

Police Strategy No. 7:

Rooting Out Corruption; Building Organizational Integrity in the New York Police Department

The Honorable Rudolph W. Giuliani
Mayor of the City of New York



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Chapter One

EXECUTIVE SUMMARY

In January 1994, believing that the full potential of the New York Police Department had never been realized, Mayor Rudolph W. Giuliani directed the Police Commissioner to:

The special place of police officers in our society carries with it a special responsibility. Those who enforce the law must uphold the law in their every word and deed.

—Mayor Rudolph W. Giuliani

- refocus the Police Department on one central mission, that of reducing crime, disorder, and fear in the City of New York; and
- make certain the Department carries out this work with the highest possible degree of integrity.

Believing that integrity in police activity depends first on integrity of purpose, Police Commissioner William J. Bratton moved immediately to create a high-performance culture, focused on measurable outcomes and standards.

Within twelve months, the Giuliani Administration adopted six new crime-control strategies for combating the problems of guns, youth violence, drugs, domestic violence, disorder in public places, and auto-related theft. During the same period of time, the NYPD changed its top layer of management, abolished one level in the chain of command, empowered a new team of precinct commanders to customize tactics to local conditions, and established a system of management meetings for crime control, which every month assesses progress in each precinct against serious crime and disorder.

The results of these efforts are quantifiable.

In 1994, the City experienced a 12% decline in reported felony crime, including a 16% decline in robbery and a 20% decline in homicide. This was the first year in the modern era in which double-digit declines in both robbery and homicide occurred. In 1994, 70,000 fewer New Yorkers became victims of crime than in 1993. In 1995, these dramatic decreases are continuing. Compared with the same period of 1993, the first quarter of 1995 witnessed a 26% drop in felony crime and a 41% drop in homicide.

Just as important, these gains in public safety are being registered in the public consciousness. A recent survey conducted by *New York*

Newsday indicates that public alarm about crime in New York City has been really cut in half since December 1993.

Encouraging as these gains are, they represent only a start. Permanent success in carrying out the Mayor's mandate for dramatic impact on crime by a Department committed to integrity depends on a cultural transformation of the organization.

That is why, upon assuming office, Police Commissioner Bratton ordered a top-to-bottom assessment of the organization, including a Cultural Diagnostic, an analytical tool that determines the cultural factors impeding performance and the corrective values that must be employed as principles for organizational change. In March 1994, the Police Commissioner launched a broad-based, formal reengineering process to redesign every major organizational system to support the Department's new mission. Eventually involving more than 300 people from every NYPD rank and bureau as well as experts from a variety of disciplines outside the Department, 12 reengineering teams dealt with such core issues as training, supervision, discipline, rewards, and integrity. More than 600 recommendations were made, over 80% of which were eventually accepted.

As the Department worked to implement these recommendations, and to bridge gaps in policy and procedure that had surfaced in the process, Mayor Giuliani took another step to assure the people of New York that their Police Department would be as effective in fighting internal crime as it was proving in fighting street crime.

Making the NYPD a high-performance organization grounded in integrity and respect.

In February 1995, the Mayor created an independent citizens monitor, the Commission to Combat Police Corruption, and appointed as its chairman Nicholas Scoppetta, who had served as a counsel for the Knapp Commission, Deputy Mayor for Criminal Justice, and Commissioner of the Department of Investigation.

Police Strategy No. 7: Rooting Out Corruption; Building Organizational Integrity in the NYPD distills the efforts of the past 18 months. It charts a course for transformation of the Department to a high-performance organization grounded in the values of integrity and respect.

Police Strategy No. 7 establishes the following goal:

As it moves assertively to reduce crime, disorder, and fear in the city it serves, the New York Police Department will empower, instruct, galvanize, and hold accountable management, supervision, and

personnel at all levels to create a police agency of unparalleled integrity that is thoroughly and effectively intolerant of corruption and brutality throughout its ranks.

METHOD

The chronic failure of the Department's more than century-old history of corruption was its refusal or inability to enlist the vast majority of its members in the drive to root out the problem. We're going to change that.

**—Police
Commissioner
William J. Bratton**

The Department will achieve this goal by establishing a new policy of inclusion, in which police commanders become the trusted colleagues of the Internal Affairs Bureau, supervisors become skilled, effective front-line managers, and all police officers become allies in the drive against corruption and brutality.

As Police Commissioner Bratton has said,

"The 20-year cycle of police corruption was in reality a measure of the interval of serious attention to the problem. The only way really to remove corruption is to involve all our members in the drive to build a Department of unmatched integrity. The Internal Affairs Bureau must become literally the best in the world at identifying and apprehending cops who have become criminals. But IAB cannot do the job alone.

"As the Mollen Commission indicated, every member of the New York Police Department must be committed to removing corruption and brutality, to doing the job with respect and professionalism, or the age-old problem of police criminality will never be solved."

In the notorious Michael Dowd case, the Police Department's internal affairs function failed to detect the pattern of police wrongdoing or to mount an effective internal investigation. Since then, many changes have been made in the structure, management, staffing, training, and equipment of the Internal Affairs Bureau. As shown by the more recent corruption investigation of the 48th Precinct, these improvements have made Internal Affairs a formidable opponent of corrupt police officers.

An essential step toward bringing lasting cultural change to the Department is the removal of the almost obsessive secrecy and isolation that has characterized Internal Affairs operations. The old Internal Affairs function was so secretive that leads were dropped and cases were bungled because Internal Affairs investigators themselves were not given key information about the very cases they were

working on. Internal Affairs routinely excluded the Department's top commanders and its precinct commanders from any knowledge of its investigations or its techniques. Without any oversight, Internal Affairs secrecy led to inadequate controls and even abuses in the techniques used for some investigations.

Unethical business practice involves the tacit, if not explicit, cooperation of others and reflects the values, attitudes, beliefs, language, and behavioral patterns that define an organization's operating culture. Ethics, then, is as much an organizational as a personal issue.

—Lynn Sharp Paine

The Culture of Fear, Secrecy, and Exclusion is now being changed.

To support the new policy of inclusion the Department is promulgating a new principle of command accountability. Whereas in the past commanders often automatically were subjected to career-ending loss of commands when corruption was discovered in any of their units, the entire record of actions taken by commanders will now be assessed. They must assure strong, capable supervision in all times and places, lend proactive support to the Internal Affairs Bureau, and maintain strict confidentiality of on-going investigations.

