------------|--------------|------------|--------------|-------------------|--------------|------------|--------------|-----------|--------------|------------|--------------|
| | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> |
| Procedural | 4 | 5.3 | 20 | 27.8 | 1 | 16.7 | 25 | 5.3 | | | | | 4 | 11.4 | 4 | 13.8 | 58 | 8.1 |
| Insubordination | 1 | 1.3 | 1 | 1.4 | 1 | 16.7 | 5 | 1.1 | 1 | 6.3 | | | 1 | 2.9 | | | 10 | 1.4 |
| Absence (AWOL) | 34 | 44.7 | 40 | 55.6 | 1 | 16.7 | 305 | 64.6 | 2 | 12.5 | | | 13 | 37.1 | 6 | 20.7 | 401 | 56.3 |
| Sick Absences | 2 | 2.6 | 1 | 1.4 | | | 10 | 2.1 | | | | | | | | | 13 | 1.8 |
| Moonlighting | | | | | 1 | 16.7 | 13 | 2.8 | 4 | 25.0 | | | 2 | 5.7 | | | 20 | 2.8 |
| Failure to Safeguard Guns | 14 | 18.4 | | | 1 | 16.7 | 11 | 2.3 | | | 1 | 16.7 | 2 | 5.7 | 3 | 10.3 | 32 | 4.5 |
| Failure to Safeguard Property | 9 | 11.8 | 4 | 5.6 | | | 33 | 7.0 | | | | | | | 1 | 3.4 | 47 | 6.6 |
| Inappropriate Behavior Off Duty | 3 | 3.9 | | | 1 | 16.7 | 12 | 2.5 | 3 | 18.8 | 4 | 66.7 | 3 | 8.6 | 1 | 3.4 | 27 | 3.8 |
| Inappropriate Behavior On Duty | 1 | 1.3 | 4 | 5.6 | | | 33 | 7.0 | | | | | 3 | 8.6 | 2 | 6.9 | 43 | 6.0 |
| Fail to Perform Duty | 4 | 5.3 | 2 | 2.8 | | | 20 | 4.2 | 2 | 12.5 | | | 5 | 14.3 | 3 | 10.3 | 36 | 5.1 |
| Moral Turpitude | | | | | | | | | 2 | 12.5 | 1 | 16.7 | | | 1 | 3.4 | 4 | 0.6 |
| Purposely Falsifying Reports | 4 | 5.3 | | | | | 3 | 0.6 | 1 | 6.3 | | | 1 | 2.9 | | | 9 | 1.3 |
| Police Academy Viol. | | | | | | | 2 | 0.4 | | | | | | | | | 2 | 0.3 |
| Unknown | | | | | | | | | 1 | 6.3 | | | 1 | 2.9 | 8 | 27.6 | 10 | 1.4 |
| Total | 76 | 100.0 | 72 | 100.0 | 6 | 100.0 | 472 | 100.0 | 16 | 100.0 | 6 | 100.0 | 35 | 100.0 | 29 | 100.0 | 712 | 100.0 |

Table 5c

FINAL DISPOSITION OF CRIMINAL CHARGES FOR
COHORT OFFICERS APPOINTED IN 1957

| Type of Complaint | Complaint Dismissed | | Reprimand | | Probation | | Minor Fine | | Major Fine | | Officer Suspended | | Case Filed | | Unknown | | Total | |
|-------------------------------|---------------------|----------|-----------|----------|-----------|----------|------------|----------|------------|----------|-------------------|----------|------------|----------|----------|----------|----------|----------|
| | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> |
| Consorting with Criminals | 1 | 20.0 | | | | | | | | | 3 | 100.0 | | | | | 4 | 20.0 |
| Gratuities | 4 | 80.0 | 1 | 100.0 | 1 | 100.0 | 2 | 66.7 | | | | | 2 | 100.0 | 1 | 100.0 | 11 | 55.0 |
| Gambling or Policy Operations | | | | | | | | | 1 | 25.0 | | | | | | | 1 | 5.0 |
| False Testimony | | | | | | | 1 | 33.3 | 2 | 50.0 | | | | | | | 3 | 15.0 |
| Criminal Offense (8 Codes) | | | | | | | | | 1 | 25.0 | | | | | | | 1 | 5.0 |
| Criminal Offense (Other) | | | | | | | | | | | | | | | | | | |
| Total | 5 | 100.0 | 1 | 100.0 | 1 | 100.0 | 3 | 100.0 | 4 | 100.0 | 3 | 100.0 | 2 | 100.0 | 1 | 100.0 | 20 | 100.0 |

