

RESPECTFUL AND EFFECTIVE  
POLICING:  
TWO EXAMPLES IN THE SOUTH BRONX

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## Executive Summary

Serious crime in New York City has declined dramatically since 1990, and the decline has accelerated since the introduction of a set of new police strategies beginning in 1994. The number of civilian complaints against the police, however, rose dramatically after 1993, remaining 40 percent above the 1993 level in 1998. These two trends, moving in opposite directions, have led many to speculate that the inevitable price of the dramatic drop in crime is an aggressive police force that generates more anger and resentment.

This study by researchers at the Vera Institute of Justice refutes such speculation, showing that police commanders in at least two neighborhoods have been able to reduce complaints against their officers below 1993 levels while experiencing the same dramatic decline in crime characteristic of the city as a whole. The study shows that large reductions in crime can be achieved while practicing respectful policing.

The Vera researchers examined in detail the levels of crime and civilian complaints against the police in two precincts serving troubled neighborhoods in the South Bronx. Both crime and complaints declined in each precinct. The researchers then examined a variety of possible explanations for the decline in civilian complaints. They analyzed statistics supplied by the department and the civilian complaint review board and interviewed more than two dozen police officers, from the precinct commanders to the officers on patrol.

The authors conclude that the most likely explanation for the decline in civilian complaints against the police in these two precincts is the particularly effective manner in which the precinct commanders implemented departmental policies. Other possible explanations, including a reduction in the number of enforcement actions and changing community demographics, cannot account for the substantial decline in complaints, particularly in 1997 and 1998.

Although they adopted contrasting styles of management, both commanding officers improved the way that precinct personnel were supervised, and both improved community relations. They ensured that department-wide training was reinforced with training within their precincts. They administered the departmental monitoring programs for recidivist officers with zeal, attaching real consequences to the receipt of civilian complaints. They paired younger officers displaying attitude problems with more experienced officers. In sum, the commanding officers in these two precincts took common departmental policy and used it to further their visions of how police ought to interact with the public. Their strong management allowed the residents of these neighborhoods to reap the benefits of lower crime rates while enjoying the benefits of respectful policing.

# Recent Policing Trends and Crime Reduction in New York City

## Approaches to Policing in New York City

In 1994 the New York Police Department began a new approach to policing. For the first time, precinct commanders were given the responsibility for reducing crime levels within their jurisdictions. At weekly ‘COMPSTAT’ meetings, crime trends were reviewed, using state-of-the-art computer mapping techniques able to pinpoint crimes down to the block level. Precinct commanders were called upon to account for crime and asked to devise detailed strategies to attack crime outbreaks in their precincts.

COMPSTAT gave precinct commanders the incentive to reduce crime. To some extent, the means to get that job done were up to individual commanders. But the department also developed several new strategies that all commanders were expected to adopt.

William Bratton, police commissioner from 1994 to 1996, was a proponent of the “broken windows” theory of policing espoused by James Q. Wilson and George Kelling in the February 1982 issue of *The Atlantic Monthly*. Under his direction, the New York Police Department set out to enforce statutes aimed at curbing “quality of life” offenses such as public drinking, subway farebeating, and vandalism—offenses that are often overlooked in favor of efforts to concentrate on serious crime.<sup>1</sup> According to the broken windows theory, adopting a tough stance against these minor forms of antisocial behavior sends a signal to the community that law breaking of any kind will not be tolerated.

The broken windows notion was also an integral component of the community policing program adopted under the previous mayoral administration.<sup>2</sup> But the objective of the strategy shifted in 1994 from simply reducing public signs of disorder to “concentrating on strategies to improve intelligence gathering and increase arrests.”<sup>3</sup> Police officials believed that enforcing quality-of-life statutes could prevent serious crimes from occurring. Arresting youths bent on a night of hooliganism for public drinking at 6:00 P.M. might prevent the robbery they would have committed at 10 P.M., once they were drunk and out of control. Stopping people on minor infractions also made it riskier for criminals to carry guns in public. In addition, some of the persons arrested on minor charges would have open warrants for more serious crimes.<sup>4</sup>

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<sup>1</sup> William Bratton, *Turnaround: How America’s Top Cop Reversed the Crime Epidemic* (New York: Random House, 1998), 229.

<sup>2</sup> Jerome McElroy, Colleen Cosgrove, and Susan Sadd, *Community Policing: The CPOP in New York* (New York: Sage, 1993), 15.

<sup>3</sup> Clifford Krauss, “Giuliani and Bratton Begin Push to Shift Police Aims and Leaders,” *The New York Times*, 26 January 1994, sec. A, p. 1.

<sup>4</sup> *Turnaround*, 168.

The NYPD's new approach was laid out in a series of strategy booklets. The first three dealt with guns, youth violence, and drugs. These strategies recognized what academics are now espousing as well: that the increase in violent crime in the second half of the 1980s was fueled by youths involved with drugs and guns.<sup>5</sup> Serious efforts were made to keep guns out of the hands of potential criminals. Arrests in cases where perpetrators were armed were followed up by investigations to identify accomplices and the sources of the firearms. The citywide Street Crime Unit was deployed in a concentrated approach to one high-gun-violence area at a time in an effort to increase firearm-related arrests and reduce violent crimes in the city's toughest neighborhoods. The number of youth officers in each precinct was tripled and truancy teams were created to locate and return students absent from school. Precinct Street Narcotics Enforcement Units were allowed to work in plainclothes for the first time since 1985. Patrol officers were brought into secure areas after special teams had shut down drug markets. Civil enforcement measures were used to close locations where drug selling took place and to confiscate cars used to transport drugs.

Using data from COMPSTAT, police began to focus on crime "hotspots": active drug, gun, or violent-crime locations where crimes were anticipated to occur. Special squads were deployed to effect large numbers of arrests and to suppress criminal activity, followed by patrol efforts to consolidate the gains made.

There is no question that crime in New York City has plummeted. By 1997, homicides had declined 65 percent from their peak in 1990. Figure 1a depicts the steep decline in homicides beginning in the year that current NYPD policies were put into place. Figure 1b shows that total index crimes also have declined substantially each year starting with 1991. The decline began before the 1994 strategies were implemented, but the rate of decrease in crime complaints accelerated in 1994. By 1997, index crimes had fallen to less than half of their 1990 peak.

