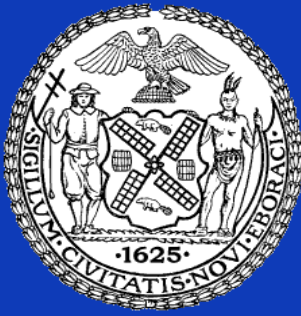




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**Report on the Fiscal 2024 Preliminary Plan
and the Fiscal 2023 Mayor's Management
Report for the**

Civilian Complaint Review Board

March 20, 2023

Prepared by Owen Kotowski, Financial Analyst



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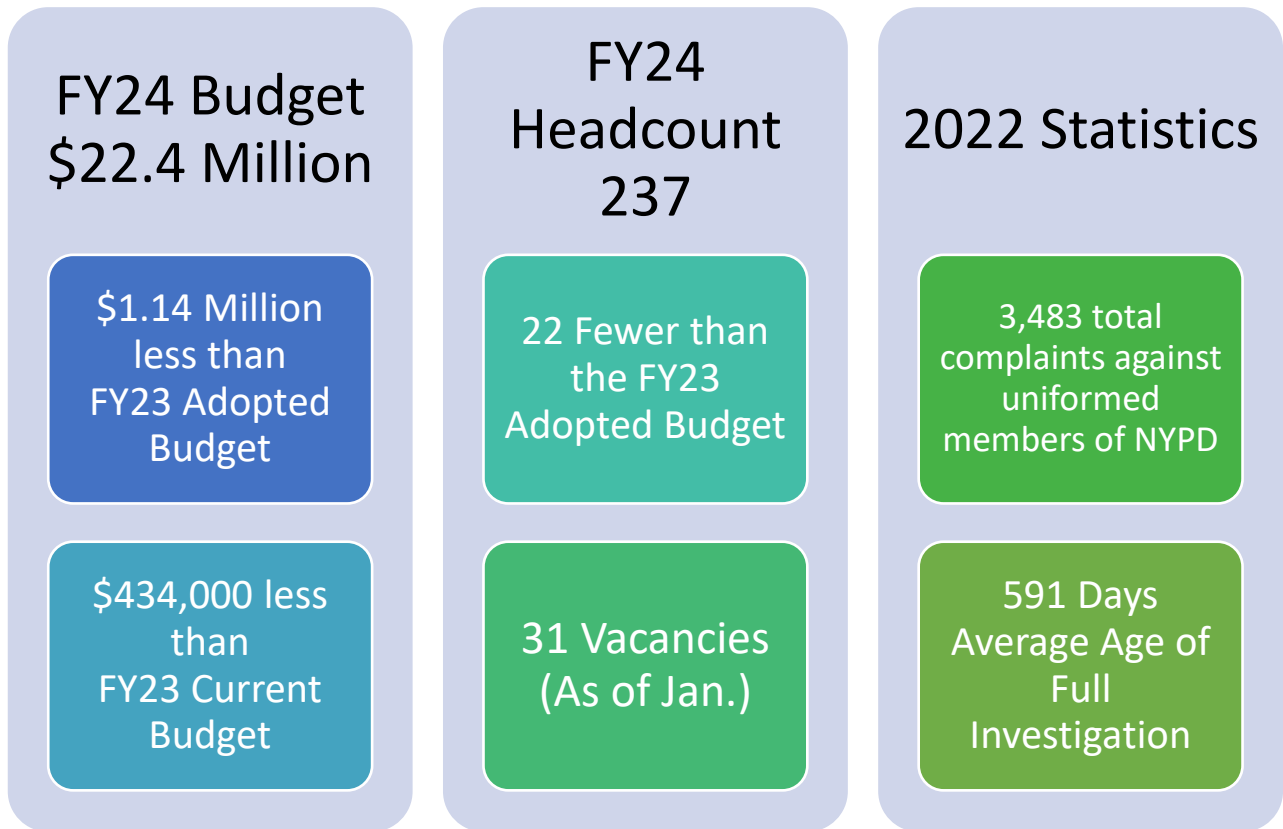
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Civilian Complaint Review Board (CCRB) Fiscal 2024 Budget Snapshot



