

September 25, 2025

New York City Council
Committee on Public Safety

Re: CCRB's Racial Profiling & Bias-Based Policing Investigations Unit

Dear Council Members:

On behalf of the Legal Defense Fund (LDF),¹ we thank the committee for this opportunity to provide testimony regarding failures in the New York City Police Department's (NYPD) discipline and accountability systems. For decades, the NYPD has engaged in widespread racial profiling of Black and Latino residents, leading a federal court to find that the department "implement[ed] . . . policies regarding stop and frisk in a manner that intentionally discriminate[d] based on race."² These constitutional violations led to the appointment of an independent federal court monitor in 2013 ("the Monitor"). The Monitor's work continues and is specifically and narrowly focused on the City's compliance with reforming the NYPD's use of stop and frisk³ and trespass enforcement practices, which encompasses training, supervision, monitoring, and discipline related to these issues.⁴ The Court ordered the Monitor to "regularly conduct compliance and progress reviews."⁵ Through recent reviews, the Monitor has found that NYPD officers consistently failed to document their stops, and NYPD supervisors fail to properly discipline officers who do not document their stops and/or conduct unlawful stops.⁶

¹ LDF is the nation's first and foremost civil rights and human rights law organization. Since its founding in 1940 by Thurgood Marshall, LDF has worked at the national, state, and local levels to pursue racial justice and eliminate structural barriers for the Black community in the areas of criminal justice, economic justice, education, and political participation. As part of that work, LDF has also forged longstanding partnerships with local advocates, activists, and attorneys to challenge and reform unlawful and discriminatory policing in New York City. In 2010, LDF, with the Legal Aid Society and pro bono counsel, filed *Davis, et al. v. City of New York, et al.* on behalf of plaintiffs challenging the New York City Police Department's (NYPD) racially discriminatory policy and practice of unlawfully stopping and arresting New York City Housing Authority (NYCHA) residents and their visitors for trespass without the requisite level of suspicion. In 2015, the *Davis* plaintiffs reached a settlement with the City that included full participation in the federal court monitoring of the NYPD that was ordered in *Floyd v. City of New York*, the historic lawsuit that successfully challenged the NYPD's unconstitutional stop-and-frisk policies and practices.

² *Floyd v. City of New York*, 959 F. Supp. 2d 540, 663 (S.D.N.Y. 2013).

³ Opinion and Order at 11, *Floyd v. City of New York* ("Floyd"), No. 1:08-cv-1034 (S.D.N.Y. Aug. 12, 2013), ECF No. 372 [hereinafter Remedial Order], <https://ccrjustice.org/files/Floyd-Remedy-Opinion-8-12-13.pdf>.

⁴ *Id.* at 13-14.

⁵ *Id.* The Remedial Order was later incorporated into the settlement agreement with the plaintiffs in the Order of Approval of Settlement and Order of Dismissal, *Davis v. City of New York*, No. 1:10-cv-00699-AT (S.D.N.Y. Apr. 28, 2015), ECF No. 339.

⁶ See Mylan Denerstein, Twenty-Second Report of the Independent Monitor (Oct. 7, 2024), in *Floyd*, No. 1:08-cv-1034 (S.D.N.Y. Oct. 7, 2024), ECF 937-1, <https://www.nypdmonitor.org/wp-content/uploads/2024/10/2024.10.07-937-1-NYPD-Underreporting-of-Terry-Stops-Report.pdf>; James Yates, Report to the Court on Police Misconduct

The NYPD's failure to discipline officers for their unlawful conduct likely contributes to the persistence of unlawful stops. The Monitor recently published a report—authored by its consulting expert, former Judge James Yates—finding that the NYPD systematically refuses to discipline officers for their unlawful stops and frisks.⁷ Between 2017 and 2019, only 10 percent of officers were penalized with “penalty days” for complaints of unlawful stops, frisks, or searches that have been substantiated by the CCRB. During that same period, 48 percent of officers with substantiated CCRB claims were referred to instructions or training, and the remaining 36 percent of substantiated cases were disposed of without penalty.⁸ Officers who repeatedly made unlawful stops, frisks, or searches continued to receive the same training after each violation.⁹ Supervisors who failed to monitor or compel their officers to comply with legal requirements faced “close to non-existent discipline.”¹⁰ This failure to discipline officers and their supervisors for unlawful conduct sends a message to line officers, their supervisors, and the public that the NYPD does not take these constitutional violations seriously.