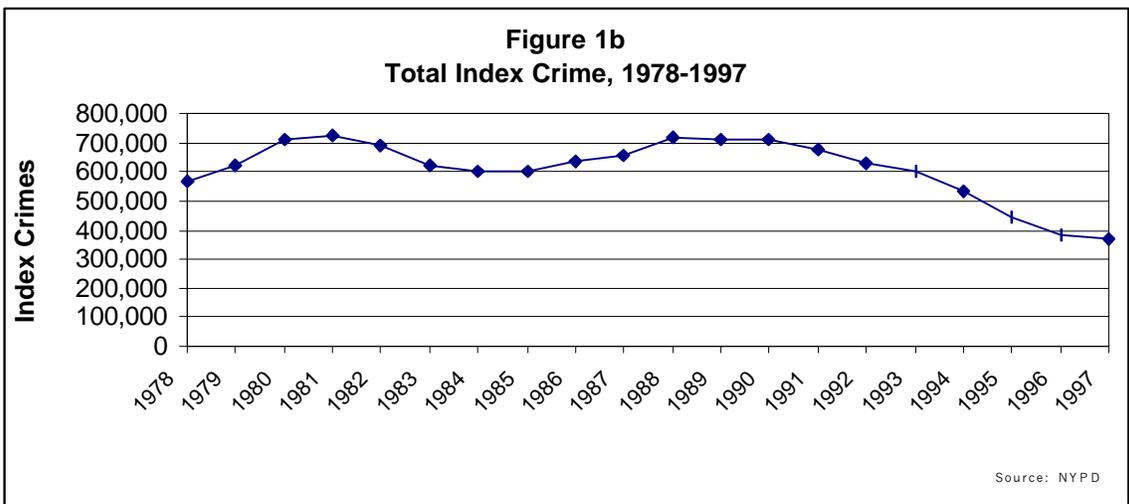
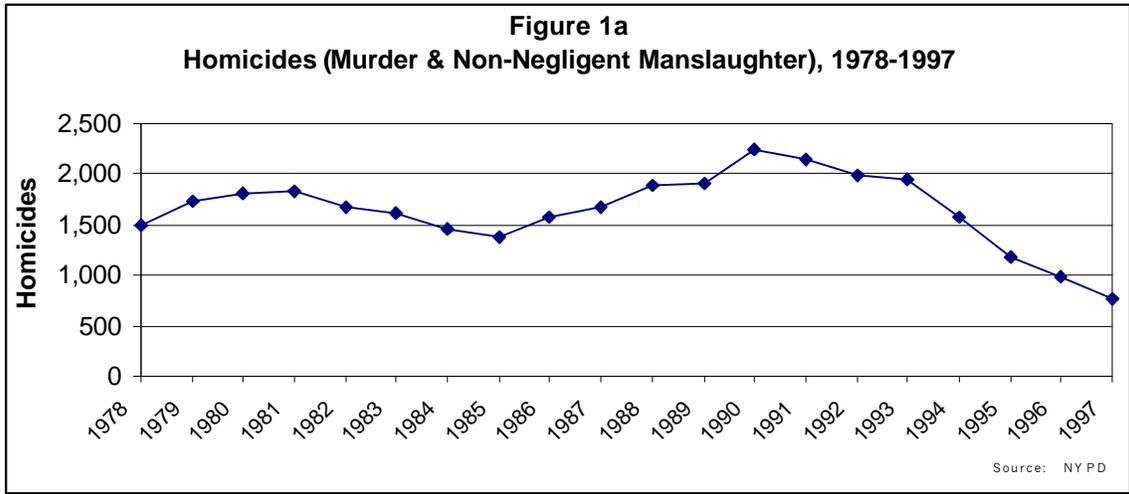
During the 1990s, crime fell not just in New York, but also in the nation as a whole. The National Crime Victimization Survey has shown a decline in violent crimes for the past seven years and steady declines in property crimes since 1975. Experts have speculated that the decline in the violent-crime rate might be attributed to a number of factors, including more effective policing strategies, the decline of the cocaine trade, a soaring imprisonment rate, changing demographics, and a healthy economy.<sup>6</sup> But the decline in New York City has outpaced the national average. For example, homicides in New York fell from 31 to 11 per 100,000 between 1990 and 1997 (a decline of 66%), compared to a drop from 32 to 16 per 100,000 in U.S. cities with populations over 1 million (a decline of 50%). And, overall, index crimes in New York dropped 50 percent between 1990 and 1997 compared to an average 24

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<sup>5</sup> For example, Alfred Blumstein and Richard Rosenfeld demonstrate in "Assessing the Recent Ups and Downs in U.S. Homicide Rates" that the national spike in homicides during the late 1980s was driven exclusively by youth crimes. Jeffrey Fagan, Franklin Zimring, and June Kim, in "Declining Homicide in New York City: A Tale of Two Trends," make the point that handgun homicides were responsible for the 1980s homicide spike in New York City. Both papers are to appear in an upcoming issue of the *Journal of Criminal Law and Criminology* (88, no.4).

<sup>6</sup> See, for example, "Crime in America: Defeating the Bad Guys," *The Economist*, 3 October 1998, 35-38.

percent decline in cities with populations greater than 250,000. Moreover, various reports discount the idea that New York's continuing decline in crime is primarily attributable to changing demographics<sup>7</sup> or to the decline in the crack market.<sup>8</sup>



<sup>7</sup> For example, the 1997 Citizens Budget Commission report *The State of Municipal Services in the 1990s: The New York Police Department* concludes (16-18) that the 9 percent decline in the New York City youth population between 1990 and 1994 is insufficient to account for the drop in crime during that period.

<sup>8</sup> Cocaine use in New York City has not declined appreciably among all arrestees since 1990 and has not declined among youthful arrestees since 1992, according to the National Institute of Justice (National Institute of Justice, *Research in Brief*, July 1997, 7).

## A Dark Side to the Decline in Crime?

Some, including Human Rights Watch,<sup>9</sup> have argued that there is a price to be paid for the substantial drop in crime achieved in New York. According to this view, the strategies employed by the NYPD in targeting guns, drugs, youth, and quality-of-life crimes have made for an overly aggressive style of policing. For example, a recent article by David C. Anderson in *The American Prospect*<sup>10</sup> asserts that in 1994, NYPD officers began to “stop and request identification of anyone they suspected of committing an infraction, accepting only government-issued picture ID. Those not carrying proper ID or found to be the subject of warrants were taken into custody...and turned over to detectives who interrogated them for whatever they might tell about drug and gun trafficking and recent crimes in the neighborhood.” Last year, the *Philadelphia Inquirer* carried a report of an anticrime action in Washington Heights that included erecting barricades to a single block of 163<sup>rd</sup> Street, permitting access only to residents and approved visitors.<sup>11</sup> “Trespass affidavits” obtained from property owners gave drug teams permission to root out and arrest indoor drug traffickers.

Critics argue that such aggressive tactics risk abuse of civil liberties by the police. The article by Anderson claims an increase in citizen complaints about harassment as a result of stop-and-frisk practices. A television program on policing in Pittsburgh, *Geraldo Rivera Reports*,<sup>12</sup> implied a link between aggressive patrolling and a Justice Department investigation of police misconduct and abuse. In 1997, New York Civil Liberties Union director Norman Siegel warned of a “dark side” to the positive crime news in New York City: “The attitude seems to be that violating civil liberties is an effective trade-off for effective law enforcement.”<sup>13</sup>

Did civilian complaints of misconduct, in fact, increase with the change in the NYPD’s tactics? Figure 2 depicts trends in civilian complaints since 1988. It shows that civilian complaints did rise at the same time the new policing strategies were introduced. Civilian complaints rose sharply in 1994 and again in 1995, and then declined somewhat from their new plateau in 1997.

Although the increase in civilian complaints in 1994 and 1995 coincided with the change in police tactics, it also corresponded to other changes as well. For instance, in mid-1993, the Civilian Complaint Review Board (CCRB) shifted from police to civilian control. This change was accompanied by community outreach efforts and significant media attention, each of which might be expected to produce an increase in complaints. There is also a suggestion that the new civilian CCRB screened complaints differently than the police-controlled board had done: At the same time that complaints investigated by CCRB increased from 1993 to 1994, minor complaints referred by CCRB to the NYPD Chief of Department decreased (these are

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<sup>9</sup> Allyson Collins and Human Rights Watch, *Shielded From Justice: Police Brutality and Accountability in the United States* (New York, Human Rights Watch, 1998).

<sup>10</sup> David C. Anderson, “The Mystery of the Falling Crime Rate,” *The American Prospect*, May-June 1997, 49-55.