Table 6c

FINAL DISPOSITION OF CIVILIAN COMPLAINTS FOR
COHORT OF OFFICERS APPOINTED IN 1957

| Type of Complaint | Complaint Dismissed | | Complainant Uncooperative | | Reprimand | | Warnings and Admon- ishment | | Major Fine | | Instructions | | Case Filed | | Concilia- tion With Complainant | | Unknown | | Total | |
|-----------------------|------------------------|----------|------------------------------|----------|-----------|----------|-----------------------------------|----------|---------------|----------|--------------|----------|---------------|----------|---------------------------------------|----------|----------|----------|----------|----------|
| | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> |
| Unnecessary Force | 122 | 46.7 | | | | | | | 1 | 0.4 | 5 | 2.1 | 106 | 40.6 | 6 | 2.3 | 24 | 9.1 | 264 | 100.0 |
| Discourtesy | 58 | 64.4 | 1 | 1.1 | 1 | 1.1 | 2 | 2.2 | | | 3 | 3.3 | 15 | 16.7 | 7 | 7.8 | 3 | 3.3 | 90 | 100.0 |
| Abuse of Authority | 83 | 56.1 | | | | | 2 | 1.4 | | | 2 | 1.4 | 38 | 25.7 | 3 | 2.0 | 24 | 13.5 | 152 | 100.0 |
| Ethnic Slurs | 1 | 16.7 | | | | | | | | | 1 | 16.7 | 3 | 50.0 | 1 | 16.7 | | | 6 | 100.0 |
| Total | 264 | 51.6 | 1 | 0.2 | 1 | 0.2 | 4 | 0.8 | 1 | 0.2 | 11 | 2.1 | 162 | 31.6 | 17 | 3.3 | 51 | 10.0 | 512 | 100.0 |

Table 7c

DEPARTMENTAL, CRIMINAL AND CIVILIAN COMPLAINTS BY
TYPE AND RACE FOR INACTIVE OFFICERS APPOINTED IN 1957

| Type of Complaint | Race | | | | | | | |
|---|----------|----------|----------|----------|--------------|----------|----------|----------|
| | Black | | White | | Puerto Rican | | Total | |
| | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> |
| Procedural | | | 2 | 1.2 | | | 2 | 1.0 |
| Insubordination | | | 3 | 1.8 | | | 3 | 1.5 |
| Absence (AWOL) | 16 | 44.4 | 48 | 29.8 | | | 64 | 32.2 |
| Sick Absences | | | 3 | 1.8 | | | 3 | 1.5 |
| Moonlighting | | | 2 | 1.2 | | | 2 | 1.0 |
| Failure to Safeguard Guns | 3 | 8.3 | 7 | 4.3 | | | 10 | 5.0 |
| Failure to Safeguard Property | 1 | 2.7 | 5 | 3.1 | | | 6 | 3.0 |
| Inappropriate Behavior Off Duty | 2 | 5.5 | 3 | 1.8 | | | 5 | 2.5 |
| Inappropriate Behavior On Duty | 1 | 2.7 | 6 | 3.7 | | | 7 | 3.5 |
| Fail to Perform Duty | 1 | 2.7 | 2 | 1.2 | | | 3 | 1.5 |
| Moral Turpitude | 1 | 2.7 | | | | | 1 | 0.5 |
| Purposely Falsifying Report | | | 1 | 0.6 | 1 | 100.0 | 2 | 1.0 |
| Police Academy Viol. Supervise on Patrol | | | 5 | 3.1 | | | 5 | 2.5 |
| False Statements Family Probity | | | | | | | | |
| Protest Summons | | | 13 | 8.0 | | | 13 | 6.5 |
| Police Negligence | | | 3 | 1.8 | | | 3 | 1.5 |
| Fail to Pay Debts Consorting with Criminals | | | 2 | 1.2 | | | 2 | 1.0 |
| Gratuities | | | 11 | 6.8 | | | 11 | 5.5 |
| Gambling or Policy Operation | | | | | | | | |
| False Testimony Criminal Offense (8 Codes) | 1 | 2.7 | 3 | 1.8 | | | 4 | 2.0 |
| Criminal Offense (Other) | | | 2 | 1.2 | | | 2 | 1.0 |
| Unnecessary Force | 2 | 5.5 | 14 | 8.6 | | | 16 | 8.0 |
| Discourtesy | | | 2 | 1.2 | | | 2 | 1.0 |
| Abuse of Authority | | | 8 | 4.9 | | | 8 | 4.0 |
| Ethnic Slurs | | | 3 | 1.2 | | | 3 | 1.5 |
| Unknown | 8 | 22.2 | 14 | 8.6 | | | 22 | 11.1 |
| Total | 36 | 100.0 | 162 | 100.0 | 1 | 100.0 | 199 | 100.0 |