Civilian Complaint Review Board Overview

The Civilian Complaint Review Board's (CCRB or the Board) Fiscal 2024 Preliminary Budget totals \$22.4 million, or less than one percent of the City's Fiscal 2024 Budget of \$102.7 billion. CCRB receives and investigates complaints made by the public against employees of the New York City Police Department (NYPD). Penalties issued by the CCRB may range from warnings, loss of vacation days, suspension without pay, dismissal probation, or termination from the NYPD. The CCRB is composed of 15 board members, who all must live in the city and reflect the diversity of the city. The 15 member board governs the CCRB, with five seats appointed by the Mayor, five appointed by the City Council, three designated by the Police Commissioner, one appointed by the Public Advocate, and the Chair who is jointly appointed by the Mayor and City Council. The members serve three-year terms and can be reappointed to the position.

Financial Plan Overview

CCRB's Fiscal 2024 Preliminary Budget is \$22.4 million, \$1.14 million less than the Fiscal 2023 Adopted Budget of \$23.5 million. This decrease is the result of changes included in the Fiscal 2023 November Plan as there were no changes to CCRB's budget in the Preliminary Plan. The \$1.14 million decrease is the result of the elimination of 22 vacant positions in the Investigations/Mediation Unit that reduced Personal Services (PS) spending by \$930,442 and \$200,000 of less than anticipated Other than Personal Services (OTPS).

CCRB Financial Summary

The following Financial Summary provides actuals for Fiscal 2021 and Fiscal 2022, the Adopted Budget for Fiscal 2023 and planned spending for Fiscal 2023 and Fiscal 2024 as of the Fiscal 2024 Preliminary Budget. This information is broken down by spending category, funding, and headcount.

Table 1: CCRB Financial Summary						
<i>Dollars in Thousands</i>						
	FY21 Actual	FY22 Actual	FY23 Adopted	Preliminary Plan		*Difference FY24-FY23
				FY23	FY24	
Spending						
Personal Services	\$16,356	\$16,837	\$18,953	\$18,453	\$18,022	(\$930)
Other Than Personal Services	4,545	4,699	4,596	4,394	4,390	(205)
TOTAL	\$20,901	\$21,536	\$23,548	\$22,846	\$22,412	(\$1,136)
Personal Services						
Full-Time Salaried - Civilian	\$15,447	\$15,577	\$18,295	\$17,795	\$17,364	(\$930)
Overtime - Civilian	80	263	250	250	250	0
Additional Gross Pay	203	353	57	57	57	0
Fringe Benefits	2	2	0	0	0	0
P.S. Other	0	0	0	0	0	0
Unsalaries	625	641	351	351	351	0
Other Salaried	0	1	0	0	0	0
SUBTOTAL	\$16,356	\$16,837	\$18,953	\$18,453	\$18,022	(\$930)
Other Than Personal Services						
Other Services & Charges	\$3,287	\$3,746	\$3,479	\$3,339	\$3,273	(\$205)
Property & Equipment	909	304	77	169	77	0
Contractual Services	153	409	204	243	204	0
Supplies & Materials	145	157	822	523	822	0
Contractual Services - Professional Services	51	84	12	120	12	0
Fixed & Misc. Charges	0	0	2	2	2	0
SUBTOTAL	\$4,545	\$4,699	\$4,596	\$4,394	\$4,390	(\$205)
TOTAL	\$20,901	\$21,536	\$23,548	\$22,846	\$22,412	(\$1,136)
Funding						
City Funds			\$23,548	\$22,846	\$22,412	(\$1,136)
TOTAL	\$20,901	\$21,536	\$23,548	\$22,846	\$22,412	(\$1,136)
Budgeted Headcount						
Full-Time Positions - Civilian	181	209	259	259	237	(22)
TOTAL	181	209	259	259	237	(22)