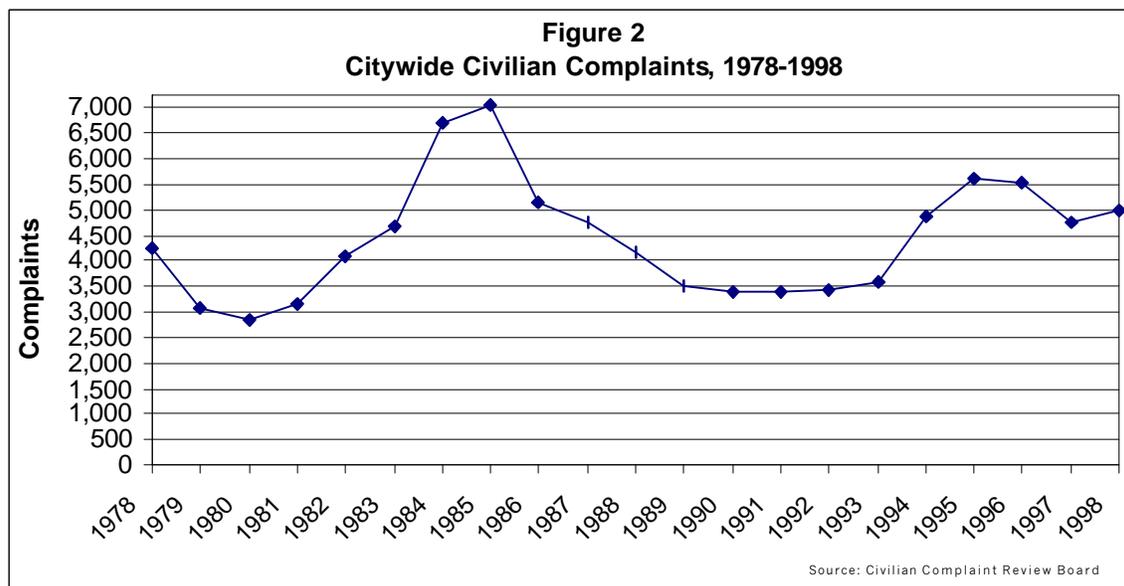
<sup>11</sup> Henry Goldman, “New York Attack on Crime a Success,” *Philadelphia Inquirer*, 21 June 1998, E3.

<sup>12</sup> “Blacks and Blue,” *Geraldo Rivera Reports* (National Broadcasting Company, Inc.), 25 October 1998.

<sup>13</sup> Rusty Pray, “ACLU Warns of a Dark Side of NY Police Plan,” *Philadelphia Inquirer*, 16 December 1997, B2.

not counted in CCRB’s statistics). This may indicate that the civilian CCRB was more likely to retain minor complaints than the police board. Finally, 1995—the second year in a row that civilian complaints were up—was also the year that transit and housing police forces were merged into the NYPD, along with their civilian complaints.<sup>14</sup>

So many forces conspired to drive up civilian complaints between 1993 and 1995 that it is unreasonable to conclude that the more aggressive style of policing adopted in 1994 was the primary cause. However, reasonable people may still wonder whether police misconduct may be the price to be exacted for controlling crime.



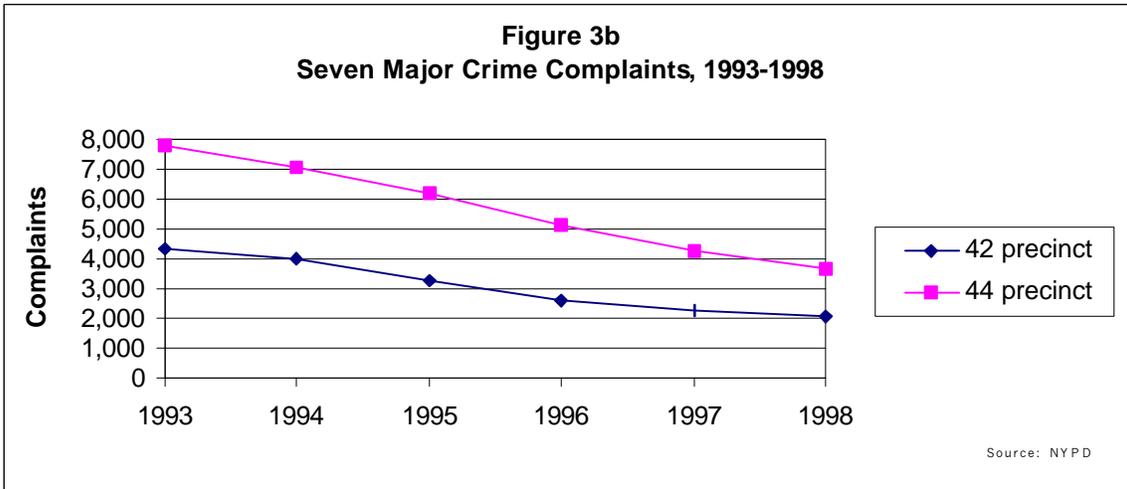
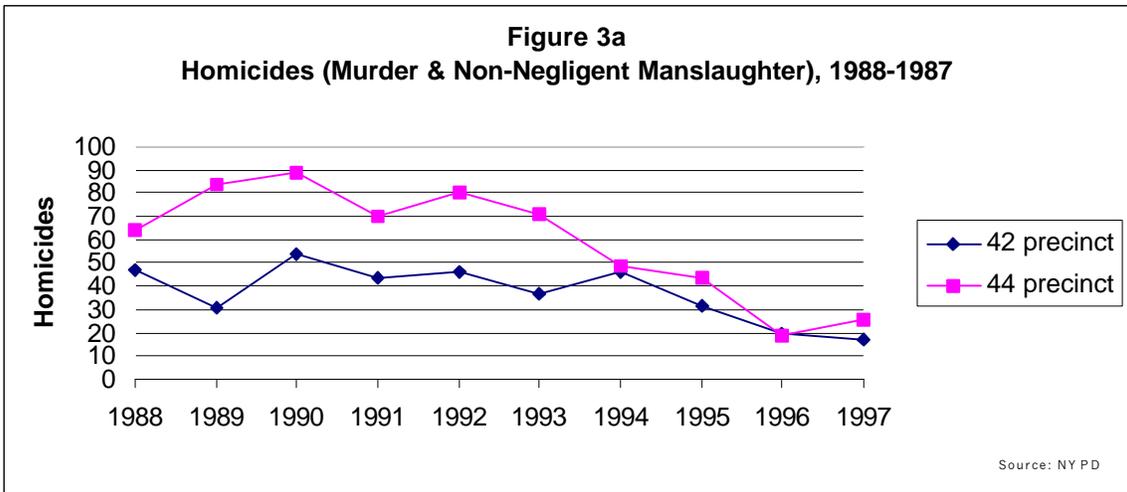
## Our Investigation

Our investigation tests the idea that crime control and police misconduct necessarily move in opposite directions. It is premised on the following observation: In spite of the citywide increases in civilian complaints following the change in policing strategies in 1994, all police precincts did not experience a significant increase in civilian complaints in 1994. Moreover, some precincts have actually showed a substantial decline in civilian complaints during the latter part of the decade. These precincts used the same crime-fighting tactics as the rest of the police force and demonstrated the same major declines in crime reports. If these precincts achieved substantial declines in crime without increased civilian complaints, then we have evidence that crime control and police misconduct are not inextricably linked.

The investigation focused on two commands in the South Bronx: the 42<sup>nd</sup> and the 44<sup>th</sup>

<sup>14</sup> Figure 2 also shows that civilian complaints declined in 1997 by 11 percent from the 1995-96 peak. This may reflect the introduction of a new NYPD policy—Courtesy, Professionalism, and Respect—described later in this report.

precincts. These are two of a handful of precincts throughout the city where both crime and civilian complaints declined substantially in 1997 and 1998. Figures 3a and 3b depict recent trends in homicides and other major crimes in these precincts. The figures show that crime has been declining steadily in the 42 and 44, just as in the rest of the city. Figure 4 shows trends in civilian complaints since 1992. In contrast to citywide trends, neither precinct exhibited a substantial increase in civilian complaints during 1994 and 1995, following introduction of the new style of policing. In both precincts there was a spike in civilian complaints in 1996, followed by large declines in 1997 and 1998. It looks as if a dramatic process was begun in 1997, and that it continued into 1998. As a result, civilian complaints in the 42 and 44 precincts were 54 percent and 64 percent, respectively, below their 1993 levels, while citywide the number of complaints was up by 39 percent.