A new policy of involvement is also being extended to authorities, experts, and constituencies outside the Department. Internal inclusion and external involvement together represent an essential step in removing the cultural obstacles to building a high-performance organization permanently committed to effective action grounded in integrity.

Cultural Diagnostic

The Cultural Diagnostic is a research system which determines the obstacles to change seeded within the organizational culture and the means of clearing away those obstacles. In early 1994, this analysis found that long-standing, high-level concern about avoiding scandal and criticism had created within the NYPD a culture of organizational fear, self-protection, secrecy, and exclusion—which existed alongside continuing, everyday heroic action by individual members of the service.

Front-line officers experienced the organizational culture as negative. The farther an officer was in rank and location from Police Headquarters the less likely he or she was to feel trusted and respected.

The organizational systems, especially in training, discipline, and internal affairs, appeared to officers to be designed to protect the top brass from criticism at the expense of those on the front lines. As the Mollen Commission noted, this breeds cynicism and undermines morale. These cultural artifacts impede performance.

The common wisdom is that changing an organization's culture takes five to ten years.

But the culture of the New York City Transit Police underwent a rapid one-stage transformation under then-Chief Bratton. In less than two years the Transit culture was changed from one of shame and perceived ineptitude to one of pride and high performance.

- The more complex culture of the New York Police Department is undergoing a two-stage, two-level transformation. In the past fifteen months, its *operating culture* has begun to change from one of organizational fear, self-enclosure, and exclusion to one of committed action, empowerment, and high-performance. Its *core identity* will now begin to be changed from one focused on fear of scandal to one confident of sustained, dramatic impact achieved with unparalleled integrity.

Analysis of the Cultural Diagnostic determined that the value which will lead to a permanent shift in the norms and standards of the culture is the value of respect.

Respect is the value of transformation.

Respect is the antidote to the arrogance that arises when fear of scandal replaces performance accountability, when self-protection replaces organizational risk-taking, when secrecy and exclusion replace shared responsibility for delivering on a common goal. An organization where systems are constructed to engender respect in, for, and from its members will spawn thousands of men and women who police with confidence, skill, and self-esteem. Police officers with these qualities, as First Deputy Commissioner John F. Timoney has said, will not commit acts of corruption, brutality, or serious misconduct.

Institutionalizing a culture of committed action grounded in integrity and respect within the New York Police Department requires three things: a thoroughly effective internal affairs function to serve as a deterrent to corruption, brutality, and serious misconduct; reengineering of the key organizational systems, especially in the areas of supervision, training, and discipline; and construction of systems of external accountability and partnership to cement a bond of trust between the police and the public.

POLICING THE POLICE

The Internal Affairs Bureau will become a relentlessly proficient deterrent to criminal behavior by attacking internal crime the same way the other investigative bureaus of the Department (Detectives and Organized Crime Control) now attack external crime.

To this end, IAB will dramatically accelerate use of proactive tactics, timely, accurate intelligence, rapid deployment, and relentless follow-up to weed out and develop cases against those who are unfit to wear the uniforms of New York City police officers.

And in contrast to the old espionage style of Internal Affairs, veiled in secrecy and conducting its business in isolation, the Department is opening the integrity-control process to key managers throughout the organization.

The New Policy of Inclusion

The Chief of Internal Affairs will involve every command level of the Department in the drive against corruption and brutality. IAB will:

- inform and involve all precinct and other unit commanders and Integrity Control Officers assigned to the precincts of the patterns and profiles of corruption and brutality that may exist in their command;
- provide monthly reports for each command on complaints broken out by tour and other categories, including statistical comparisons with citywide complaint rates; and
- conduct training for all precinct and other unit commanders and integrity control officers in identifying and responding to suspected corruption and brutality without compromising on-going investigations.

Timely, Accurate Intelligence

During the next twelve months, IAB and the Department will:

- complete computerization of all Personnel and Internal Affairs records, enabling the Department to assemble a master profile of any officer that cross-references all corruption, brutality, and discourtesy complaints with each individual's record of sick leave,

emergency excusals, arrest activity, commendations, and disciplinary actions;

- utilize computerized mapping technology to identify by time and place patterns of corruption and brutality allegations, the same way this technology is used to analyze crime outside the Department.

**Applying the Four
Principles of Crime
Reduction to Internal
Affairs:**

**Timely, Accurate
Intelligence**

Proactive Tactics

Rapid Deployment

Relentless Follow-up

Proactive Tactics and Rapid Deployment

During the next twelve months, IAB will more efficiently use its current resources to:

- expand dramatically the number of integrity tests administered throughout the city, including tests in all 76 precincts each year. Tests will be conducted on all three tours of duty and on all days of the week. Officers will be observed and recorded as they interact with officers posing as civilians and pass up or take the opportunity to steal, rob, or commit other crimes;
- continue to mount immediate parallel investigations of every Civilian Complaint Review Board complaint that alleges criminal use of force by police officers;
- continue to report immediately to the District Attorney any discovery of alleged perjury by a member of the Department, accept the determination by the District Attorney as to whether the case is prosecutable criminally, and consult with the Department Advocate and Special Prosecutor to determine the feasibility of pressing a disciplinary case; and
- fully implement the Police Commissioner's order to stop giving one day's notice for random drug tests, which prevents drug users from preparing for tests or falsifying results.

Relentless Follow-up

The management system now used to pursue every accomplice to every crime and to report up the chain of command the effect of these and all other police efforts will now be fully implemented by IAB.

Yet, as the Police Commissioner has indicated, the best internal affairs unit on the globe cannot hope to succeed without the support and active participation of every honest member of the organization. As

the Mollen Commission pointed out, the culture of the New York Police Department must change.

REENGINEERING THE ORGANIZATIONAL SYSTEMS

The means to prevent police corruption reach far beyond the functions of detecting and punishing police criminal wrongdoing. They include the way the Department attracts, instructs, manages, and motivates its police officers.

As the Mollen Commission found, most New York City police officers do their difficult jobs honestly, fairly, courageously, and effectively. In 1994, for example, 4 million calls for service were answered in person by officers, 227,453 arrests were made, 5.4 million summonses were written—with a total of 9,922 complaints made by the public for police misconduct. Of the 2,152 cases reviewed in 1994 by the Civilian Complaint Review Board, an independent arm of city government, 5.1% (or 111 cases) were determined by CCRB to be worthy of prosecution in the Department's disciplinary process.