Table 8c

PROPORTION OF DEPARTMENTAL VIOLATIONS BROUGHT TO TRIAL FOR INACTIVE OFFICERS APPOINTED IN 1957

| Type of Complaint | Race | | | | | | | |
|---------------------------------|-------|-------|--------|-------|--------------|-------|---------|-------|
| | Black | | White | | Puerto Rican | | Total* | |
| | N | % | N | % | N | % | N | % |
| Procedural | | | 2/2 | 100.0 | | | 2/2 | 100.0 |
| Insubordination | | | 2/3 | 66.7 | | | 2/3 | 66.7 |
| Absence (AWOL) | 16/16 | 100.0 | 47/48 | 97.9 | | | 63/64 | 98.4 |
| Sick, Absence | | | 3/3 | 100.0 | | | 3/3 | 100.0 |
| Moonlighting | | | 1/2 | 50.0 | | | 1/2 | 50.0 |
| Failure to Safeguard Guns | 2/3 | 66.7 | 6/7 | 85.7 | | | 8/10 | 80.0 |
| Failure to Safeguard Property | 1/1 | 100.0 | 4/5 | 80.0 | | | 5/6 | 83.3 |
| Inappropriate Behavior Off Duty | 2/2 | 100.0 | 3/3 | 100.0 | | | 5/5 | 100.0 |
| Inappropriate Behavior On Duty | 1/1 | 100.0 | 4/6 | 66.7 | | | 5/7 | 71.4 |
| Failure to Perform Duty | 1/1 | 100.0 | 2/2 | 100.0 | | | 3/3 | 100.0 |
| Moral Turpitude | /1 | | | | | | /1 | |
| Purposely Falsifying Report | | | 1/1 | 100.0 | 1/1 | 100.0 | 2/2 | 100.0 |
| Police Academy Viol. | | | /5 | | | | /5 | |
| Supervise on Patrol | | | | | | | | |
| False Statements | | | /3 | | | | /3 | |
| Police Negligence | | | | | | | | |
| Fail to Pay Debts | | | /13 | | | | /13 | |
| Protest Summons | | | | | | | | |
| Family Probity | | | | | | | | |
| Unknown | 8/8 | 100.0 | 8/14 | 57.1 | | | 16/22 | 72.7 |
| Total | 31/33 | 93.9 | 83/117 | 70.9 | 1/1 | 100.0 | 115/151 | 76.2 |

* These figures do not include cases where race was unknown

Table 9c

PROPORTION OF CRIMINAL CHARGES BROUGHT TO TRIAL FOR INACTIVE OFFICERS APPOINTED IN 1957

| Type of Complaint | Race | | | | | | | |
|-------------------------------|-------|-------|-------|-------|--------------|---|-------|-------|
| | Black | | White | | Puerto Rican | | Total | |
| | N | % | N | % | N | % | N | % |
| Consorting with Criminals | | | 2/2 | 100.0 | | | 2/2 | 100.0 |
| Gratuities | | | 5/11 | 45.5 | | | 5/11 | 45.5 |
| Gambling or Policy Operations | | | | | | | | |
| False Testimony | | | | | | | | |
| Criminal Offense (8 Codes) | 1/1 | 100.0 | 2/3 | 66.7 | | | 3/4 | 75.0 |
| Criminal Offense (Other) | | | 1/2 | 50.0 | | | 1/2 | 50.0 |
| Total | 1/1 | 100.0 | 10/18 | 55.6 | | | 11/19 | 57.9 |

Table 10c

FINAL DISPOSITION OF DEPARTMENTAL COMPLAINTS
FOR INACTIVE OFFICERS APPOINTED IN 1957

| Type of Complaint | Complaint Dismissed | | Repri-mand | | Pro-bation | | Minor Fine | | Major Fine | | Officer Sus-pended | | Dismissed Dept. | | Case Filed | | Un-known | | Total | |
|---------------------------------|---------------------|-------|------------|-------|------------|-------|------------|-------|------------|-------|--------------------|-------|-----------------|-------|------------|-------|----------|-------|-------|-------|
| | N | % | N | % | N | % | N | % | N | % | N | % | N | % | N | % | N | % | N | % |
| Procedural | 1 | 11.1 | | | | | 3 | 5.9 | | | | | | | | | | | 4 | 3.7 |
| Insubordination | | | .1 | 16.7 | 1 | 20.0 | | | | | | | | | 2 | 11.1 | | | 4 | 3.7 |
| Absence (AWOL) | 6 | 66.7 | 4 | 66.7 | 2 | 40.0 | 40 | 78.4 | | | | | 1 | 25.0 | 5 | 27.8 | 5 | 83.3 | 63 | 58.9 |
| Sick Absences | | | | | | | 2 | 3.9 | | | | | | | 1 | 5.6 | | | 3 | 2.8 |
| Moonlighting | | | | | | | | | 1 | 16.7 | | | | | | | | | 1 | 0.9 |
| Failure to Safeguard Guns | | | | | 2 | 40.0 | 1 | 2.0 | 3 | 50.0 | | | | | 3 | 16.7 | | | 9 | 8.4 |
| Failure to Safeguard Property | 1 | 11.1 | | | | | 2 | 3.9 | | | | | 1 | 25.0 | 2 | 11.1 | | | 6 | 5.6 |
| Inappropriate Behavior Off Duty | | | | | | | 1 | 2.0 | 2 | 33.3 | | | 1 | 25.0 | 2 | 11.1 | | | 6 | 5.6 |
| Inappropriate Behavior On Duty | | | 1 | 16.7 | | | 1 | 2.0 | | | 1 | 50.0 | | | 2 | 11.1 | 1 | 16.7 | 6 | 5.6 |
| Failure to Perform Duty | | | | | | | 1 | 2.0 | | | 1 | 50.0 | | | 1 | 5.5 | | | 3 | 2.8 |
| Purposely Falsifying Report | 1 | 11.1 | | | | | | | | | | | | | | | | | 2 | 1.9 |
| | | | | | | | | | | | | | 1 | 25.0 | | | | | | |
| Total | 9 | 100.0 | 6 | 100.0 | 5 | 100.0 | 51 | 100.0 | 6 | 100.0 | 2 | 100.0 | 4 | 100.0 | 18 | 100.0 | 6 | 100.0 | 107* | 100.0 |