In these two precincts, we hoped to discover management practices that accounted for the decline in civilian complaints. If the lower numbers of civilian complaints could be linked to specific management practices, then we could gather clues to methods for reducing civilian complaints elsewhere in the city.

But we were also open to other possible explanations for the sharp reduction in civilian complaints. The drop could have been influenced by a number of factors, including the number of police–civilian interactions, the behavior of officers, and the perceptions of citizens. As the number of interactions decreases—especially conflict-laden interactions—the number of civilian complaints is likely to fall. Thus, a reduction in crackdowns and other police strategies designed to increase arrests could result in a decrease in citizen complaints.

Obviously, citizen complaints will be strongly influenced by the behavior of officers. Rude, disrespectful, and physically abusive behaviors are likely to elicit complaints from citizens. However, how the behavior is perceived by citizens must also play a role in determining the level of citizen complaints. Residents who are hostile and mistrust the police may be more likely to report ambiguous incidents than persons who feel more positively about the police. Also, it seems probable that citizens would be more inclined to file complaints if they had faith in the grievance process. Citizens who believe that the complaint process is corrupt or unresponsive would be less likely to file than citizens who expect the process to be fair.

Our work therefore investigated a few possible explanations for the drop in civilian complaints.

There could have been a decrease in actions likely to give rise to civilian complaints. We know that most complaints against officers assigned to precincts arise from certain types of assignments and situations. Enforcement

actions, in particular, are likely to give rise to complaints. Enforcement of quality-of-life statutes may be particularly likely to draw complaints because such enforcement is often directed at citizens who consider themselves law-abiding and their behavior to be within reasonable, normative bounds. In the precincts we studied, if the number of arrests or radio runs had gone down, we would expect fewer citizen complaints.

The behavior of police officers toward citizens could have changed for the better. The most obvious way that behavioral change could have occurred is if the composition of the officers in a precinct changed appreciably through transfer or retirement. More interesting for our purposes, however, is if the composition of a precinct remained stable but the behavior of those officers was modified by management. Management policies could have been designed to moderate the behavior of all officers in a command, for example, in special trainings or in roll call briefings. Alternatively, management policies could have been directed at those officers who have a special propensity for eliciting civilian complaints.

Civilians could have become less interested in filing complaints. Decreased civilian propensity to file complaints could have come about because of a change in composition of the community. To the extent that communities underwent urban renewal—leading to reductions in social disorganization or changes in ethnic composition—we might expect a change in the number of people who filed complaints against the police. This possibility seems especially credible given the healthy economy and New York real estate market of the mid-1990s.

Community perceptions of the police could also have been affected by the management practices of precinct commanders. Outreach by the local police command could also have defused hostility toward the police and thereby lessened the propensity of the community to file civilian complaints. Police outreach could have included cultivating relationships with local ethnic organizations, inviting community members to participate in anticrime activities or on advisory councils, or speaking to community organizations.

With these thoughts in mind, we proceeded to investigate civilian complaints at the 42 and 44 precincts. With the help of the NYPD and the Civilian Complaint Review Board, we collected and analyzed data on a variety of trends, including crime complaints, civilian complaints, and enforcement actions. We also interviewed 26 police officers. In both precincts, we interviewed the commanding officers, the Integrity Control Officers (ICOs), and the training sergeants. In the 42, we also interviewed three other supervisors, a community affairs officer, and four officers who had been on the civilian complaint recidivist list. In the 44, we

interviewed three other supervisors, a community affairs officer, and five officers on the civilian complaint recidivist list. We also interviewed two instructors at the Police Academy, a sergeant in the Employee Management Division responsible for monitoring officers with multiple force complaints, and the commanding officer of Transit Division 2, who had been assigned to the Civilian Complaint Review Board during the 1980s. Finally, we interviewed a representative of one of the community boards covering these precincts (our attempts to interview a representative of the other community board were unsuccessful) and attendees at community council meetings.

We received outstanding assistance in our work from the commanding officers of the 42 and 44 precincts, the staff of the Office of Management Analysis and Planning, and staff of the Civilian Complaint Review Board. All officers we expressed interest in interviewing lent us their cooperation and insights into civilian complaints.

### Some General Observations

Before proceeding to our analysis, we take note of two general themes that developed in the interviews. The first is that civilian complaints are, for at least some officers, a source of confusion and resentment. We spoke to recidivist officers who had long histories of complaints, ranging as high as 21 in a career. A number of the recidivist officers seemed confused that the department was now scrutinizing civilian complaints, since it had not done so in the past. The NYPD's new concern with civilian complaints was difficult for the group of recidivist officers we spoke to because it meant they were forced to reflect seriously on how they dealt with the public. Some professed not to understand how they could change their behavior because they did not believe their actions were the cause of the complaints they received. They blamed community antipathy toward the police, overzealous lawyers, or just bad luck for the complaints made against them.

Several officers told us that concern about civilian complaints resulted in avoidance of situations likely to generate complaints. As one officer put it, "A lot of cops are scared to do their jobs." This has resulted, these officers believed, in officers being less willing to get involved in enforcement actions, especially quality-of-life offenses or stop-and-frisk situations, which officers feel are likely to lead to complaints of abuse.

Our other general observation is that we were unable to find consensus on why civilian complaints are down in these precincts. Most officers we spoke to were aware that complaints were down. When we asked directly why they believed that complaints had dropped in their precincts over the past two years, a number of them said they had no idea. Some believed that civilian complaints had dropped because opportunities to receive complaints were fewer: Enforcement actions were down or calls for service were down, we were told. Some officers told us that complaints had declined because relations with the community had improved, either due to a changing population or improved police-community understanding. Other officers (and this was truer for supervisors than for patrol officers) attributed the decline to

attention to civilian complaints by their commanding officers. No officers pointed to special programs unique to the 42 or 44 as the reason complaints had declined.

In the absence of consensus, our job became one of exploring alternative hypotheses about the decline in civilian complaints. In the succeeding sections, we evaluate the evidence for these competing explanations and finally synthesize what we have learned. We begin with a brief description of the two precincts.

## The 42 and 44 Precincts

The 42 and 44 precincts encompass Community Districts 3 and 4, respectively, in the South Bronx. Community District 4 consists of 1.97 square miles, including two miles of waterfront and 53 acres of parkland. It incorporates the neighborhoods of Highbridge, Grand Concourse, Mount Eden, and Concourse Village. The Bronx Terminal Market, Yankee Stadium, Bronx House of Detention, criminal court, and supreme court are located in the precinct. Community District 3 is made up of the neighborhoods of Crotona Park, Claremont Village, Concourse Village, Woodstock, and Morrisania.

“The South Bronx looked like Berlin after World War II,” said a community affairs officer in the 42, describing his arrival at the precinct 16 years ago. Others we spoke to echoed these sentiments with respect to the many burned-out buildings and abandoned lots. And, as in a city under siege, the population left in great numbers during the 1970s. Community District 4 lost a fifth of its population; the drop in Community District 3 was even more drastic, as 65 percent of the population left the neighborhood.<sup>15</sup>