Unlike the institutionalized and pervasive corruption of the Knapp era, contemporary corruption in the NYPD occurs in pockets which, despite universal disapproval among honest officers, are protected by the "blue wall of silence." The tradition of not "ratting" on colleagues is common in most professions, but it is even more pronounced in police and military organizations where members sometimes rely on each other for physical survival. Mutual protection under violent circumstances becomes mutual protection under all.

The "us versus them" attitude often called the "blue cocoon" can seem to condone disrespect of the public and even abuse of force in these same police and military organizations. Preventing police corruption is not, in the final analysis, an enterprise of negation but one of confirmation. A culture of integrity must be promoted and keyed to measurable outcomes and contributory activities.

Supervision

In response to supervision problems identified by the Reengineering Team on Supervision, the Mollen Commission, the first Department-wide opinion survey, and a Chief of Department's review, the NYPD is engaged in a full-fledged effort to enhance the capabilities, functions, and span-of-control of its sergeants and lieutenants.

Retraining

By November 1, 1995, every sergeant in the Department will receive intensive training in dealing with real-life integrity and tactical situations. Sergeants will be presented with reenacted and videotaped scenarios and will be asked to describe the proper course of supervisory action in each. In some cases, physical demonstrations will be required.

Highly respected and competent patrol sergeants and lieutenants will supervise each class and correct ineffective behavior. The hands-on segments of this training are being conducted in groups of four or fewer.

Training

Pre-promotional training classes began on May 30 for the first third of 240 sergeant candidates and the first half of 100 lieutenant candidates. As a matter of policy, new supervisors will now:

- be trained before promotion not after (those failing twice to achieve a passing grade in all subjects will not be promoted); and
- will receive broadly expanded training that integrates the practices of integrity and respect with tactical and other practical instruction.

The training period for sergeant candidates is being increased by 50%, rising from four to six weeks.

The training period for lieutenant candidates is being more than tripled, rising from 7 to 24 days.

Deployment

In response to recent IAB investigations which found chronic problems on the late tours (midnight to eight), precinct commanders now assign at least one lieutenant and four sergeants to the midnight tour which guarantees the presence of at least two patrol supervisors on any given night.

Discipline

The First Deputy Commissioner completed in May 1995 a systematic review of the disciplinary system and the recommendations for changing it made by the reengineering team assigned to deal with the topic. Under reforms implemented by the Police Commissioner, precinct commanders will now have more authority to discipline police officers quickly for minor infractions. The internal judicial process is being streamlined and reconfigured so that good officers do not have to work under a lingering cloud of suspicion and bad officers are removed rapidly from the job.

Imbuing All Officers with Integrity and Respect

The NYPD is currently raising its standards of admission and tightening its recruit selection process. It is launching an integrated communications and training program to teach its officers that respect of the public is not only a statement of sound principle but is also an effective street tactic that can defuse potentially violent situations and protect officers from unnecessary danger and harm.

**Far too many officers
see the public as a
source of trouble rather
than as the people they
are sworn to serve.**

—Mollen Commission

Two newly formed standing committees—the Training Advisory Board and the Committee on Integrity and Respect, each comprising community, business, professional, and religious leaders, as well as members of the Department—are working to revise all training curricula and to create other, separate means of imbuing officers with the one value—respect—that can cement the bond of trust between police and the community.

The Integrity and Respect Committee is involving the broadest spectrum of Department personnel to construct the Department's first Code of Ethics and Professional Responsibility. The Code will bridge any apparent differences between the expectations of police management and the practice of police work on the streets. This code, crafted by the men and women who will put it into practice, will become the cornerstone performance standard for the entire organization.

ASSURING ACCOUNTABILITY AND BROADENING THE PRINCIPLE OF INVOLVEMENT

In accordance with the Mayor's Executive Order creating the Commission to Combat Police Corruption, the Department recognizes

The task of ethics management is to define and give life to an organization's guiding values, to create an environment that supports ethically sound behavior, and to instill a sense of shared accountability among employees.

—Lynn Sharp Paine

the need for civilian oversight and participation in its anti-corruption efforts. It has begun providing the new Police Commission information and unrestricted access to all the Police Commissioner's biweekly, soon to be weekly, briefings on Internal Affairs efforts.

At the same time, the Department continues to work with the police unions, in and out of the reengineering process, to define the ways and means of removing corruption and brutality, while creating performance systems that promote organizational integrity at every level.

And now the Department will explore new and innovative ways to reach out directly for the help and support of the public it serves.

In one sense, the ultimate measure of success for *Police Strategy No. 7* is the same as the measure of success for the earlier crime-control strategies: a substantial reduction in crime, disorder, and fear among the public served by the New York Police Department. Only a Police Department enforcing the law strictly within the requirements of the law, only a Department whose members tell and write the truth in legal documents and proceedings, can and will engender trust and reduce fear among all the law-abiding populations it serves.

In another sense, however, the measure of success of *Police Strategy No. 7* is quite specific to its own efforts: the Department must convince judges and prosecutors of the high credibility of its personnel; it must reduce the volume of civilian complaints from well-meaning individuals (not criminals practicing vengeance with impunity); and it must secure a declining rate of individual officers caught through the statistically valid sample of integrity tests applied.

CONCLUSION

The crime-control strategies and the reengineering process have brought the principles of modern management to the NYPD: a sharp focus on the core mission, a breaking down of competing fiefdoms, a sharing of important information, and the inclusion of as many people as possible in decision-making and work planning. The results of these efforts are reflected in the city's sharply declining crime rates and levels of fear.

Police Strategy No. 7: Rooting Out Corruption and Building Organizational Integrity in the NYPD applies the same principles to a fight that has as

its ultimate goal not merely the removal of internal crime, but the creation of a new, high-performance culture whose success is won through committed action, integrity, and respect.

This fight will be won by the same people who are turning the tide against crime and disorder in the City of New York—the tens of thousands of honest and conscientious police officers who represent the vast majority of the NYPD.

Chapter Two

UNDERSTANDING THE POLICE CULTURE

The Mollen Commission wrestled with at least one vexing question: How had pockets of serious corruption been allowed to grow and fester in the New York Police Department, where "the vast majority...are honest and hard-working, and serve this City with skill and dedication each day"?

The Commission found the answer to this question in two broad areas:

- 1) structural deficiencies and lack of managerial focus and commitment in the Department's internal policing function; and
- 2) deficiencies in other organizational systems, such as supervision, training, discipline, and the culture resulting from them, which made rooting out corruption someone else's business.

Chapters Three, Four, and Five of this document detail the Department's intertwined responses to these findings. This chapter, "The Police Culture," describes the ground that gave rise to them.