* Excluding 8 complaints where the dispositions were unknown

Table 11c

FINAL DISPOSITION OF CRIMINAL CHARGES FOR
INACTIVE OFFICERS APPOINTED IN 1957

| Criminal Charges | Complaint Dismissed | | Minor Fine | | Major Fine | | Officer Suspended | | Case Filed | | Unknown | | Total | |
|---------------------------------|------------------------|----------|---------------|----------|---------------|----------|----------------------|----------|---------------|----------|----------|----------|----------|----------|
| | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> |
| Consorting with Criminals | | | | | | | | | 1 | 33.3 | 1 | 33.3 | 2 | 18.2 |
| Gratuities | | | 1 | 100.0 | | | 1 | 50.0 | 2 | 66.7 | 1 | 33.3 | 5 | 45.5 |
| Gambling or Policy Operation | | | | | | | | | | | | | | |
| False Testimony | | | | | | | | | | | | | | |
| Criminal Offenses (8 Codes) | 1 | 100.0 | | | 1 | 100.0 | 1 | 50.0 | | | | | 3 | 27.3 |
| Criminal Offenses (Other) | | | | | | | | | | | 1 | 33.3 | 1 | 9.1 |
| Total | 1 | 100.0 | 1 | 100.0 | 1 | 100.0 | 2 | 100.0 | 3 | 100.0 | 3 | 100.0 | 11 | 100.0 |

Table 12c

FINAL DISPOSITION OF CIVILIAN COMPLAINTS
FOR INACTIVE OFFICERS APPOINTED IN 1957

| <u>Type of Complaint</u> | <u>Complaint Dismissed</u> | | <u>Warning and Admonishments</u> | | <u>Case Filed</u> | | <u>Unknown</u> | | <u>Total</u> | |
|--------------------------|----------------------------|----------|----------------------------------|----------|-------------------|----------|----------------|----------|--------------|----------|
| | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> | <u>N</u> | <u>%</u> |
| Unnecessary Force | 10 | 66.7 | | | 3 | 37.5 | 3 | 60.0 | 16 | 55.2 |
| Discourtesy | 2 | 13.3 | | | | | | | 2 | 6.9 |
| Abuse of Authority | 2 | 13.3 | 1 | 100.0 | 4 | 50.0 | 1 | 20.0 | 8 | 27.6 |
| <u>Ethnic Slurs</u> | 1 | 6.7 | | | 1 | 12.5 | 1 | 20.0 | 3 | 10.3 |
| <u>Total</u> | 15 | 100.0 | 1 | 100.0 | 8 | 100.0 | 5 | 100.0 | 29 | 100.0 |

Appendix D

TYPICAL CHARGES AGAINST MEMBERS OF THE COHORT
BROUGHT TO TRIAL*

| <u>Item</u> | <u>Charges</u> | <u>Disposition</u> |
|-------------|--|------------------------|
| 1 | As operator in RMP, failed to comply to orders of taking 2 burglary suspects to St. House for investigation, and to secure cellar door to premises where the burglary occurred. Permitted unauthorized release of one. Failed to enter in memo book this above action. | 5 days pay |
| 2 | Absent post 50 minutes. Failed to signal. | reprimanded |
| 3 | AWOL 2 hours and 45 minutes. | 2 days vacation |
| 4 | Failed to safeguard prisoner who then escaped from custody. | filed |
| 5 | Absent from post w/o permission and proper police necessity 6 minutes. | reprimanded |
| 6 | AWOL 1 hour and 30 minutes. | 1 day vacation |
| 7 | Absent from post w/o permission for 20 minutes. No entry. | 1 day vacation |
| 8 | On sick report, was absent from residence w/o permission of district surgeon, having changed residence failed and neglected to notify CO on proper Dept. form. | 5 days vacation |
| 9 | Off duty in civilian clothes. In front of desk officer, instructed to modulate his tone of voice and to desist from shouting, he willfully failed. | reprimanded |
| 10 | Assigned recorder RMP auto, w/o permission, was absent from post as recorder and w/o proper police necessity 2 minutes. No entry. | Dismissed Complaint |