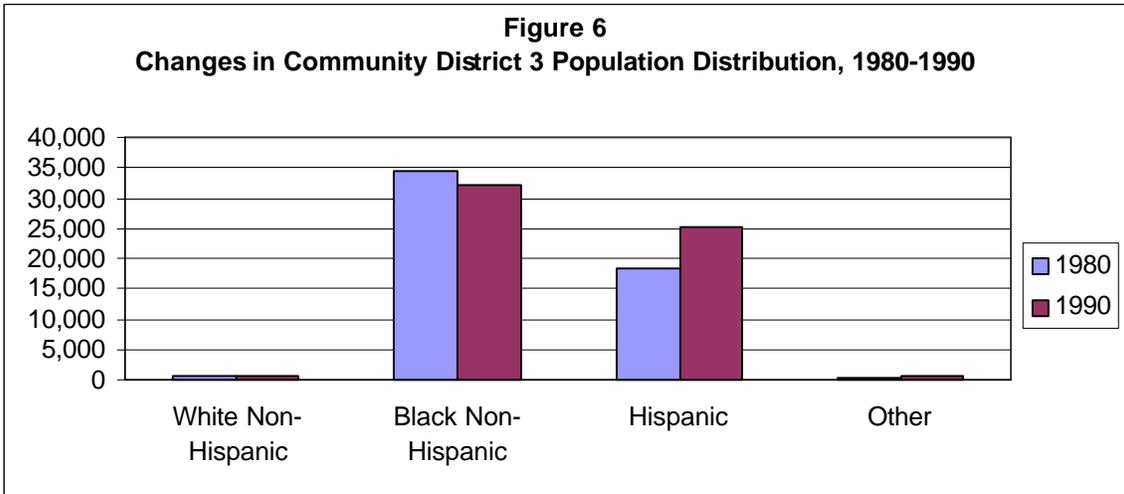
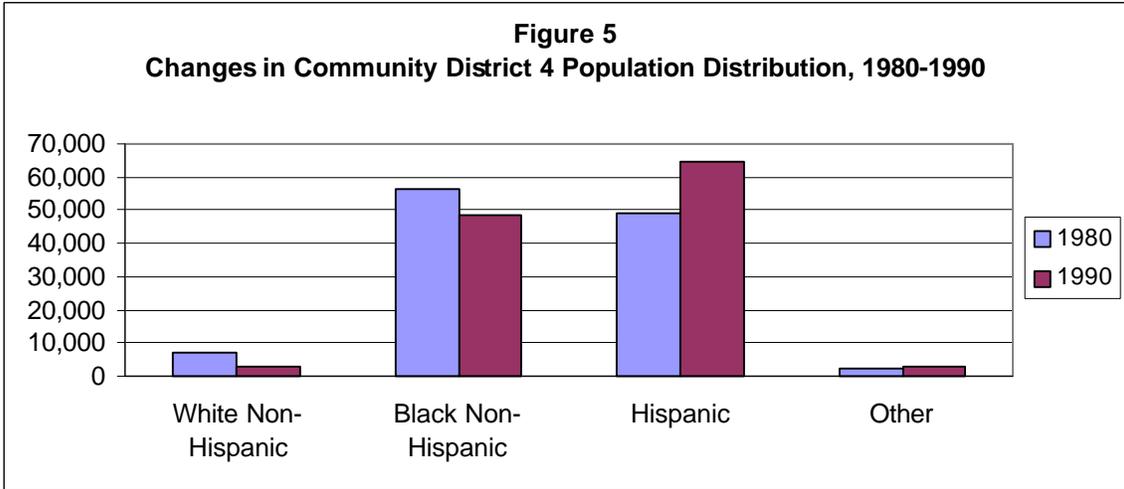
During the 1980s, both precincts began to recoup, posting modest gains in population. At the same time, the ethnic composition began to change radically. In Community District 4, the White and African-American populations declined while the Latino population increased by a third. By 1990, Latinos made up 54 percent of Community District 4’s population (see Figure 5). A similar pattern of ethnic change occurred in Community District 3, with Latinos gaining numbers while Blacks and Whites lost population. However, in 1990 Blacks were still the predominant ethnic group in the district (see Figure 6).

In the 1990s, a partnership among the Department of Housing Preservation and Development, private corporations, nonprofit organizations, and community-based organizations (some with colorful names, such as the Mid-Bronx Desperados) produced a surge of new housing. These new units have become home to an influx of new migrants in both districts. Many of them are low income, some were formerly homeless, and an increasing number are new immigrants. During the period 1990 through 1994, over 76,400 new

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<sup>15</sup> The sources of the statistical data contained in this section are from the reports Community District Needs (Department of City Planning and Office of Management and Budget, 1999) and Keeping Track of New York City’s Children (Citizens’ Committee for Children in New York, 1997).

immigrants moved into the Bronx, and Community Districts 3 and 4 were the neighborhoods attracting the greatest number of them. Most of the new immigrants in both precincts are from the Dominican Republic, with each district also hosting large numbers of Guyanese.



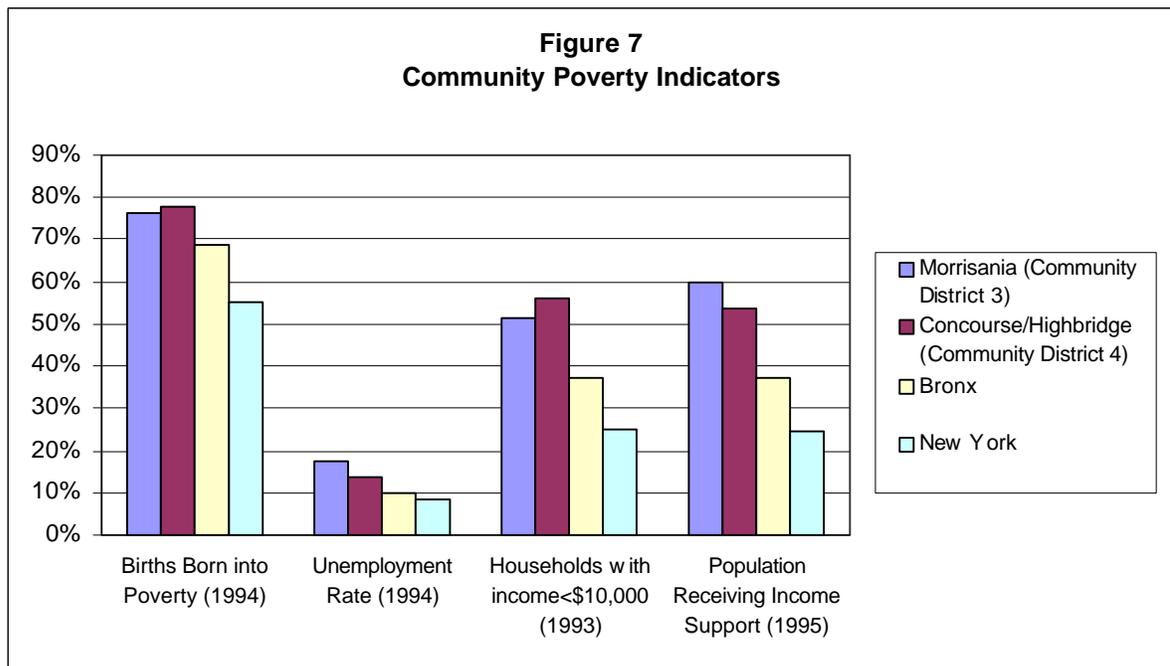
The community affairs officers in both precincts described the way their precincts had changed over the years. They noted that new businesses and banks have moved into the 44 precinct recently and that almost every week another abandoned building is being rehabilitated in the 42. The officer from the 42 added that it was “heartwarming” to see how his old neighborhood was improving.

Despite successful rehabilitation efforts, both neighborhoods remain seriously economically disadvantaged (see Figure 7). In 1990 nearly half of Community District 4 inhabitants (52,700 people) relied on public assistance—double the New York City average. By 1995, this number had increased to 63,500 people. In 1993, 56 percent of the families in the neighborhood were living below the poverty line, with household incomes of less than

\$10,000. (This compares to a citywide average of 25 percent.) The unemployment rate in the neighborhood was 13.5 percent, compared to the citywide average of 9 percent. Community District 4 is currently the city’s sole intake location for families in need of emergency assistance. According to a recent report, the city’s Emergency Assistance Unit has acted as a magnet, attracting homeless from all boroughs, many of whom remain in the district.<sup>16</sup>

Community District 3 has similar problems. In 1998, the district had 1,500 vacant lots, the most in the entire Bronx. In 1995, six in ten residents (34,957) were receiving public assistance (AFDC), supplemental security income, or Medicaid. This represents an 11 percent increase over 1990 rates. In 1994, 51 percent of families in the neighborhood had household incomes of less than \$10,000 and the unemployment rate was 17 percent, again substantially higher than the New York City average of 9 percent. The 1999 Statement of District Needs published by the District 3 Community Board concludes, “Statistics of this nature support Community District 3’s ranking as one of the poorest communities within the poorest congressional district in the nation.”