WHAT CULTURE IS

In his book *Engineering Culture*, Gideon Kunda defines culture as:

... a learned body of tradition that governs what one needs to know, think, and feel in order to meet the standards of membership.... When applied to organizational settings, culture is generally viewed as the shared rules governing cognitive and affective aspects of membership in an organization, and the means whereby they are shaped and expressed.

Public and private organizations, hoping to change their cultures, often rewrite their rules, standards, goals, and mission statements and yet have only negligible impact. The service practices of their employees go on as before; the measures of success for their businesses fail to improve and, indeed, sometimes worsen. In such

cases, management has not affected the "standards of membership" at the front-line, operating level.

Only when front-line personnel embrace altered standards of membership is organizational behavior changed. When that behavior is reinforced by the rewards of success for the institution as a whole and for the individuals who comprise it, cultural change—lasting transformation of organizational norms—results.

Only when front-line personnel embrace altered standards of membership is organizational behavior changed.

Transforming the cultures of large organizations is, therefore, a common aspiration seldom achieved. This is due to a variety of conditions, including underestimation of the number of elements inherent in the process and ignorance or lack of skill in applying essential communications techniques.

POLICE CULTURE IN GENERAL

For decades, academic experts have found within the structure of police culture certain inherent characteristics which are highly resistant to change.

Nearly 30 years ago Professor Jerome Skolnick, for example, noted that two factors, danger and authority, can create a kind of closed circle in the officer's official as well as private life.

The element of danger seems to make the policeman especially attentive to signs indicating a potential for violence and lawbreaking. As a result the policeman is generally a 'suspicious' person....

The element of authority reinforces the element of danger in isolating the policeman.... [In enforcing minor laws and securing order], the policeman directs the citizenry, whose typical response denies recognition of his authority, and stresses his obligation to respond to danger. (Jerome H. Skolnick, *Justice Without Trial: Law Enforcement in a Democratic Society*, Wiley, 1966)

Working together, the factors of danger and authority tend to make police officers constantly vigilant, suspicious, and ready to assert dominant authority, even over those whose only offense may have been to ask why traffic is being diverted or why a certain police action is occurring.

Moreover, citing the work of Morris Janowitz (*The Professional Soldier: A Social and Political Portrait*, Free Press, 1964), Skolnick notes that policing, like the military, is more than an occupation; it is a style of life whose standards of behavior and state of continuing readiness are never lifted from the shoulders of the members of each service. Physical danger is common to both occupations, though police must often face, especially in large urban areas like New York, what soldiers face only in wartime. The bond of mutual self-protection is extremely strong within both groups.

NYPD: CULTURAL DIAGNOSTIC

To obtain baseline information for systematic redirection of the NYPD, the New York City Police Foundation funded a Cultural Diagnostic.

The Cultural Diagnostic is a research system which employs qualitative and quantitative measures to define the characteristics of the organizational culture which the leader must act within and, to some extent, against to achieve his or her strategic vision. To this end, the analysis defines the

**In a year and a half,
we made big strides
toward changing the
operating culture.
Now we have to
change the core
identity of the
organization.**

- cultural assets;
- cultural obstacles to change;
- inherited operating culture;
- inherited core identity;
- projected core identity; and
- value or values that must guide revision of key organizational systems to institutionalize a new, high-performance culture.

**—Police
Commissioner
William J. Bratton**

The cultural assets of the New York Police Department are numerous and deep. To name just a few:

The use of deadly force is generally well-controlled. Among major Departments in the nation, the NYPD has long had one of the lowest rates of shooting incidents involving police officers. In 1994, even as arrest activity was rising dramatically, the number of gun battles with suspects dropped by 42%.

Excellence is considered attainable. Specialized units in the Detective Bureau, Organized Crime Control Bureau, and Patrol Services Bureau, for example, are world-renowned for their competence and effectiveness.

Integrity is a hallmark of high-temptation operations. The Narcotics Division, utilizing policies and procedures put in place as a result of Knapp-era revelations, has made tens of thousands of arrests with few breakdowns in integrity.

Yet certain obstacles to transformation of the operating culture and core identity of the NYPD were in evidence at the beginning of 1994.

NYPD: Inherited Operating Culture and Core Identity

Key Values of the Inherited Operating Culture:

**Organizational Fear,
Self-enclosure,
Secrecy,
and
Exclusion**

Just as individuals employ instrumental values like hard work, thrift, and sobriety to help achieve their terminal values such as wealth, health, and long life, organizations behave in a similar fashion. The *operating culture* of an organization is the collection of embraced values, activities, rules, and standards that enable it to achieve its *core identity*, as upheld consciously and/or unconsciously by a majority of its members. The core identity of an organization expresses the ultimate value or goal it is trying to serve.

For example, an electronics company with a long-term industry-leading reputation recognizes that its competitive advantage results from both the cutting-edge nature of its technology and the quality of its product manufacturing. Its *operating culture*, therefore, includes pride, commitment, and relentless attention to detail. Its *core identity* is one of innovation and benchmark quality.

Despite the many achievements, long history, and heroic actions of many individuals within the NYPD, *organizational fear, self-protection, secrecy, and exclusion* were the key values of the operating culture in early 1994. The Department's core identity was contained in the desire to maintain the impression that the organization was free of scandal.

A series of 25 focus groups with police officers, detectives, sergeants, lieutenants, and precinct commanders in January and February 1994 indicated widespread perceptions that:

- The highest levels of the organization had been primarily concerned with avoiding criticism from the media, politicians, and citizen groups rather than with achieving tangible progress against violent crime, disorder, and fear. As one police executive said, "Nobody ever lost a command because crime went up. You lose a command because the loudest voices in the community

don't like you, or because of a bad newspaper story, or because of corruption."

- The greater the distance from Police Headquarters the smaller the amount of trust from one rank to the next lower rank. Exclusion was the rule. Precinct commanders were told exactly how many anti-crime unit personnel they could have. Creativity was actively and organizationally discouraged. One commander said of his troops, "I have 300 potential assassins [of my career] in my unit."
- The Department, while publicly expressing commitment to the fight against crime, had long discouraged uniformed police officers from taking action in situations viewed as corruption hazards (such as drug dealing), in off-duty situations, or where overtime would be incurred. And police officers believed the Department had not backed them up, even when their actions were warranted. More than one said, "This job isn't on the level."
- The central institutional systems of the organization, including rewards, discipline, training, were seen as being structured to protect the "good name of the Department" (and the careers of senior executives) rather than to achieve anything real and measurable, having hard goals or predicted outcomes.
- Internal Affairs was seen as a central part of this apparatus, intent on tripping up officers for minor infractions rather than focused on rooting out real corruption in a competent and methodical way.
- The strong support for police officers voiced in early 1994 by the newly inaugurated Mayor and his recently sworn-in Police Commissioner had electrified men and women at the lowest ranks and greatly encouraged superior officers. But all, in time-honored police fashion, were waiting to see whether Department pronouncements, procedures, and policies—which had seemed duplicitous—would be replaced.