* As recorded in the Disciplinary Record Section log books.

| Item | Charges | Disposition |
|------|---|------------------------|
| 11 | -Assigned as supervisor patro. in RMP auto, absent from assigned territory for 20 min. -Having entered premises, and been questioned S. O. during official investigation, gave evasive answers to questions put to him relative to his purpose and presence on premises. -No entry. | 3 days vacation |
| 12 | No charges today. | |
| 13 | Absent from post w/o permission on proper police necessity for 30 min. No entry. Failed to signal 5:25 PM and did not signal until 5:45 PM. | 3 days vacation |
| 14 | On or about-date, accepted and received envelope containing sum money as gratuity from civilian. | Dismissed Complaint |
| 15 | Assigned in station house, did w/o just cause, read newspaper and listened to music on radio 57 minutes. | reprimanded |
| 16 | Absent from special post w/o permission for 1 hour and 33 minutes. No entry. | 5 days vacation |
| 17 | AWOL 2 hours and 15 minutes. | reprimanded |
| 18 | Absent from meal location, seen at 9:45 PM in office of Supervisor of Parks; premises not on post and w/o permission. | 1 day vacation |
| 19 | Had private car for use, parked in vicinity of his post. | 1 day vacation |
| 20 | Absent from post w/o permission or proper police necessity 17 minutes. Failed and neglected to discover and take proper police action in connection with a violation of law existing in his post. | Dismissed Complaint |
| 30 | Assigned to MCY post, operating unmarked departmental auto, failed, neglected to comply with contents of MCY District order #38-1 and order #38-3, while issuing summons Triboro Bridge Manhattan side toll gates. | reprimanded |

| Items | Charges | Disposition |
|-------|---|------------------------|
| 31 | a) Assigned RMP, with patrolman stopped motorist after recording speed of travel at 61 miles in a 50 mph zone, solicited money in lieu of service of summons. Acted in concert with said patrolman, agreed to accept money. Failed to issue summons to male for speeding violation. Permitted male to leave area to get money, and held his NYS license to insure return and money. Accepted \$20. Made entry purport to show operator to be Scarsdale Police when he wasn't. | Dismissed Complaint |
| | b) Jan. 2, '68 having knowledge of speeding vehicle recorded on radar stylus as traveling 62 mph in a 50 mile zone, failed to issue a summons and take police action. Caused inaccurate entry to be made on radar graph indicating that it was vehicle actually not being used at time. | |
| | c) Jan. 6, with knowledge of speeding vehicle, failed to issue summons or take proper police action. Inaccurate entry: stating vehicle driven by police officer. | |
| | d) Jan. 18, knowledge of speeding vehicle, failed to issue summons or take proper police action: indicated operator to be police officer. | |
| | e) Jan. 18, knowledge of speeding vehicle recorded by radar stylus traveling 57 mph in a 50 mph zone. Failed to issue summons or take proper police action: entered as police officer. | |
| | f) Jan. 18, knowledge of speeding vehicle, traveling 60 mph in a 50 mile zone. Failed to make summons or take proper police action. Entered operator was Nassau County D.A. office. | |
| | g) Jan. 31, '68, auto-57 miles in a 50 mile zone. Failed to issue summons or take police action. Entry said operator was police Lt. | |

| <u>Items</u> | <u>Charges</u> | <u>Disposition</u> |
|--------------|--|--------------------|
| | h) Feb. 13, '68, knowledge of speeding vehicle recorded 59 mph in a 50 mph zone. Failed to issue summons or take police action. Inaccurate entry: police officer. | (see above) |
| | i) Feb. 17, '68, knowledge of speeding auto 63 mph in a 50 mph zone. Failed to issue summons or take police action/entry: police officer. | ↓ |
| | j) Feb. 20, '68, knowledge of speeding vehicle 64 mph in a 50 mph zone. Failed to issue summons or take police action. Inaccurate entry: police officer. | |
| | k) Feb. 21, speeding auto 65 mph in a 50 mph zone. Failed to issue summons or take police action. Inaccurate entry: driving was Deputy Commissioner. | |
| | l) Feb. 24, '68, speeding auto 59 mph in a 50 mph zone. Failed to issue summons or take police action. Entry: vehicle driven by police officer. | |
| | m) Jan. 6, '68, Feb. 13, '68, Mar. 6, '58- failed to record official contacts with operators of violating vehicles in his memo book. | |
| | n) Jan. 2, 18, 31, 1968, Feb. 17, 21, 24, 1968-failed to enter on radar graph the make, color, registration #'s or violating vehicles. | |
| 32 | Absent from post without permission or proper police necessity at 1:45 AM. No entry. | 1 day vacation |
| 33 | Absent from school crossing w/o permission or proper police necessity 15 minutes. | 2 days vacation |
| 34 | While performing duty and in Station House, acted disrespectfully to superior officer, refused to obey order of S. O. w/o just cause --acted in a disrespectful manner to another superior officer. Failed to submit medical exam to determine fitness for duty. Failed to obey order. Failed to signal. | --- |