**The difference of Fiscal 2023 Adopted Budget compared to Fiscal 2024 Preliminary Budget.*

The Fiscal 2024 Preliminary Budget of \$22.4 million consists of \$18 million for PS spending to support 237 positions and \$4.4 million for OTPS. The Fiscal 2024 Preliminary PS and OTPS budgets are \$930,000 and \$205,000 less respectively than the Fiscal 2023 Adopted Budget.

Fiscal 2024 Preliminary Budget Changes

There were no changes in CCRB's budget in the Fiscal 2024 Preliminary Financial Plan (Plan). There are generally minimal adjustments made throughout the fiscal year.

Headcount

The total budgeted headcount is 237 positions for Fiscal 2024. As of January, CCRB has an actual headcount of 206 positions, with 31 vacancies (13 percent vacancy rate). The headcount is disaggregated as follows; 144 positions in the Investigations and Mediations unit, 40 positions in the Executive and Administrative unit, and 22 positions in the Administrative Prosecution Unit (APU).

Over the last few years, there have been substantial policy changes that have increased CCRB's headcount. Between Fiscal 2019 to Fiscal 2023 the Board's budgeted headcount grew from 206 positions to 259 positions an increase of approximately 26 percent, or 53 positions. This increased headcount is due in part to a City Charter Amendment and two local laws passed by the City Council. In 2021 the City Charter was modified to mandate that CCRB's budgeted headcount be .65 percent of the NYPD's budgeted uniform headcount. CCRB's Fiscal 2024 budgeted headcount of 237 positions is in line with NYPD's uniform headcount of 35,030, but with only 206 positions filled the CCRB's staff is less than .60 percent of the NYPD's uniform headcount.

Local Law 69 passed in 2020, created a disciplinary matrix for penalties and starting points for disciplinary action for specific acts and violations by uniformed members of the NYPD. Local Law 47 passed in 2021, expanded the scope of CCRB investigations to include bias-based policing and racial profiling complaints made by the public. In addition, if a police officer received a determination of racial bias by CCRB, a City agency, or a court, then CCRB was charged with investigating the history of that officer for past professional misconduct related to bias or racial profiling. To handle the additional investigative scope of Local Law 47, CCRB established a new Bias Based Policing Unit of investigators, prosecutors, statisticians, and policy professionals. CCRB needs the full staffing amount budgeted within their investigative and APU divisions to not only meet the requirements of the City Charter Mandate but to handle the increased responsibilities of the Local Laws.

Fiscal 2023 Preliminary Mayor's Management Report (PMMR)

According to the Fiscal 2023 PMMR, CCRB performs two major services and has four goals associated with those services. The first service is to Investigate, prosecute and resolve claims of police misconduct. The three goals for this service are to 1) improve the quality and timeliness of investigations, 2) increase the use of mediation to resolve complaints and 3) improve the quality and timeliness of prosecutions. The second service is to inform and educate the public about the agency. The goal for this service is to increase outreach and education of City residents.

- **Civilian Complaints.** The total number of civilian complaints against uniformed members of the NYPD rose by 157 between Fiscal 2021 and Fiscal 2022, from 3,326 to 3,483. However, the number of civilian complaints dropped significantly from Fiscal 2020 when there were 4,597 total complaints.
- **Investigations.** In the first four months of Fiscal 2023, the average time to complete a full investigation increased to 495 days from 527 in the same period of Fiscal 2022. Overall, the time to complete investigations has increased for three years in a row, approximately doubling from 290 days in Fiscal 2020 to 591 days in Fiscal 2022. This is exceptionally higher than CCRB's target of 120 days. This is due to multiple factors including staffing shortages, sealing statutes, and the increased complexity of cases due to body camera footage to be reviewed.
- **Mediation.** In the first four months of Fiscal 2023 the number of cases successfully mediated decreased by 25 from the same period last year, to 21 cases successfully mediated. The three-

year trend for cases successfully mediated has been in a V shape recovery, in Fiscal 2020 there were 126 cases, decreasing to 44 in Fiscal 2021, and then increasing to 119 in Fiscal 2022. Mediation satisfaction rate has improved every year for the past three years and is currently at 98 percent.