The NYPD's inadequate discipline of officers and supervisors also fosters a culture that perpetuates and condones unlawful conduct. Just days before his own resignation under the shadow of a criminal investigation, Commissioner Caban released a new, watered-down iteration of the disciplinary matrix¹¹ that reduced the penalties for a wide variety of offenses, including the penalty for using racial slurs.¹² These downgrades occurred *after* the Discipline Report—with all of its damning findings¹³—had been shared with the City for comment. In other words, the NYPD responded to the Monitor's findings of inadequate discipline of officers by lowering discipline standards, resulting in even more inadequate discipline. Because the NYPD has repeatedly failed to discipline officers adequately, the role of independent agencies like CCRB is integral. Though the CCRB lacks ultimate authority to impose discipline on NYPD officers, it plays a critical role in holding the NYPD accountable for officer misconduct by investigating complaints within its jurisdiction—including complaints for racial profiling and biased-based policing—and recommending discipline for substantiated misconduct. To fulfill its function,

and Discipline (Sept. 19, 2024), in *Floyd*, No. 1:08-cv-1034, (Sept. 23, 2024), ECF No. 936, <https://www.nypdmonitor.org/wp-content/uploads/2024/09/Discipline-Report.pdf> [hereinafter Discipline Report].

⁷ *Id.*

⁸ The term “penalty days” refers to the forfeiture of vacation days and/or the imposition of suspension without pay for a specified time period. The decision to suspend, deduct vacation days, or impose a combination of both penalties is based upon the severity of the misconduct, along with any relevant aggravating and mitigating factors. Discipline Report, *supra* note 6 at 60.

⁹ *Id.* at 5.

¹⁰ *Id.* at 5.

¹¹ The NYPD's disciplinary matrix sets out penalties for different types of misconduct.

¹² See Reuven Blau, *Caban Watered Down NYPD Misconduct Rules as Final Act*, The City (Sept. 13, 2024), <https://www.thecity.nyc/2024/09/13/caban-watered-down-nypd-punishments-as-final-act/>.

¹³ Among the findings laid bare in the scathing 503 page Discipline Report were that CCRB findings are not given the deference required by the Remedial Order and instead are often ignored; the NYPD police commissioners have consistently exercised their unfettered authority over discipline to excuse officers of stop and frisk misconduct by concluding they acted in “good faith” even when the misconduct is confirmed by independent investigation; and that officers found to have repeatedly broken the law and violated NYPD policy are promoted more often than punished. See Discipline Report, *supra* note 6 at 41, 149, 364-368.

CCRB must have sufficient resources and direct, unfettered access to all relevant data and information for its investigations. Otherwise, New Yorkers subject to unlawful NYPD conduct, who are disproportionately Black and Brown, will be left without recourse.

I. The City Council must ensure that the CCRB's Racial Profiling & Bias-Based Policing Investigations Unit has adequate resources.

The CCRB is an independent city agency staffed with experienced and trained lawyers and investigators. It is empowered to receive, investigate, and mediate complaints, make findings, and recommend action when complaints against NYPD officers are substantiated for excessive or unnecessary force, abuse of authority, discourtesy, and/or offensive language.¹⁴ The CCRB's investigative power comes from the New York City Charter, Section 440(C).¹⁵ In 2021, the City Council passed Local Law 47, which amended the Charter so that investigations of racial profiling and bias-based policing fall under the CCRB's abuse of authority jurisdiction.¹⁶

To exercise its new authority, the CCRB created the Racial Profiling and Bias Based Policing (RPBP) Unit in October 2022.¹⁷ The RPBP investigates racial profiling and biased-based policing by uniformed members of the NYPD, based on one or more of 10 protected traits: race, national origin/ethnicity, color, religion, age, immigration or citizenship status, gender/gender identity, sexual orientation, disability, and housing status.¹⁸ The RPBP unit's mandate is to investigate whether an NYPD officer's law enforcement actions against a complainant were based on one or more of that person's actual or perceived protected traits. The CCRB's 2025 Semi-Annual Report noted that the RPBP Unit had 787 open complaints as of the first half of the year,¹⁹ demonstrating the clear need for the Unit's work.