CONTINUED

1 OF 2

| <u>Items</u> | <u>Charges</u> | <u>Disposition</u> |
|--------------|---|------------------------------|
| 35 | Absent from post w/o permission for 40 min. | reprimanded |
| 36 | Off duty, in civilian clothes allegedly assaulted by civilian. Failed to take police action. | pending |
| 37 | During 1959, 1960 -- engaged in another occupation w/o authorization. | 2 days vacation |
| 38 | Absent from post w/o permission or proper police necessity 15 min. No entry. | 2 days vacation |
| 39 | Lost service revolver, shield, memo book containing Dept. forms, summons book with 25 personal service summons and assigned copy of Legal Guide. Failed to properly care for Dept. overcoat, gun belt with live ammunition and handcuffs. Made false statements regarding loss of dept. property. | unknown |
| 40 | Sold revolver, didn't notify C.O. | 3 days vacation |
| 41 | AWOL for 1 hour and 50 minutes. | 2 days pay and eval. by P.C. |
| 42 | Lost Shield. | 5 days pay |
| 43 | Failed to signal at 1:55 AM, didn't signal until arrived at station house at 2:55. | 3 days vacation |
| 44 | Neglected to remain on post relieving point. (School Crossing) until properly relieved. | 1 day pay |
| 45 | Absent from post. | 5 days pay |
| 46 | Off duty, in civilian clothes neglected to handle carefully service revolver, resulting in radio message being transmitted directing RMP autos to be dispatched to premises necessitating his removal to station house. (details: shot apt. wall, intoxicated). | -- |
| 47 | Absent from post, seen in rear of Bar & Grill in conversation with a civilian -- no entry. | 2 days vacation |

| <u>Items</u> | <u>Charges</u> | <u>Disposition</u> |
|--------------|---|---------------------------|
| 48 | Failed to maintain on U.F. 16 chronological record of duty performed, making no entrees from May 12, 1967 through June 12, 1967. | reprimanded |
| 49 | On sick report, civilian clothes, presented self precinct, swore when asked why absent from residence w/o permission of District Surgeon. | 2 days pay |
| 50 | Absent from post w/o permission or proper police necessity 15 minutes. No entry. | 10 days vacation |
| 51 | Failed to remain on post w/[sic.] | 1 days pay |
| 52 | Absent from school crossing at 3 PM. Observed in dry cleaning store. No entry. | Dismissed Complaint |
| 53 | Failed, neglected safeguard revolver, brother-in-law shot self. | File |
| 54 | Absent from post w/o permission or proper police necessity at 8:55 AM. No entry. | 2 days vacation |
| 55 | Failed to remain on post. | 3 days vacation |
| 56 | Off duty, civilian clothes, driving car negligently caused accident, fatal injuries to other operator. | suspended 30 days fine |
| 57 | In premises, smoking cigarette. | 2 days vacation |
| 58 | Absent from post, 11:30 PM without permission Observed in restaurant. No entry. | 1 days pay |
| 59 | Absent from special gambling post for 30 min. without permission or proper police necessity. | 2 days vacation |
| 60 | Failed to inform switchboard operator / prior to meal time of meal or after meal. Stated falsely to Sergeant that he was on premises between 4 AM - 5 AM. | 2 days pay |
| 61 | Off duty, civilian clothes, without cause, struck female in face with nail clipper or keys. Failed to have service revolver on regulation off duty, no revolver on person. Failed to identify self as police officer off duty on way to work. Failed to wear uniform. | filed, dismissed Dept. |

| <u>Item</u> | <u>Charges</u> | <u>Disposition</u> |
|-------------|--|--------------------|
| 62 | As recorder RMP, failed to comply with contents of motor cycle District order: so that while stopping motorist for traffic violation, didn't keep turret light of RMP going. | reprimanded |
| 63 | Absent from post without leave. | 1 day vacation |
| 64 | AWOL for 30 min. | 2 days vacation |
| 65 | Absent from post without permission or police necessity for 1 hour and 5 minutes. No entry, didn't inform meal operator prior to said time of the address where he was or when he returned from meal. Failed to record alarms in memo book. | 3 days vacation |
| 66 | Assigned to telephone duty. Slept at intervals. | 2 days vacation |
| 67 | AWOL for 6 hours and 5 minutes. | 1 days pay |
| 68 | Let prisoner escape custody. | 3 days vacation |
| 69 | Smoking in uniform. | 1 day vacation |
| 70 | Absent school crossing without permission or proper police necessity at 12:25 PM. | 3 days vacation |
| 71 | Arrested civilian for unlawful possession of gun, made false entry saying gun was in hand of person when it was in pocket. False memo book used in criminal court. Made false entry to gain dept. recognition. | 5 days pay |
| 72 | While investigating sabbath violation, accepted gratuity of \$15 from manager. | pending |
| 73 | a) In concert with 2 other patrolmen having knowledge of attempted burglary, failed to take police action; attempted to break and enter premises with intent to commit crime. No entry in memo book about facts re: crime (Had private car for use, parked in vicinity). Absent without permission. While in uniform, rode private auto. Entered hotel. No entry. b) While under suspension to report to resident precinct on Nov. 18, 1960, reported on Nov. 19, 1960. | suspension |