The disparity between what was said by bosses externally and what officers believed was actually wanted by these same bosses left many officers in the Patrol Services Bureau feeling that they were caught in a kind of twilight zone, where staying out of trouble, and thereby keeping bosses out of trouble, was really more important than achieving anything concrete and measurable.

Inherited Core Identity

In 1994, more than 20 years after the trauma of the Knapp revelations and the strong medicine administered by Police Commissioner Patrick V. Murphy, the core identity of the NYPD was an organization determined, seemingly above all, to be scandal-free.

The Mollen Commission believed that the determination to be free of scandal in fact had degenerated among some Department commanders into a determination to be free of scandal at least in perception.

Inherited Operating Culture: Resistant to Change

The deep roots of the inherited operating culture are clearly displayed in the following results from the Department's first quantitative survey of its members.

NYPD Survey No. 1, a sixteen-page mailback questionnaire was distributed to all uniformed members of the Department below the rank of captain in August 1994. With 6,982 members returning completed surveys, the response rate was 24.7%. According to Northeastern University's Center for Applied Social Research, which coded, entered, and tabulated the data, the margin of error at the 95% confidence level was 1.3%.

On page 6 of the survey, respondents were asked what they believe the New York Police Department wants from them, and were told to rank at least 7 of 22 activities which they consider most important to their supervisors and commanders. On page 14 of the survey, respondents were asked to rank at least 7 of the same 22 activities in order of importance to themselves as they actually do their jobs today.

POLICE ACTIVITIES	
Considered by Officers Most Important to Department	Considered by Officers Most Important to Selves
1. Write summonses	1. Reduce crime, disorder, and fear
2. Hold down overtime	2. Make gun arrests
3. Stay out of trouble	3. Provide police services to people who request them
4. Clear backlog of radio runs	4. Gain public confidence in police integrity
5. Report police corruption	5. Arrest drug dealers
6. Treat bosses with deference	6. Correct quality-of-life conditions
7. Reduce crime, disorder, and fear	7. Stay out of trouble

Table 1

- There is no overlap in the first six activities considered most important to the Department and the first six activities considered most important to officers as they do their jobs.
- The first six activities considered most important to the Department depict an organization trying to avoid scandal, instead of having impact on the community it serves.
- The first six activities considered most important to officers as they do their jobs depict a new, emerging operating culture. These activities are precisely the ones the Police Commissioner had asked police officers to prioritize in the first five crime-control strategies and in his internal video and printed messages.

But, as in any setting where change is occurring in increments within an otherwise seemingly unchanged environment (physical precinct conditions, for example, have not been altered), perception lags reality.

- The perception of fundamental change in the Department's priorities requires repeated, skillful communications supported by real changes in the Department's key organizational systems, especially those that would convince officers that energetic, good-

faith efforts by them in behalf of the new mission will be supported and affirmed.

In September 1994, after close scrutiny of each officer's arrest record, arrest statistics in the Patrol Services Bureau began to rise dramatically. This indicates that the majority of the members of the Department can, will, and have to no small extent embraced the demands of a high-performance culture. As indicated by their priority, they ranked 4th out of 22, gaining public confidence in police integrity, New York police officers want to found this new culture on a bedrock of integrity.

For this to happen, however, organizational strengths now emerging must overcome historical weaknesses in the operating culture.

Attitudes toward Corruption and Integrity: Strengths to Build Upon

Much has been written and said about the reluctance of members of a given profession—whether doctors, lawyers, clergymen, or police officers—to turn in or give evidence against their colleagues.

The Mollen Commission cited a number of cultural disorders, including:

- The Code of Silence
- The "Us vs. Them" Mentality
- The Erosion of Values and Pride
- Police Cynicism
- Moral Character and Fitness of Recruits
- Influence of Police Unions

Noting that the Code of Silence has been a cultural fact in the Department at least since the Knapp Commission era, the Commission surmised that "nothing is more important than the unswerving loyalty of officers to one another—not even stopping the most serious forms of corruption." This leads officers to "protect or cover up for others' crimes—even crimes of which they heartily disapprove."

This finding was supported, and perhaps influenced, by a series of focus groups conducted among all uniformed levels of the Department in 1993 by the Internal Affairs Bureau. Inspector Charles Campisi, project director and moderator of the groups, noted that large majorities of the police officers interviewed said that they would

not report the corrupt acts of fellow officers to Internal Affairs, even anonymously, for two reasons:

- They did not trust IAB's competence and good will; the identities of too many informers have become known within their own commands.
- Being labeled a "rat" may incur the ultimate price: loss of one's life in a conflict with criminal suspects because other officers would be reluctant to respond in support. (This perception persists even though no case of this having happened has been documented.)

NYPD Survey No. 1 confirms the continued existence of deep suspicion of Internal Affairs while it simultaneously reveals a culture that despises corruption.

- The survey found, for example, that while the Internal Affairs Bureau continues to have a reputation for being unfair to police officers, nearly three-fourths of respondents believe that helping IAB can improve the effectiveness of the Department and that IAB should continue its pro-active stings to catch corrupt officers.
- Nearly all officers feel that there may be some occasions when it is necessary to report corruption to IAB.

Internal Affairs Issues	RESPONDENTS WHO	
	AGREE	DISAGREE
IAB fair to police officers and exonerates them when necessary	21.4	72.2
IAB catches cops for minor rule breaking	65.7	31.3
Police officers can make anonymous complaints	61.6	33.9
Helping IAB improves effectiveness of Department	73.2	21.8
IAB should continue stings to find corrupt officers	74.7	21.3
Important not to report other officers no matter what	6.6	89.4

Table 2

In short, the Blue Wall of Silence, the long-established name for the reluctance by police to report on one another, may be far less impenetrable than commonly thought, especially where real corruption is being practiced.

The Blue Wall, however, has other meanings. In some cases it is used to describe the protection afforded the public by police; it is also a symbol of division between the public and police.