The creation of the RPBP Unit has been a critical step in improving accountability for NYPD officers' racial profiling and biased-based policing. Prior to its creation, the CCRB referred all profiling and biased policing complaints to the NYPD's Internal Affairs Bureau (IAB).²⁰ The NYPD's institutional reluctance to investigate and discipline claims of racial profiling and biased-based policing is perhaps best exemplified by its failure to substantiate *even one single instance of racial profiling* during the period of time when IAB had exclusive jurisdiction to investigate racial profiling complaints, despite receiving thousands of such

¹⁴ *About the CCRB*, N.Y.C., <https://www.nyc.gov/site/ccrb/about/about.page> (last visited Sept. 24, 2025).

¹⁵ N.Y. C. Charter, ch. 18-A §440(C), <https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCcharter/0-0-0-1641> (last visited Sept. 24, 2025).

¹⁶ Loc. L. 2021/047 (N.Y.C. Apr. 25, 2021), <https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCadmin/0-0-0-132892>.

¹⁷ Mylan Denerstein, Twenty-First Report of the Independent Monitor at 50, in *Floyd*, No. 1:08-cv-1034 (S.D.N.Y. Sept. 4, 2024), ECF 934-1.

¹⁸ *Racial Profiling & Bias-Based Policing Investigations Unit*, N.Y.C., <https://www.nyc.gov/site/ccrb/complaints/file-a-complaint/RPBP.page> (last visited Sept. 24, 2025).

¹⁹ Eric Adams et al., Civilian Compl. Rev. Bd., Semi-Annual Report at 34 (2025) [hereinafter 2025 CCRB Semi-Annual Report], https://www.nyc.gov/assets/ccrb/downloads/pdf/policy_pdf/annual_bi-annual/2025CCRBsemi-AnnualReport.pdf.

²⁰ *Racial Profiling & Bias-Based Policing Investigations Unit*, *supra* note 18.

complaints.²¹ Now, incidents of racial profiling and racial bias must be investigated by an independent agency—the CCRB—to ensure transparency and effective accountability.

Despite the urgency of its mandate, the RPBP Unit suffers from a lack of resources to effectively hold the NYPD accountable. To thoroughly and adequately investigate claims, the unit needs investigators, attorneys, data scientists, and support staff. Without adequate funding, the RPBP Unit cannot hire enough people to adequately staff its investigations. In 2024, CCRB received 5,663 complaints, an increase from 5,542 complaints in the previous year.²² However, instead of increasing the CCRB’s budget to match the rising number of complaints, the CCRB’s headcount decreased from 231 positions in 2024 to 228 in the 2025 Preliminary Budget.²³ Notably, the City Council has pointed out that the CCRB headcount should be closer to 376 to handle the demanding workload.²⁴

Inadequate staffing creates a backlog, which delays investigations and defers a timely resolution of cases that civilian complainants seek and deserve. These staffing-related delays have caused investigations to extend beyond the 18-month statute of limitations,²⁵ providing yet another obstacle to meaningful discipline. As a result, the NYPD often dismisses complaints on procedural grounds without investigating their merits, leaving discriminatory and unconstitutional conduct to remain unaddressed.²⁶

Due to staffing shortages, in 2024, the CCRB decided to stop investigating certain types of complaints altogether, including threats, property seizures, and forcible removal to hospitals.²⁷ It also suspended investigations of officers allegedly using “discourteous words” or making “untruthful statements.”²⁸ In light of these troubling developments, the City Council noted, in 2024, the deficiencies of the CCRB’s funding level as civilian complaints continued to rise,²⁹ and

²¹ In 2019, the Office of the Inspector General for the NYPD released a report, finding that the NYPD had never substantiated a single case of biased-based policing (out of 2,495 complaints), nearly five years into the monitorship. Press Release, NYPD Off. of the Inspector Gen., N.Y.C. Dep’t of Investigation, Complaints of Biased Based Policing in New York City: An Assessment of NYPD’s Investigations, Trainings, and Policies at 17-19 (June 2019), https://www.nyc.gov/assets/doi/reports/pdf/2019/Jun/19BiasRpt_62619.pdf.

²² Eric Adams et al., Civilian Compl. Rev. Bd., Annual Report at 4 (2024) [hereinafter 2024 CCRB Annual Report], https://www.nyc.gov/assets/ccrb/downloads/pdf/policy_pdf/annual_bi-annual/2024-CCRB-Annual-Report.pdf.