Reading and math scores in these districts are among the worst in New York City. In 1994, in the majority of school districts that serve Community Districts 3 and 4, fewer than 30 percent of the children read at or above grade level and only slightly more than 30 percent are at or above grade level in math.



<sup>16</sup> Community District Needs, 104.

## Examining Explanations for the Decline in Civilian Complaints

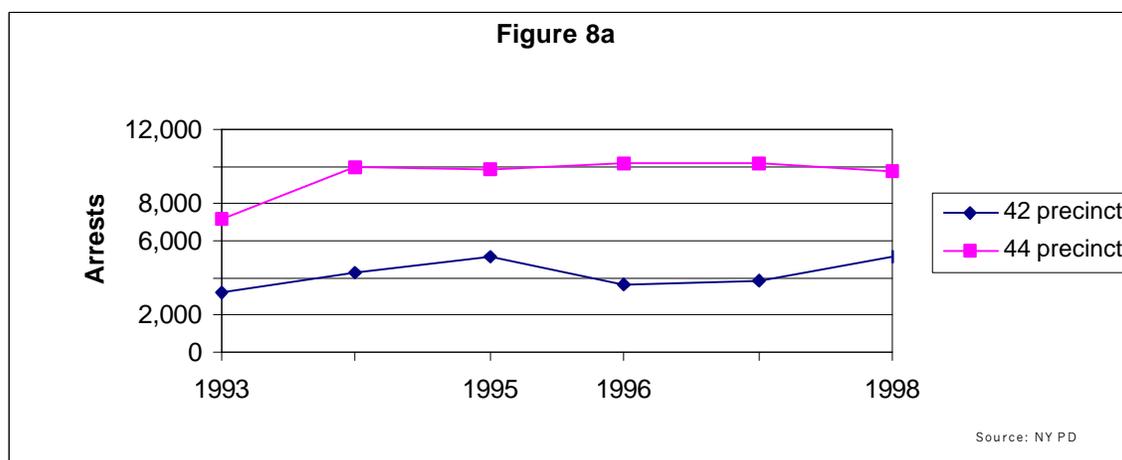
We used interview and statistical data to examine several potential explanations for the reduction in civilian complaints in the 42 and 44 precincts. In this section, we consider each of these explanations in turn. The final section of the report then synthesizes what we have learned from our work.

### Explanation 1:

#### Is the Reduction in Civilian Complaints Due to a Decrease in Enforcement Actions?

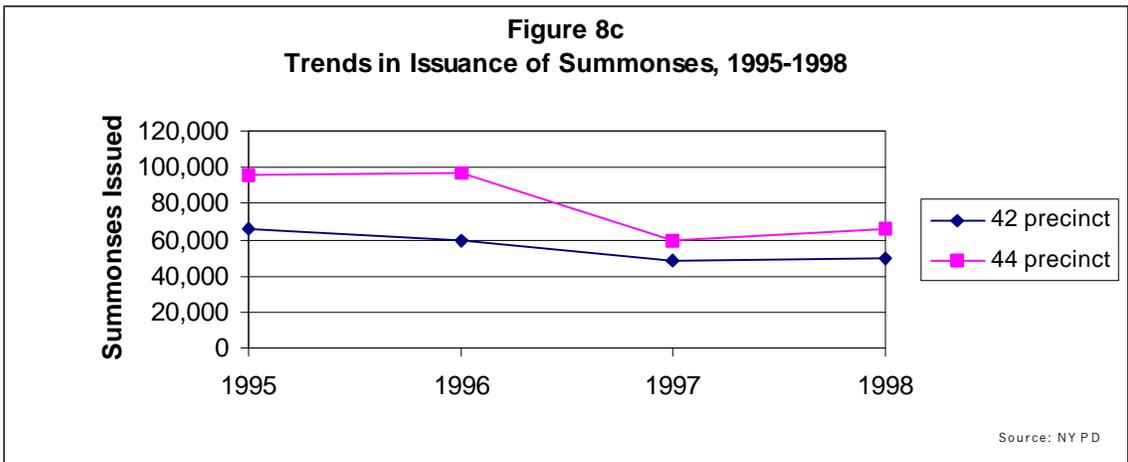
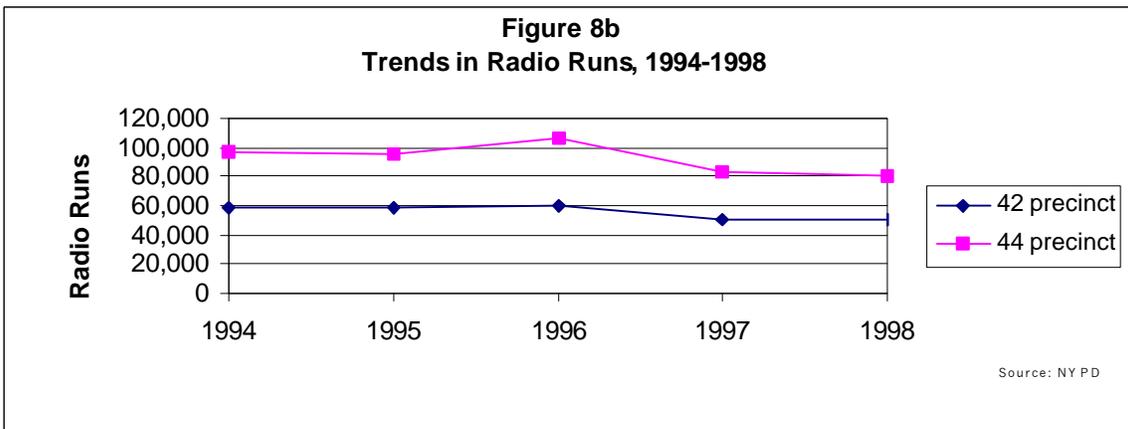
Most civilian complaints arise from enforcement actions.<sup>17</sup> The most frequent explanation provided by officers interviewed on why civilian complaints were down in the two precincts was that fewer enforcement actions were being undertaken. Some officers believed that enforcement actions were down because crime was down: They claimed there were fewer calls for service and fewer arrests than in previous years. Others told us that quality-of-life enforcement actions, in particular, were down because such actions were the most likely to lead to complaints of abuse by those targeted. With the department perceived as cracking down on officers for getting complaints, it was seen as smart to “keep one’s head down” and overlook public drinking and similar minor “victimless” offenses.

However, arrest statistics from these precincts do not support the claims of these officers. The data on arrest trends over the past several years (Figure 8a) do not conform to the trends in civilian complaints observed in Figure 4. Arrests in the 42 were flat from 1996 to 1998. Arrests in the 44 were flat from 1996 to 1997, but then increased by about one-third from 1997 to 1998.



<sup>17</sup> Jerome McElroy and Michelle Sviridoff, *Processing Civilian Complaints Against Police: The Civilian Complaint Review Board* (New York: Vera Institute of Justice, 1988), 62.

On the other hand, in both precincts, radio runs declined roughly 20 percent after 1996. Moreover, the number of summons issued declined even more dramatically, down in both precincts by about 30 percent during the same period (see Figures 8b and 8c). However, there are several reasons for not believing that these reductions are primarily responsible for the observed declines in civilian complaints. First, neither the decline in radio runs nor the decline in summonses was of the same order of magnitude as the observed decline in civilian complaints. Moreover, the decline in the two activity measures occurred only during 1996, while civilian complaints declined dramatically over two successive years. Most significantly, similar declines in activity occurred citywide, but civilian complaints did not decline in the same manner citywide that they did in the 42 and 44 precincts.