| <u>Item</u> | <u>Charges</u> | <u>Disposition</u> |
|-------------|--|------------------------|
| | c) Changed residence, didn't notify C.O. | (see above) |
| | d) Failed to report to residence precinct on June 21, 1961. | ↓ |
| | e) Failed to report to residence precinct on Nov. 3, 1961. | |
| | f) Failed to report to residence precinct on Dec. 24, 1962. | |
| | g) Failed to report to residence precinct on Jan. 23, 1963. | |
| | h) Failed to report to residence precinct on May 10, 1963, Oct. 28, 1963. | |
| | i) Failed to report to residence precinct on Nov. 4, 1963. | |
| | j) Failed to report to residence precinct on Dec. 16, 1963. | |
| | k) Failed to report to residence precinct on Dec. 27, 1963. | |
| | l) Failed to report to residence precinct on Jan. 6, 1964. | |
| 74 | Off duty, engaged in and observed gambling activities. Drew revolver and pointed in direction of 2 civilians. | Dismissed Complaint |
| 75 | Absent from post without permission for 1 hour. No entry. Seated in gas station with uniform hat and coat removed. | 2 days pay |
| 76 | Lost summons book containing 25 personal service summons. | Dismissed Complaint |
| 77 | Lost off duty revolver. | Dismissed Complaint |

| <u>Items</u> | <u>Charges</u> | <u>Disposition</u> |
|--------------|--|----------------------------------|
| 78 | With another patrolman, solicited \$10 prisoner so he wouldn't be criminally charged with possession of Burglar's tools. Met prisoner another dated solicited \$10, \$100, \$200 other locations. Failed to charge /call to detectives attention the other accomplice. | Dismissed Complaint |
| 79 | On sick report, absent from residence without permission. Was at licensed Bar & Grill. Failed to carry on or off duty revolver. | 6 months probation 5 days pay |
| 80 | Rode private auto in uniform during tour. Failed to report meal location. | 5 days vacation |
| 81 | Absent from post for 1 hour and 15 minutes. Didn't use signal box when ringing at 10:26. No entry of absence. | 2 days vacation |
| 82 | Failed to prevent burglary. | 5 days vacation |
| 83 | Failed to properly safeguard department evidence (check). | 5 days pay |
| 84 | Failed to patrol constantly in sector. Parked opposite bank, transported a cloth bank bag containing quantity of U. S. coins to coal co. and a check cashing agency. No entry. | 5 days vacation |
| 85 | Dec. '66, accepted Xmas gratuity from civilian. July 1966, accepted gratuity from civilian for services performed. | Dismissed Complaint |
| 86 | Off duty, rode with intoxicated driver. Didn't take action. Falsely stated during official dept. action, that he was driving caused his own arrest for false statement. | Dismissed Complaint |
| 87 | Attended Detective Squad, solicited \$500,000 from civilian, and a prisoner (a defendant in pending criminal action). Stated at official department of investigation that he did not telephone civilian. Denied agreement between him and civilian. Recommended attorney to common-law wife of civilian. | To be dismissed* |

* This is a direct quote from the log book. Presumably, this officer has been dismissed.

| <u>Item</u> | <u>Charges</u> | <u>Disposition</u> |
|-------------|---|-------------------------------------|
| 88 | Didn't properly, carefully care for buff-tag summonses. | 1 day vacation |
| 89 | While assigned to Police Academy Recruits School, was on premises of place licensed to sell liquor. Was not at residence or temporary residence between 12 midnight -- 6 AM. | consideration by P.C. 3 days pay |
| 90 | Off duty, failed to take action when another PTL assaulted female. Didn't report to Superior Officer. Neglected to inquire as to her need for medical assistance. | 1 year probation and 15 days pay |
| 91 | Absent from post without permission or proper police necessity for 50 minutes. No entry. Signaled 53 minutes late. | 1 year probation and 6 days pay |
| 92 | Off duty, in civilian clothes, arrested person and charged him with narcotic violation and simple assault. Failed to include assault charges in affidavit and to arraign that person on that charge. | reprimanded |
| 93 | Informed of assault and robbery by Detective, failed to see that U. F. 61 was prepared to make memo book entry. | 2 days pay |
| 94 | Absent from post without permission, on premises of liquor store. No entry. | 3 days vacation |
| 95 | Off duty, didn't safeguard revolver. One shot discharged into apartment wall. | 3 days pay |
| 96 | Testified in criminal court trial that there were no witnesses for an intoxicated civilian driving when he had previously recorded them. | 10 days pay |
| 97 | On Jan. 26, 1958, in civilian clothes, loitered and looked through window at female in bedroom --3 times during Dec. 1957, Jan. 1958, Jan. 22, 1958 and didn't report to Commanding Officer, police action taken. | Dismissed |
| 98 | Absent from special post without permission for 38 minutes. Uniform cap removed. Was observed and brought adverse criticism on dept. Conducted himself in prejudicial manner (to the | 2 days vacation |