²³ Owen Kotowski et al., Report on the Fiscal 2025 Preliminary Plan and the Fiscal 2024 Preliminary Mayor’s Management Report for the Civilian Complaint Review Board (Mar. 20, 2024), <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2024/03/054-CCRB.pdf>.

²⁴ Adrienne E. Adams et al., New York City Council’s Response to the Fiscal 2025 Preliminary Budget and Fiscal 2024 Preliminary Mayor’s Management Report at 30 (Apr. 1, 2024) [hereinafter City Council Resp.], <https://council.nyc.gov/budget/wp-content/uploads/sites/54/2024/04/Fiscal-2025-Preliminary-Budget-Response-4.pdf>.

²⁵ N.Y. Civ. Serv. Law § 75(4).

²⁶ The Monitor even found that the NYPD improperly dismissed complaints of misconduct simply because they were near, rather than beyond, the statute of limitations, even though they could have been resolved before the statute expired. See Denerstein, *supra* note 17.

²⁷ 2024 CCRB Annual Report, *supra* note 22.

²⁸ *Id.*

²⁹ *Id.*

called on the Administration to hire all vacant positions to alleviate some of these concerns.³⁰ Accordingly, the City Council requested an increase of CCRB’s baseline budget by \$15 million in fiscal year 2025 so that the CCRB and its RPBP Unit could be fully funded with increased staff.³¹ We applaud this request from the City Council in 2024 and urge continued efforts to ensure full funding of the RPBP Unit so that it can hire the necessary attorneys, investigators, data scientists, and support staff to accomplish its mandate.

II. To fulfill its mandate, the CCRB must have direct and unfettered access to NYPD databases and records.

It is crucial for the CCRB to have unfettered access to all relevant data and information regarding officers’ conduct and records to conduct timely, thorough, and effective investigations of misconduct allegations. The National Association for Civilian Oversight of Law Enforcement (NACOLE) identifies “unfettered access to records” as a foundational principle for effective civilian oversight.³² In a 2021 report, the Office of the Inspector General for the NYPD recommended that the CCRB receive direct access to body-worn camera (“BWC”) footage.³³ However, the case-specific information that is necessary for a complete investigation—*e.g.*, body camera footage, a subject officer’s complaint history, performance evaluations, adverse credibility assessments,³⁴ and data sets of an officer’s past arrests and conduct—is currently under the exclusive control of the NYPD, which has not been fully cooperative in ensuring adequate and timely access for CCRB investigators.

The CCRB’s lack of direct access to pertinent NYPD data and records, as well as the limited time duration of data made available, creates barriers to timely, thorough, and effective investigations, thus undermining the CCRB’s mandate. For example, only seven months after the launch of the RPBP Unit, it had more than one hundred open investigations of biased-based policing,³⁵ but the NYPD repeatedly stymied these investigations by refusing to provide certain evidence to CCRB investigators that were needed to complete their investigations.³⁶ Ultimately, the Monitor had to intervene, leading to an executed agreement between the NYPD and the

³⁰ *Id.*

³¹ City Council Resp., *supra* note at 24.

³² Michael Vitoroulis et al., Civilian Oversight of Law Enforcement, Report on the State of the Field and Effective Oversight Practices at 66 (2021), <https://www.govinfo.gov/content/pkg/GOVPUB-J36-PURL-gpo159161/pdf/GOVPUB-J36-PURL-gpo159161.pdf>.

³³ Press Release, NYPD Off. of the Inspector Gen., N.Y.C. Dep’t of Investigation, Sharing Police Body Worn Camera Footage in New York (Nov. 2021), <https://www.nyc.gov/assets/doi/press-releases/2021/November/21BWCRRelease.Rpt.11.05.2021.pdf>.

³⁴ Credibility determinations are particularly critical in racial profiling and bias-based policing investigations.

³⁵ Denerstein, *supra* note 17 at 50.