- **Cases Prosecuted.** In the first four months of Fiscal 2023, CCRB closed 28 administrative prosecution cases, an increase of five cases from the same period in Fiscal 2022. In Fiscal 2022 there were 63 administrative prosecution cases closed for the entire year, an increase of 42, or 200 percent from Fiscal 2021. The three-year trend for administrative prosecution cases closed has also been a V shape, in Fiscal 2020 there were 60 cases closed, decreasing to 21 in Fiscal 2021, and then increasing to 63 in Fiscal 2022.
- **Outreach.** CCRB outreach presentations have been affected by the pandemic with numbers dropping significantly between Fiscal 2020 and Fiscal 2021, increasing in Fiscal 2022. The Outreach Unit, engaged with 853 New Yorkers in Fiscal 2022, a significant increase from its Fiscal 2021 level of engagement of 452 and an increase over its Fiscal 2020 engagement level of 749.

Appendices

A. Budget Actions in the November and Preliminary Plans

<i>Dollars in Thousands</i>	Fiscal 2023			Fiscal 2024		
	City	Non-City	Total	City	Non-City	Total
CCRB Budget as of the 2023 Adopted Budget	\$23,549	\$0	\$23,549	\$23,549	\$0	\$23,549
New Needs November Plan						
Subtotal New Needs	\$0	\$0	\$0	\$0	\$0	\$0
Other Adjustments						
Subtotal Other Adjustments	\$0	\$0	\$0	\$0	\$0	\$0
PEG						
Less Than Anticipated OTPS Spending	(\$200)	\$0	(\$200)	(\$200)	\$0	(\$200)
Less Than Anticipated PS Spending	(500)	0	(500)	0	0	0
Telecommunication Savings	(2)	0	(2)	(5)	0	(5)
Vacancy Reduction	0	0	0	(930)	0	(930)
Subtotal PEG	(\$702)	\$0	(\$700)	(\$1,136)	\$0	(\$1,136)
Total All Changes	(\$702)	\$0	(\$700)	(\$1,136)	\$0	(\$1,136)
CCRB Budget as of the 2023 November Budget	\$22,847	\$0	\$22,847	\$22,412	\$0	\$22,412
New Needs Preliminary Plan						
Subtotal New Needs	\$0	\$0	\$0	\$0	\$0	\$0
Other Adjustments						
Subtotal Other Adjustments	\$0	\$0	\$0	\$0	\$0	\$0
PEG						
Subtotal PEG	\$0	\$0	\$0	\$0	\$0	\$0
Total All Changes	\$0	\$0	\$0	\$0	\$0	\$0
CCRB Budget as of the 2024 Prelim Budget	\$22,847	\$0	\$22,847	\$22,412	\$0	\$22,412

B. Contract Budget

CCRB Contract Budget	FY23 Adopted	Number of Contracts	FY24 Preliminary	Number of Contracts
Contractual Services - General	\$125,000	1	\$125,000	1
Maintenance and Repairs - General	4,997	6	4,997	6
Data Processing Equipment Maintenance	3,712	3	3,712	3
Printing Contracts	30,000	2	30,000	2
Temporary Services	15,000	5	15,000	5
Cleaning Services	23,226	2	23,226	2
Training Program for City Employees	2,456	2	2,456	2
Professional Service Legal Services	6,000	1	6,000	1
Professional Services Other	6,000	1	6,000	1
TOTAL	\$216,391	23	\$216,391	23