| <u>Items</u> | <u>Charges</u> | <u>Disposition</u> |
|--------------|---|-------------------------------------|
| 98 Cont. | good order and discipline of dept). He was sitting and talking to another female, not his wife. | |
| 99 | On sick leave, absent without permission of District Surgeon from residence when visited by sergeant. | 5 days pay |
| 100 | Assigned to raided premises (a hotel), was seen reclining in chair with coat unbuttoned, and eyes closed. | 5 days pay |
| 101 | Off duty, brought adverse criticism to dept. Struck civilian on head and shoulders with blackjack. Threatened civilian with revolver. | 1 year probation and 30 days pay |
| 102 | AWOL for 5 hours. | 5 days pay |
| 103 | Ptl. absent from post for 3 1/2 hours. After having been ordered by lieutenant to await arrival of captain. | 20 days vacation |
| 104 | Assigned switchboard -- made improper entries on switchboard record relative to signaling by members of force on patrol. | 3 days vacation |
| 105 | Off duty, no revolver, public place. | 5 days pay |
| 106 | Failed to signal return roll call. | reprimanded |
| 107 | Oct., Nov. 1964 -- had unauthorized police shield (not belonging to dept.). Accepted orders from other patrolmen to purchase duplicates. Made \$15 per shield. Also, accepted request and order for NYC Fire Department Shield - \$6. | -- |

CITATIONS AND CHARGES

POLICE DEPARTMENT
THE CITY OF NEW YORK

U.F. 161 (11-53)

| | | |
|---------------------|------|--------|
| NAME | RANK | SHIELD |
| DATE OF APPOINTMENT | | |

| DATE | DETAILS OF CITATIONS AND/OR CHARGES | DISPOSITION OR AWARD | DATE |
|------|-------------------------------------|----------------------|------|
| | | | |

Appendix E

NEW YORK CITY POLICE DEPARTMENT FORMS

| Name | Rank | Shield | Command | Date |
|-------------|--------|--------|---------|------|
| Last- SMITH | Pt. 1. | 1234 | 15 Pct. | 1968 |
| First- John | | | | |
| Middle- | | | | |

| Communication # (yr.) | Complaint |
|-----------------------|-----------------------------------|
| PC 2000 (68) | Officer discourteous when issuing |
| PM 1000 | summons |
| *Other | **Disp.- No misc. |

| | |
|--------|----------|
| PC | |
| PM | |
| *Other | **Disp.- |

| | |
|--------|----------|
| PC | |
| PM | |
| *Other | **Disp.- |

Remarks-

*CCRB or Complaint, Civilian **C&S, W&A or No Misconduct

Misc. 119

| Communication # (yr.) | Complaint |
|-----------------------|-----------|
| PC | |
| PM | |
| *Other | **Disp.- |

| | |
|--------|----------|
| PC | |
| PM | |
| *Other | **Disp.- |

| | |
|--------|----------|
| PC | |
| PM | |
| *Other | **Disp.- |

| | |
|--------|----------|
| PC | |
| PM | |
| *Other | **Disp.- |

Remarks-

*CCRB or Complaint, Civilian **C&S, W&A or No Misconduct

Misc. 119



POLICE DEPARTMENT
NEW YORK, N. Y. 10013

From: Executive Director, Civilian Complaint Review Board
To: The Police Commissioner
Subject: C.C.R.B. NO.

1. At a meeting of the Civilian Complaint Review Board held on the Board recommended that this case be filed as unsubstantiated.

Bernard H. Jackson
Executive Director
Civilian Complaint
Review Board

SUMMARY OF INCIDENT

CCRB #

Name and Address of Complainant

1.

2.
3.

Complainant's Age Sex Race
Male Female White Negro Puerto Rican
Male Female White Negro Puerto Rican
Male Female White Negro Puerto Rican

Date and Time of Complaint Was Person Arrested? Charge Date

Date and Time of Incident Disposition Date Court Docket #

Rank & Name of Member of Force Shield Command Yrs. on Force Race of Member
1 W N P.R.
2 W N P.R.
3 W N P.R.

Category into which complaint falls

Short Summary

Recommendation and Reasoning

END