³⁶ *Id.*

CCRB³⁷ that required the NYPD to disclose relevant data to the CCRB concerning its investigations into allegations of racially-motivated and bias-based policing.³⁸

Because the CCRB lacks direct access to NYPD data and records, it must fill out a request form and wait for the NYPD to process that request for every complaint and allegation under investigation.³⁹ This cumbersome process unduly delays the CCRB's access to data that is necessary for its investigations. Moreover, the data the NYPD eventually provides to the CCRB is often insufficient.⁴⁰ The delay caused by this request process and the insufficiency of the data that the CCRB eventually receives undermines the investigations, which often go beyond the statute of limitations and cause complaints to be dismissed on procedural grounds.⁴¹

The RPBP Unit often analyzes past arrest records and *Terry* stop records of an officer under investigation to see if there is a trend of misconduct or racial bias. Investigations may also include an analysis of officers in the same unit or in similarly situated roles, to detect whether a particular officer's arrests and *Terry* stops differ significantly from other officers, which can be evidence of bias or profiling. However, the CCRB is currently only permitted to access one year of NYPD data preceding the events alleged in a complaint.⁴² Evaluating one year of data is often insufficient for the RPBP Unit to conduct a meaningful analysis for trends or patterns, which is more apparent from data over longer periods of time. Given that much of the relevant information is now stored electronically, it would not be burdensome for the NYPD to provide access to additional years of data and records for the RPBP Unit's investigations. For the RPBP Unit, this additional information would dramatically improve its ability to identify patterns or trends in officer conduct and conduct timely and thorough investigations.

Major cities in the United States have enacted legislation to provide their civilian oversight boards with direct access to their police departments' data for the purpose of

³⁷ Data Sharing Agreement Between the NYPD and the N.Y.C. Civilian Compl. Rev. Bd. for the Investigations of Allegations Regarding Bias-Based Policing or Racial Profiling (June 8, 2023) [hereinafter June 8, 2023, MOU], https://www.nyc.gov/assets/ccrb/downloads/pdf/rpbbp_mou.pdf.

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ Eric Umansky, *The NYPD Is Tossing Out Hundreds of Misconduct Cases—Including Stop-and-Frisks—Without Even Looking at Them*, ProPublica (Sept. 11, 2024). CCRB had handled cases slowly “due in large part to the NYPD withholding evidence from civilian investigators, a 2020 investigation by ProPublica found.” (citing Eric Umansky & Mollie Simon, *The NYPD Is Withholding Evidence from Investigations into Police Abuse*, ProPublica (Aug. 17, 2020)).

⁴¹ According to the CCRB 2025 Semi-Annual Report, from 2021-2025, the NYPD reported cases as “No Disciplinary Action – Short SOL,” meaning “that the NYPD would not pursue disciplinary proceedings against an officer because the Board’s discipline recommendation was made too close to the expiration of the statute of limitations (SOL) period. In 2024, the Department’s use of “Short SOL” decisions skyrocketed, and the DAO dismissed 890 disciplinary cases as “Short SOL,” including cases that were closed by the CCRB more than 60 days before the expiration of the SOL date.” 2025 CCRB Semi-Annual Report at 4, *supra* note 19.

https://www.nyc.gov/assets/ccrb/downloads/pdf/policy_pdf/annual_bi-annual/2025CCRBsemi-AnnualReport.pdf

⁴² June 8, 2023, MOU, *supra* note 39 at art. III(D)(1).

investigating allegations of misconduct.⁴³ For example, Chicago created the Civilian Office of Police Accountability (COPA), which plays a similar role to the CCRB in investigating allegations of misconduct.⁴⁴ Initially, COPA had to file a form with the police department to obtain body camera footage and data, but it now has direct access to the data.⁴⁵ The COPA Chief of Investigations, Shannon Hayes, stated that the difference was “night and day.”⁴⁶ Craig Futterman, University of Chicago Law School Professor and Director of the Civil Rights and Accountability Project of the Mandel Legal Aid Clinic since 2000, called COPA’s investigations “the highest quality [he’s] ever seen in Chicago.”⁴⁷ Additionally, Washington D.C.’s Office of Police Complaints, an independent investigative civilian oversight agency, “has direct access to MPD body-worn camera footage; incident reports; and stop, search, and arrest reports.”⁴⁸

The RPBP Unit can be a powerful tool⁴⁹ to ensure that NYPD officers engaging in discriminatory or otherwise unlawful conduct are receive discipline commensurate to their actions, thereby deterring future misconduct. Currently, however, the lack of direct and unfettered access to NYPD data and records impedes the RPBP Unit’s ability to conduct timely, thorough, and effective investigations, thus undermining its ability to fulfill its important mandate. The City Council must take immediate action to rectify this problem.