Us vs. Them	RESPONDENTS WHO	
	AGREE	DISAGREE
The public has no understanding of police problems	90.8	7.0
Community has a good relationship with police	23.0	74.5
Media help the police do their jobs	15.0	82.4
Public believes police use too much force	81.4	16.2
Public believes that police are honest	47.7	49.5

Table 3

Although evenly divided on whether the public believes them to be honest, officers of the NYPD feel that the public does not understand the peculiar problems of police and, generally, does not support them. This is consistent with survey data on these questions elsewhere, as well as with the literature on the subject.

Police officers are the course of last resort in this and most societies. They are expected to risk their lives for the public: "That's what they get paid for," some say. Few expect the public to come to the aid of an officer in danger.

However, available survey data on the public's attitude toward police indicates that officers have more public support than they realize.

For example, a WCBS-TV/New York Times poll in June 1994 indicated that 73% of city residents believe the average New York City police officer is "very" or "somewhat honest," while 23% believe the average officer is "not too honest" or "not honest at all."

But in the wake of highly-publicized arrests of police officers in the 30th Precinct, the same poll indicated that many New Yorkers think worse of the Department than they do of its individual officers. Forty-three percent of all city residents believe there is widespread corruption in the Department; 58% of Black and 51% of Hispanic residents believe corruption is widespread.

Understanding What Corruption Is

NYPD Survey No. 1 found wide disagreement with the Department's instruction to recruits that corruption begins with a free cup of coffee or meal. Yet virtually everyone agrees that any officer who has become a thief or a drug dealer is guilty of serious corruption.

What Is Corruption?	RESPONDENTS WHO	
	AGREE	DISAGREE
Accepting a free cup of coffee	11.0	86.5
Accepting a free meal	24.8	71.4
Using drugs	81.5	15.0
Becoming thieves or dealers	95.6	1.3
Using too much force	31.7	65.1

Table 4

The Value of Transformation: Respect

Social science research conducted in the 1970s and 1980s indicated that it is possible to secure highly differentiated, lasting behavioral change by causing groups of people to identify one value or set of related values which these groups consider important but do not act upon consistently. Securing committed action on behalf of these latent values will enhance both self-esteem and social-recognition.

As shown by many New Yorkers who have told stories of rude interactions with police, an operating culture of organizational fear, exclusion, and self-protection can lead to an undercurrent of arrogance in the demeanor of some individual officers.

Analysis of the data collected in early 1994 indicated that the value too little activated in the operating culture of the NYPD was the value of respect. Officers did not feel respected by their organization or by the public; and the public often did not feel respected by their police officers. For example:

- Uniformed police officers discouraged from making arrests of drug dealers received an organizational message of distrust and disrespect.
- Uniformed police officers who failed, in front of citizens, to make arrests of drug dealers received an additional message of distrust and disrespect from the people they are supposed to serve.
- Police officers who feel that they can rely only on each other—not the organization, which doesn't trust or respect them; not the citizenry, which doesn't understand, trust, or respect them—are more likely to lack the self-esteem and self-confidence that come from concerted action, more likely to embrace the "us vs. them" mentality, more likely to manifest arrogance in their interactions with citizens.

The members of the New York Police Department must be imbued with the value of respect, in their views of themselves; in their dealings with all other members of the organization, no matter what their rank or place in the hierarchy; and in their contacts with citizens, whether in person or on the phone.

The mission of policing can safely be entrusted only to those who grasp what is morally important and who respect integrity. Without this kind of personal character in police, no set of codes or rules or laws can safeguard that mission from the ravages of police misconduct.

Summary of the Cultural Diagnostic

Data from the focus groups and *NYPD Survey No. 1* provide much evidence that the Department's operating culture can be transformed in the relatively near term from one of fear, self-protectiveness, and exclusion to one of committed action, integrity, and respect.

The core identity of the NYPD can be changed from one focused on being, in appearance if not totally in fact, scandal-free, to one that delivers dramatic results against crime, disorder, and fear while establishing a national benchmark in organizational integrity.

To accomplish this, three things must happen:

- Edwin J. Delattre
- 1 The Internal Affairs Bureau must be recognized as relentlessly effective in identifying, investigating, and apprehending corrupt and brutal officers. This will assure swift removal of police who have become criminals and serve as a deterrent to the weak in character.
 - 2 All major systems of the NYPD (especially supervision, training, discipline, and rewards) must be reengineered to make certain

that integrity is the hallmark of administration and oversight of the agency; all operations, rules, and regulations must be fair, efficient, and promotive of the Department's mission.

- 3 Accountability to the people of New York must be assured, and essential partnerships built and strengthened, to uproot certain cultural artifacts and put in their place a new standard of behavior for every good-willed member of the Department: the standard of committed action, integrity, and respect.

The next three chapters will describe how.

Chapter Three

POLICING THE POLICE

The arrest of Police Officer Michael Dowd and five other corrupt New York City police officers in 1992 on drug charges by the Suffolk County Police Department will always be seen as a turning point in the history of the NYPD's effort to control police corruption. As an internal Department investigation and the Mollen Commission's investigation revealed, Dowd, who served as a New York City police officer for ten years, was involved in criminal acts from early in his police career. He and his confederates grew progressively bolder and more reckless as their early transgressions went undetected and unpunished. By the time they were apprehended, they had, together or individually, committed a range of crimes including robbery, assault, larceny, burglary, and narcotics trafficking.

... police integrity is the window through which we assess the rectitude of governmental actions. What they do and how they do it affects the perceptions of how we view the fairness and honesty of the entire criminal justice system.

—Thomas Barker & David L. Carter

Information about these crimes began flowing to the Police Department as early as 1985. Informants from the public, and from the criminal world, and possibly some anonymous informants from the Police Department itself, implicated Dowd and his fellow corrupt police officers in most of the crimes for which they were later convicted. The Department's internal investigative entities at the time, the Internal Affairs Division (IAD) and the Field Internal Affairs Units (FIAUs), opened no fewer than 20 cases directly or tangentially involving Dowd between 1985 and 1992. And yet, Dowd and his confederates slipped through the net. The pattern of their activities eluded investigators, the individual charges were sloppily and perfunctorily investigated, and case after case was closed as unsubstantiated. As became apparent after Dowd's arrest, the internal affairs function of the New York Police Department had failed, and failed utterly, in its central mission to identify and apprehend police officers who commit crimes.

Since 1992 the Department, drawing on the lessons of the Dowd case, has completely restructured its internal affairs function creating a new Internal Affairs Bureau. Today's IAB is managed, structured, recruited, trained, and equipped to ensure that current and future investigations of police crime are conducted in

accordance with the highest standards of professional and proactive police investigations.