#### Explanation 2:

#### Is the Reduction in Civilian Complaints Due to Changing Community Perceptions of the Police?

As indicated above, there has been a slow but steady rise in the population of both precincts for the last 18 years. This increase has changed the landscape of these two communities from almost complete abandonment to progressive urban redevelopment. Repopulation and redevelopment have provided the residents of these communities with a sense that the South Bronx is changing for the better.

The new residents are more likely to be Latino, poor, immigrant, and young, and some of the police officers we spoke to believed that this change in demographics was part of the reason for the drop in civilian complaints. We cannot say with any certainty whether demographic shifts have had such an impact. It does seem possible that immigrants who have come to this country with a fear of the authorities might be less likely to file complaints against the police than native-born residents. But even if changing demographics is related to the number of civilian complaints filed, the rate of change certainly has not been rapid enough to explain the substantial drop in complaints over two years.

Some officers also told us they attributed the decline in civilian complaints to improved relations between police and the community. In both precincts, community affairs officers told us that, although police officers frequently attend community meetings by invitation, the police do not engage in active outreach to community organizations.

Nonetheless, from the interviews we conducted, it was clear that the commanding officers in the 42 and 44 precincts took a strong interest in managing community perceptions of the police: Each had made community relations a priority and was responsive to community needs. Both commanders attend precinct community council meetings regularly and address community concerns and follow up at subsequent meetings. A community affairs officer in the 42 told us that his commander “gets the highest degree of respect” from the community because he maintains the same good rapport with community leaders that he has established with his officers and he tells the truth about what he can and cannot accomplish. The commander in the 44 eliminated the desk and bar in the precinct reception area to make the public feel less intimidated when coming to the stationhouse for business.

At a 44 precinct community council meeting we attended the participants had a wide range of complaints, from drug dealing to the phones at the precinct not being answered. None of the complaints, however, was related to police misconduct toward civilians. The commanding officer had patrol officers assigned to each beat of the precinct introduce themselves to community members. Attendance was quite good (about 35 residents on a stormy night), and we were told that attendance at the meetings was up generally over the past two years.

The district manager of Community Board 4 described in very positive terms the relationship between the 44 and the community: “The current commanding officer at the 44<sup>th</sup> precinct...has provided aggressive, intelligent leadership and has gained the respect of not only his officers but the community and civic leaders as well. He has taken a no-nonsense position

in combating crime and monitoring police sensitivity and attitude towards civilians.”

### Explanation 3:

#### Is the Reduction in Civilian Complaints Due to Personnel Management?

In this section, we first review department-wide programs aimed at encouraging respectful policing. Then we discuss how these programs were implemented in the 42 and 44 precincts.

In 1997, concerned about citizen perceptions, the NYPD began a new policy: Courtesy, Professionalism, and Respect (CPR). CPR is precisely about how police officers deal with the public. The policy mandates training for new recruits and in-service training of veteran officers. It encourages psychological and personality screening of new recruits to identify candidates who will conform to CPR guidelines. It prescribes monitoring of officers who exhibit difficulty in dealing with the public and monitoring through COMPSTAT of aggregate civilian complaints received by each precinct. The policy defines discipline for officers who fail to act in a manner consistent with the CPR principles and rewards for those whose behavior toward the public is exemplary.

**Training:** Verbal Judo is a course in tactical communication run by the Police Academy. Based on the work of George J. Thompson, Verbal Judo encourages police officers to look creatively at conflict-laden situations and apply tactics designed to bring about peaceful resolutions. Participants learn a set of communication principles and strategies designed to generate cooperation and gain voluntary compliance from others. Verbal Judo is meant to be applied under stressful circumstances that arise when officers interact with citizens traumatized by victimization or angry or frightened by an enforcement action. It encourages officers to apply specific tactics based on an understanding of the point of view of others in the interaction.

When the NYPD imported the Verbal Judo course in 1995, it was a two-day course used for in-service training. Entire precincts were assigned to participate in the program, including officers from the 42 and 44 precincts. The course is now part of new recruit training and has been reduced to a single day. It is taught as a lecture, with class sizes of approximately 40 officers. The academy also holds special Verbal Judo classes for officers mandated to repeat the course by their commanding officers. The refresher classes are smaller than the classes for new recruits, allowing more opportunity for questions and discussions.

The feedback we received on Verbal Judo from police officers was quite positive. Several spontaneously described the course as teaching useful ways to deescalate tense situations. But some officers also question how large a role a one- or two-day lecture course can play in making significant changes in complex social behaviors. Certainly the effect of the Verbal Judo material would be more substantial with opportunities for role playing and regular refreshers.

In 1997, the academy also began an in-service training course in CPR. A key aspect of the course, according to officers we spoke to, was participation of neighborhood leaders to encourage better understanding between officers and community members.

According to the 1997 policy manual, the CPR policy is also to play a prominent role in roll call and unit training. We do not know how well this prescription is adhered to citywide. But our interviews with training sergeants and others suggest that CPR is an integral part of training in the 42 and 44 precincts. Officers in both precincts told us that the commanding officers themselves stressed the importance of CPR, emphasizing that police officers and supervisors were now held accountable for civilian complaints and instilling pride that civilian complaints were down in their precincts.

**Monitoring programs:** The CPR policy manual defines two monitoring programs for officers who receive multiple civilian complaints. The Civilian Complaint Reduction Program places responsibility on precinct commanders for monitoring officers who accumulate multiple civilian complaints within a specified time frame. Each month, the research department of the Civilian Complaint Review Board prepares a list of officers by precinct who have exceeded the program's threshold of complaints. The list is forwarded to NYPD's Employee Management Division and, eventually, to precinct Integrity Control Officers (ICOs). We learned there is about a six-week lag between the date of complaints and receipt of the list at the precincts.

When officers make the list or when officers on the list receive additional civilian complaints, precinct commanders are required to meet with them to discuss the officers' conduct. The officers and their precinct commanders are required to meet with their borough commands to detail preventive actions COs have taken. In serious cases, this may include change of assignments or command discipline. Subsequently, precinct commanders are responsible for monitoring officers on the list. Officers come off the list when they have not had any civilian complaints for a specified period.

A second monitoring program, the Force Profile Assessment Program, was designed for officers with multiple force complaints. Officers are placed in the program automatically if they accumulate four or more force complaints within two years or five complaints within four years. However, COs can also recommend officers for the program even if they have not reached these thresholds. The program is administered by the Employee Management Division, which sends a letter informing precinct commanders of officers who qualify for the list. The commanders may elect to have the officer monitored by the Employee Management Division or to monitor the officer themselves. In either case, quarterly reports must be generated on the officer until he or she comes off the list.