III. Strengthening the CCRB is critical to protecting Black and Brown New Yorkers who are disparately harmed by NYPD officers’ unlawful conduct.

The NYPD’s unlawful stop and frisk practices historically targeted Black and Brown New Yorkers, and this disparate harm continues with unlawful police stops and enforcement actions, including by NYPD specialized units. From 2022-2023, the NYPD has dramatically increased the rate at which it stops New Yorkers, with Black and Latino people comprising a staggering 88 percent of all people stopped during that time.⁵⁰ Since Mayor Adams took office and established policing entities like Neighborhood Safety Teams (NSTs), the NYPD is making more arrests, mostly for non-violent offenses.⁵¹ Most of this so-called “proactive” policing is

⁴³ Michael Vitoroulis, NACOLE Case Studies on Civilian Oversight: Office of Police Complaints at 12 (2021), <https://portal.cops.usdoj.gov/resourcecenter/content.ashx/cops-w0961-pub.pdf> (“The OPC has direct access to MPD body-worn camera footage; incident reports; and stop, search, and arrest reports.”)

⁴⁴ Eric Umansky, *How Chicago Became an Unlikely Leader in Body-Camera Transparency*, ProPublica (January 23, 2024), <https://www.propublica.org/article/how-chicago-became-leader-body-camera-transparency-police>

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ Vitoroulis, *supra* note 45 at 12.

⁴⁹ Under the current version of the disciplinary matrix, the mitigated penalty for racially-biased policing is forced separation, and the presumptive penalty is termination. N.Y. Police Dep’t, Disciplinary System Penalty Guidelines at 47 (Sept. 9, 2024),

https://www.nyc.gov/assets/nypd/downloads/pdf/public_information/nypd_disciplinary_system_penalty_guidelines_effective_09-09-2024.pdf.

⁵⁰ Stop-and-Frisk Data, NYCLU (May 27, 2025) <https://www.nyclu.org/data/stop-and-frisk-data>.

⁵¹ Chip Brownlee, *The ‘Clearances Paradox’: Could Less Policing Actually Reduce Gun Violence in New York?*, The Guardian (June 22, 2022), www.theguardian.com/us-news/2022/jun/22/nypd-fewer-arrests-reduce-crime-new-york.

highly concentrated in Black and Brown communities.⁵² While Mayor Adams and the NYPD purport deploying these units to decrease gun violence, they mostly target Black and Brown New Yorkers for low-level offenses.⁵³ As the Monitor described in a report published earlier this year, these specialized units have constitutional compliance rates on stops, frisks, and searches that are “significantly below that of patrol officers” despite the specialized training provided to the experienced officers in those units.⁵⁴ In 2023, the Monitor found that 97 percent of people stopped by NSTs were Black or Latino, and that over one-third of stops conducted by NSTs were unlawful.⁵⁵ The Monitor also found that the NYPD’s Community Response Team (CRT)—purportedly established in 2022 to focus on quality-of-life offenses—conducted illegal stops at higher rates than patrol officers, and that 97 percent of people stopped, frisked, or searched by CRT officers were Black or Latino men.⁵⁶

It is, therefore, no coincidence that an evaluation of CCRB complaints found Black, Latino, Asian, and other people of color to be three times more likely than white people to be the injured party.⁵⁷ Misconduct by the NYPD’s Strategic Response Group also disparately harms Black and Latino New Yorkers, who comprise 87 percent of all CCRB complainants against the unit from 2015 through 2021.⁵⁸

The NYPD’s systemic failure to hold officers accountable for racial profiling and other misconduct is not only a matter of accountability but of cost. A recent report from New York City Comptroller Brad Lander evaluated complaints against NYPD officers for excessive force and concluded that, in Fiscal Year 2025, “Police Action” claims were the single largest source of tort claims against the City, totaling 6,082 claims and over \$113 million in settlement payments.⁵⁹ New York City residents are paying the price, both in justice denied and in taxpayer dollars drained, of the NYPD’s refusal to hold its officers accountable.

⁵² Aaron Katersky & Teddy Grant, *NYPD Safety Team Making High Number of Unlawful Stops, Mostly People of Color: Report*, ABC News (June 5, 2023), www.abcnews.go.com/US/nypd-safety-team-making-high-number-unlawful-stops/story?id=99850699.