The same principles and techniques that have been applied so successfully during the past 17 months to general crime in New York City are also being applied to the critical problem of police crime.

From the bungled Dowd cases in the 75th Precinct to the more recent cases of police corruption in the 30th Precinct and the 48th Precinct, there is a clear progression to a vastly improved internal affairs capability that has been increasing the thoroughness, sophistication, and reach of its investigations with each successive case. In the recent 48th Precinct case, for instance, IAB initiated the case, identified corrupt officers, elicited incriminating testimony, conducted field integrity tests, and recorded and video taped officers committing corrupt acts.

Not only has IAB upgraded its equipment, personnel, and investigative techniques but it is also making significant changes in its style of management, moving away from the almost obsessive secrecy and isolation that characterized past practice in internal investigations. In a clear departure from the past, this integrity strategy endorses a wider sharing of corruption information among key non-IAB Department commanders and precinct commanders and a broader responsibility within the Department for integrity-related issues. Only by working with this wider group of allies within the Department and giving them "ownership" of the integrity issue can IAB achieve its full potential in performing the crucial law enforcement function of policing the police.

Lessons of the Dowd Case

An internal Police Department study of the Dowd case and allied cases, completed in November of 1992, found far ranging problems and deficiencies throughout the Department's internal affairs function. To understand what went wrong in the Dowd Investigation, it is necessary to understand how the internal affairs function was structured, how it was intended to operate, and how it actually did operate in the late 1980s.

IAD and the FLAUs

The structure of the internal affairs investigative function in the late 1980s dated back to the days of the Knapp Commission and to reforms instituted in 1970, when the Department restructured the NYPD Inspectional Services Bureau and its Internal Affairs Division. In an effort to increase field accountability and field

responsibility for corruption issues, Field Internal Affairs Units were established for each of the seven patrol borough commands and each of the other major bureaus and divisions. These units were under the jurisdiction of various borough commanders, bureau chiefs, and deputy commissioners but also reported to the central IAD.

IAD reviewed corruption complaints received by the Department and assigned them for investigation to the appropriate FIAU. IAD was supposed to retain for its own investigation particularly important or sensitive cases. The FIAUs were overseen by the Staff Supervisory Section of IAD which was to ensure the thoroughness and accuracy of FIAU investigations and to conduct parallel investigations when they were dissatisfied with FIAU results.

Failure of the IAD Structure

Although establishing greater accountability for corruption in the field is a worthy goal, and a goal that the Department still intends to accomplish, it was not achieved by IAD and the FIAUs. In fact, just the reverse occurred. The split accountability and shared jurisdictions of IAD and the FIAUs created immense confusion about who was responsible for following through on which aspects of which case and who was responsible for identifying and investigating the broader patterns presented by a series of cases.

By the late 1980s, the central IAD was carrying only about five percent of cases involving allegations of criminal activity and serious misconduct. Although IAD was regarded as the lead unit fighting corruption in the Department, the FIAUs had most of the investigative responsibility. Unfortunately, the FIAUs had virtually none of the investigative resources. The Department's internal affairs efforts as a whole were understaffed and underequipped, but this was particularly true of the FIAUs.

Most FIAU investigators believed that IAD was providing far more oversight and quality control of FIAU investigations than it actually was. In fact, by the time of the Dowd case, the staff supervision functions at the central IAD were perfunctory at best, and the FIAU investigators were effectively on their own. A system that had been established to increase accountability and effectiveness in the field had deteriorated to the degree that

individual field investigators were left to work on complex cases without meaningful support or oversight from central IAD.

Inadequate Investigative Techniques

The Department's internal study described the "repertoire of investigative techniques" employed in the Dowd-related cases as "remarkably sparse." The investigations were sporadic and relied on random observations rather than extended surveillance. No serious attempt was made to wiretap any of the subjects or to "turn" any of Dowd's corrupt police officer associates. Although there was one short-lived effort to employ a criminal informant in an undercover operation against Dowd, there was no other effort to use informants or law enforcement undercover personnel in any of these cases. No serious consideration was given to conducting integrity tests, often called "sting" operations, to gather evidence on Dowd and his associates. Investigation of the various subjects' personal finances, to determine if they might have illegal income, was extremely rudimentary and inconclusive.

The Dowd cases should have been approached in the manner of an organized crime or sophisticated narcotics investigation. Instead, many cases were closed after a handful of field interviews and observations conducted by a single investigator. Given that police officers are very familiar with police investigative techniques, an investigation to apprehend and convict criminal police officers requires the most sophisticated and systematic techniques for gathering evidence. Such techniques were never used in any of the Dowd-related cases.

Inadequate Management of Information

The Department study found that information within IAD was too closely held. Investigators working on related cases were often excluded from the "circle of those with a need to know," resulting in missed opportunities and costly duplication of effort. The Dowd-related cases developed several important pieces of information which, if shared within IAD, or between IAD and the FIAUs, could have provided a more complete picture of the corrupt activities and led to a more effective investigation.

The IAD computer system was designed in the days of intense secrecy at IAD by computer specialists who were never permitted a full understanding of internal affairs operations. As a result, it

was a poor match to IAD's needs. System safeguards, designed to ensure the quality of the information input to the data base, were frequently circumvented by users. The system could not perform complex case management functions. Its electronic data base contained only the bare outlines of each case, making it impossible to search cases for common data such as names, phone numbers, and addresses.

Inadequate Personnel, Training and Equipment

The picture that emerges from the Department's study of the Dowd case is one of gross investigative incompetence. The study found no evidence that the Dowd investigation was intentionally thwarted. It found something even more alarming. It found that the corruption fighting apparatus of the largest police department in the United States was institutionally inept.

Throughout the Dowd-related cases, the Department's internal study found inadequately trained investigators equipped with outmoded, obsolete and insufficient equipment. This was especially true in the case of FIAUs, where investigators were sometimes forced to purchase their own equipment and to use their personal vehicles. The study found some FIAU investigators who had never received either the IAD Internal Investigator's Course or even the basic Criminal Investigation Course.

The internal affairs function had great difficulty in attracting talented and experienced investigators; candidates preferred to work in the Detective Bureau and the Organized Crime Control Bureau. Many of these investigators believed that IAD, and particularly the FIAUs, were not the place for ambitious and career-minded investigators. IAD's reputation was also undermined by the fact that it was handling a mix of assignments, ranging from serious corruption to relatively minor misconduct. It was widely believed that IAD was engaged in what are known as "white socks" investigations where, having failed to find serious corruption, IAD would penalize police officers for minor infractions.