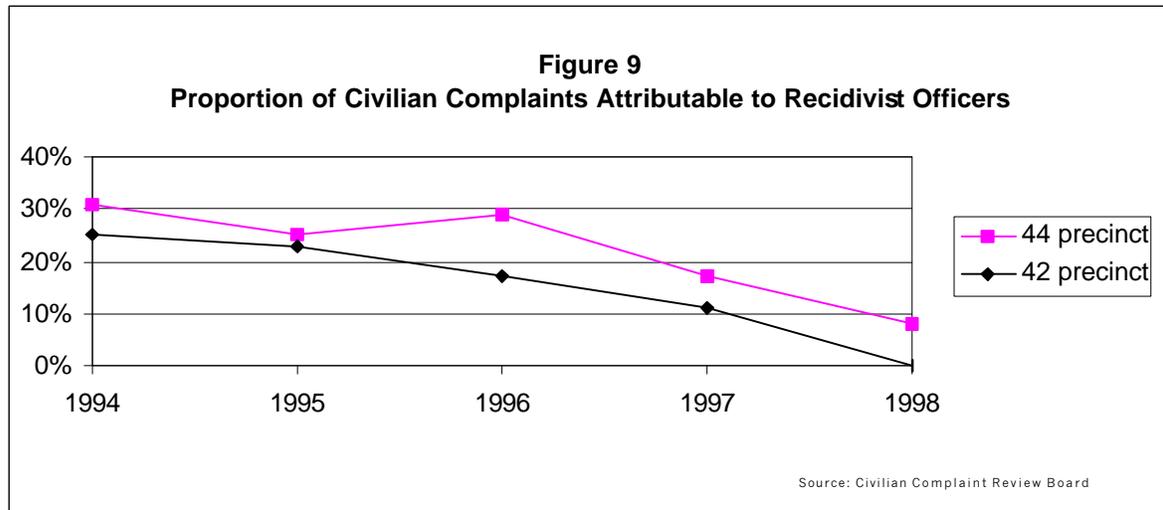
**Handling officers who receive complaints in the 42 and 44 :** Our interviews did not uncover special programs in the 42 and 44 to deal with officers who are the targets of civilian complaints. We found no merit/demerit system, for instance, nor any task forces. What we did find were two commanding officers who held the officers in their command to high standards and who had a commitment to reducing civilian complaints. In fact, the CO in the 44 precinct had been in charge of monitoring civilian complaints while stationed at the borough command

in the mid-1980s.

The styles of the two commanders are very different. One was described as a “hands on” administrator who made a point of getting to know his officers and who encouraged a team approach. The other ran his precinct in a more traditional, hierarchical fashion. But both commanders shared a particularly strong commitment to respectful policing. Both made clear to the officers in their charge that they considered attention to civilian complaints a high priority in order to comply with the new NYPD policies. Both made clear to their supervisors and to their officers that civilian complaints were to be kept to a minimum. Both installed their own training sergeants in order to ensure that their message was delivered effectively, and both incorporated CPR as an integral part of roll call and unit training. Both spoke at training sessions regularly and hammered home the CPR message. Both paired younger officers with attitude problems with more experienced officers. One of the commanders also stressed to officers who receive special assignments, such as community policing or narcotics, that they would be out if complaints of abuse were lodged against them.

The commanding officers also had common styles of dealing with officers on the recidivist list for civilian complaints. Both COs talked to officers on the list personally when they received complaints, rather than leaving the matter to their ICO. Both COs also took decisive action to curb the behavior of recidivist officers. We were told of instances in which recidivist officers were given new assignments. (For example, one officer was reassigned to be the driver for his sergeant; several others were reassigned from patrol to desk duty in the precinct.) We were also told of officers in one of the precincts who were passed over for promotions and new assignments because they had received multiple civilian complaints. At least one officer was sent to the Verbal Judo refresher course. Another was told he might be reassigned to a shift that would have made his childcare arrangements difficult.

Data from the CCRB indicate that the attention to recidivists yielded results in the 42 and 44 precincts. The number of civilian complaints received by officers who had never had any before declined in 1997 and 1998. But the number of complaints received by recidivist officers declined even faster during the same two years (see Figure 9). In the 44, the proportion due to recidivists went from 29 percent in 1996 to 17 percent in 1997 and just 8 percent in 1998. In the 42, the proportion dropped from 17 percent in 1996 to 11 percent in 1997 and to 0 percent in 1998. In 1998, recidivist officers comprised only about one-half of one percent of all officers in the two precincts.



In the two precincts we studied, the message resonated clearly to officers on the beat that getting civilian complaints would reduce opportunities for advancement. According to one officer in the 44 precinct, “If you want to go places, you can’t get civilian complaints or they’ll deny you opportunities.” An officer in the 42 echoed the observation: “You’ve got to watch yourself on complaints because the department takes them seriously now. You can really hurt your career.”

Officers interviewed in the mid-1980s for an earlier study also expressed concerns that civilian complaints could hurt their careers, but at that time the officers denied that the concerns influenced their behavior toward citizens. In contrast, a number of recidivist officers we interviewed perceived their behavior toward citizens as shaped significantly by departmental sanctions against civilian complaint recipients.<sup>18</sup>

## Conclusions

We started out to determine why civilian complaints declined substantially in two Bronx precincts in defiance of citywide trends. Given the nature of our investigation, our results represent our best guesses, rather than definitive answers. As we have stated, there are several factors likely to contribute to the volume of civilian complaints lodged against a precinct. And the truth is that no one has a good understanding of how much changes in citizen perceptions of the police or in the number of enforcement actions undertaken may affect the volume of complaints. Developing a definitive answer would have necessitated extensive surveys of police officers and citizens, not only in the two precincts under examination but in others where civilian complaints did not plummet.

<sup>18</sup> Michele Sviridoff and Jerome McElroy, *The Processing of Complaints Against Police in New York City: The Perceptions and Attitudes of Line Officers* (New York: Vera Institute of Justice, 1989), 32.

The best answer we can give is that the diminution of civilian complaints in the 42 and 44 was the result of actions by the two precinct commanders taken within a context that supported a reduction in complaints. One contributor to that context was a substantial decline in police-citizen interactions likely to lead to civilian complaints. In both precincts, declines in calls for service and issuance of summonses began at the same time that civilian complaints declined. We noted, though, that the declines in activity measures were not nearly as substantial as the drop in civilian complaints nor did they occur over two successive years.

We also considered whether changing community demographics might have played a role in setting the stage for the decline in civilian complaints. While the number of recent immigrants in these precincts has been steadily growing, the population shift has been occurring for years and has not been abrupt enough to begin to account for the 1997–98 decline in civilian complaints.

The most important contextual factor was the adoption by the NYPD of the CPR policy with its training programs in respectful policing and monitoring programs for officers who establish patterns of abuse allegations. Officers interviewed thought highly of the training programs. The Verbal Judo course provides officers with the tools to manage conflict-laden situations without resorting to abusive language or physical violence.

These elements set the context for the drop in civilian complaints, but were not in and of themselves sufficient causes of the decline. The CPR policy and reductions in police activity measures were citywide, yet citywide, there was only an 11 percent reduction in civilian complaints from 1996 to 1997 and no reduction from 1997 to 98 (refer to Figure 2). We believe that the difference was the management styles of the COs in the 42 and 44 and their interest in promoting respectful policing. Both COs improved the way that precinct personnel and community relations were managed. They ensured that departmental CPR training was reinforced by ongoing CPR training within the precincts. They administered the departmental monitoring programs for recidivist officers with zeal, attaching real consequences to receiving civilian complaints. In both precincts, officers had gotten the message that abusive behavior could be hazardous to their careers. In effect, the COs in the two precincts we investigated took a departmental policy and used it to further their vision of how police ought to interact with the public.

Both commanders not only managed their officers well, but also managed community relations in a way that demonstrated the police were responsive to community concerns. There is evidence that community leaders responded to the efforts made and held the commanders in high esteem. Social researchers have reported repeatedly that police and members of low-income urban neighborhoods usually view each other with suspicion. To the extent that these COs were able to overcome community antipathy toward the police, they may also have reduced the propensity of residents to lodge complaints against the police.

The changes we observed in New York are consistent with the thinking of policing experts on why police behave well or badly toward citizens. Law professor Jerome Skolnick and former police officer James Fyfe, for instance, argue that the “chief who is interested in reducing use

of excessive force to a minimum must therefore make it absolutely clear that excessive use of force is unacceptable.”<sup>19</sup> In the 42 and 44 precincts that message, formulated by the NYPD, was delivered in a clear and unambiguous way by the precinct commanders. With this direction, a successful balance seems to have been struck between effective policing and respect for civil liberties.

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<sup>19</sup> Jerome Skolnick and James Fyfe, *Above the Law: Police and the Excessive Use of Force* (New York: The Free Press, 1993), 19.