⁵³ Sara Dorn, *NYPD’s Neighborhood Safety Teams Are Mostly Making Low-Level Arrests, Data Shows*, City & State N.Y. (Apr. 8, 2022), www.cityandstateny.com/politics/2022/04/nypds-neighborhood-safety-teams-are-mostly-making-low-level-arrests-data-show/365450/.

⁵⁴ Mylan Denerstein, Twenty-Third Report of the Independent Monitor: The NYPD’s NST and PST Units’ Stop, Frisk, and Search Practices at 17-18 (Feb. 3, 2025), in *Floyd*, No. 1:08-cv-01034 (S.D.N.Y. Feb. 3, 2025), ECF No. 952-1.

⁵⁵ Mylan Denerstein, Nineteenth Report of the Independent Monitor: Monitor’s Audit of the Neighborhood Safety Teams at 2 (June 5, 2023), in *Floyd*, No. 1:08-cv-01034 (S.D.N.Y. June 5, 2023), ECF No. 915-1.

⁵⁶ Mylan Denerstein, Twenty-Fifth Report of the Independent Monitor: The NYPD’s Community Response Team’s Stop, Frisk, and Search Practices at 2-3 (June 3, 2025), *Floyd*, No. 1:08-cv-01034 (S.D.N.Y. June 3, 2025), ECF No. 915-1.

⁵⁷ NYCLU, *Cop Out: Analyzing 20 Years of Records Proving NYPD Impunity* at 4 (2021), nyclu-2021-ccrbdata-report.pdf (“People of color – Black, Latinx, Asian, Other race, American Indian – are three times more likely to be identified as the injured party in a police misconduct complaint than white people.”)

⁵⁸ *Why We Must Disband the NYPD’s Strategic Response Group*, NYCLU (Sept. 2021), www.nyclu.org/sites/default/files/field_documents/202109_nyclu_srg_2pager.pdf.

⁵⁹ Justyn Richardson et al., N.Y.C. Comptroller, *A Blueprint for Department-Wide Restraint: An Analysis of NYPD Excessive Force Complaints, Claims, and Lawsuits* (Sept. 22, 2025), <https://comptroller.nyc.gov/reports/a-blueprint-for-department-wide-restraint>.

Furthermore, the NYPD's failure to discipline officers, even when the CCRB has substantiated the allegations of misconduct, deepens the devastating trauma that complainants and their families experience. In 2022, the NYPD rejected the majority of disciplinary recommendations referred by the CCRB, leaving hundreds of officer misconduct cases unaddressed in that year alone. Recently, after Allan Feliz was fatally shot by NYPD officers during a 2019 traffic stop, NYPD's Deputy Trial Commissioner found the accused officer guilty of violating department guidelines on the use of force and recommended his termination.⁶⁰ Nonetheless, Mr. Feliz's family must now endure the NYPD's recent decision not to impose any discipline in the case.⁶¹

CONCLUSION

The City Council, as the primary oversight body of the NYPD, must act to end these miscarriages of justice. As officer misconduct continues, New Yorkers are looking to this body to take swift and significant action. Without meaningful consequences, communities—particularly Black and Brown, marginalized communities—are left with only grief and the reinforced belief that the NYPD is immune from any repercussions for its actions. For far too long, New Yorkers have paid the price of NYPD's failure to discipline officers and supervisors. We urge the City Council to do everything within its power to hold the NYPD accountable for misconduct and unlawful behavior. This goal can be advanced by ensuring that the CCRB and its RPBP Unit have adequate staffing and resources, as well as direct access to department records, to operate effectively and efficiently. Only then can New Yorkers have any semblance of trust and confidence in systems of accountability for NYPD officers.

Respectfully Submitted,

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⁶⁰ Maria Cramer, *N.Y.P.D. Officer Who Fatally Shot Driver Should Be Fired, Judge Says*, N.Y. Times (Feb. 12, 2025), <https://www.nytimes.com/2025/02/12/nyregion/jonathan-rivera-allan-feliz-police-discipline.html>.

⁶¹ Yoav Gonen, *NYPD Commissioner Tisch Declines to Punish Cop Who Fatally Shot Fleeing Driver*, The City (Aug. 19, 2025) <https://www.thecity.nyc/2025/08/19/nypd-tisch-jonathan-rivera-overruled/>.



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