Secrecy and Isolation

The Integrity Reengineering Report published by the Department in summer 1994 took issue with one of the chief tenets of internal affairs investigations, that blanket secrecy is essential to their success. Secrecy and the nearly total isolation of the internal affairs function is supposed to prevent leaks about on-going investigations. The Integrity Reengineering Report concluded much the opposite: The secrecy that has traditionally veiled internal affairs operations, the isolation of the internal affairs function from the rest of the Department, the practice of keeping key executives and precinct commanders in the dark about on-

going investigations, and the basic assumption that everyone is suspect tend to undermine the effectiveness and accountability of internal affairs investigations.

The view taken by those reengineering the department in early 1994 and 1995 was that this obsessive style of secrecy and exclusion is the wrong model for internal affairs work.

Some believe that IAD's failures in the Dowd-related cases resulted from an unwillingness to investigate police crime or even a conscious cover-up. The Department itself concluded that the problem was not IAD's unwillingness to investigate police crime, but rather its inability to mount an effective police investigation. Either way, secrecy disguised IAD's failings from the rest the Department and from the public for nearly a decade.

Exclusion of Key Commanders

Over the past 25 years, it had been standard operating procedure to exclude such key officials as the First Deputy Commissioner, the Chief of Department, and the Chief of Detectives from any knowledge of internal affairs cases and operations. The people holding these and other key titles in the Department represent a wealth of knowledge not only about how to conduct effective police investigations but also about the Department and its members. Certainly, they would never be excluded from any other kind of important criminal investigation conducted by the NYPD.

Precinct commanders were likewise excluded from any knowledge of internal investigations in their precincts. A precinct commander can materially assist internal investigations by providing insights about the precinct and by helping investigators set up "stings" and other surveillance operations. By excluding precinct commanders and failing to trust them, internal affairs investigators were making their own work more difficult.

Integrity control officers – lieutenants who are supposed to take responsibility for integrity issues in each precinct – were also kept in the dark. These supervisors, whose very job description calls for their involvement in integrity issues, were reduced to glorified paper pushers with virtually no knowledge of corruption complaints or on-going corruption investigations in the precincts. By involving precinct commanders and integrity control officers, internal investigators can expand the integrity "search team" in the front lines of the Department.

The Police Department is not an espionage agency. Even when it is investigating crimes committed by police officers, the Department should adopt the model of the professional police investigation, such as it would apply to other crimes, gathering all relevant information, reviewing the data to discern patterns of corrupt activity, and utilizing surveillance operations, wire taps, integrity tests, and other investigative means to establish incriminating evidence and apprehend police criminals.

Internal Affairs is now working toward two goals: effective investigations and widespread help from the command structure.

The Department should also be involving key police officials. Without well founded reasons, the Department and its internal investigators should not exclude from the investigation process its top executives, its precinct commanders, or its integrity control officers who should be seen as primary allies in deterring, detecting, and investigating police corruption.

The Risk of Leaks

Some believe that the risk of leaks outweighs all of the advantages outlined above. If information is too widely spread, they argue, leaks will be inevitable. This argument overlooks two important factors. First, the circle of those in the know is being expanded only to include commanders who, by virtue of their positions, have already achieved a high level of trust within the Department. In the reengineered NYPD, precinct commanders are taking full responsibility for every other form of crime in their precincts and working closely with the Detective Bureau to respond to emerging crime patterns. Likewise, they should be trusted to take responsibility for the actions of the police officers under their command, and be able to work closely with the Internal Affairs Bureau, when those officers commit crimes or serious misconduct.

Second, widening the circle of those in the know may ultimately reduce leaks. It will help to propel a cultural change in the NYPD that gives all commanders a piece of the responsibility for keeping the Department corruption-free. As long as integrity is solely the responsibility of an isolated and secretive bureau, other commanders may see IAB as working against them and their interests. As they are taken into IAB's confidence and as they develop a working relationship with the bureau, they should become more reliable at keeping IAB secrets, not less.

The Department has restructured and redirected its IAB function to achieve two goals. First, it has established a thorough and

effective internal affairs function that can detect, investigate, apprehend and build strong court cases against police criminals. Second, it is working to open the internal investigation process to more key participants within the Department's command structure. The risk of compromising investigations is far outweighed by the potential benefits of opening up the Department's integrity assurance system. Working together the Department's key commanders will greatly enhance and expand what the Internal Affairs Bureau can achieve on its own. It is time for an anti-corruption strategy based not on exclusion and secrecy but on inclusion, shared responsibility, and trust.

The balance of this section describes the change, including past progress and a future action plan in three primary areas: Management and Operations, Technology, and Proactive Investigations.

Structure and Management

Problem

The old IAD's structure, management, and culture of secrecy critically disabled the organization and prevented it from accomplishing its core mission of detecting and investigating police crime. Even with most structural problems corrected in 1993, the new Internal Affairs Bureau continued its old patterns of poor management oversight and closely held information.

- Fact: The fragmented structure of the pre-1993 IAD resulted in blurred lines of accountability, misallocated case loads, and little management oversight of the investigative process. IAD had difficulty in attracting high quality investigators and high quality managers and provided inadequate training to its investigative personnel.
- Fact: Even after important structural changes were made and the Internal Affairs Bureau was established in 1993, the culture of secrecy lingered. IAB kept information not only from other command staff members, including the First Deputy Commissioner and the Chief of Department, but also at times from the Police Commissioner. Lack of overtime control and poor management strained IAB's budget resources.

Progress

Structural, Recruiting and Training Changes

In January 1993, the NYPD dissolved the Inspectional Services Bureau, its Internal Affairs Division and its Field Internal Affairs Units. A new Internal Affairs Bureau was established to perform the functions of both the old IAD and the old FIAUs with IAB directly administering and overseeing all field investigations. Unlike its predecessors, IAB is concerned solely with police corruption and serious police misconduct. Inspections units assigned to the borough commands and major bureaus, and separate from IAB, handle all cases of minor misconduct. IAB concentrates its own resources on police crime.

Since 1993, IAB has increased its uniform personnel from 480 to 570. NYPD Interim Order 39, issued in May 1993, gave IAB the right of first refusal for every candidate for investigative assignment in the entire Police Department. Over the past two years, this measure has assured the recruitment of quality, seasoned investigators for IAB. Investigators may pass through IAB for a minimum two-year tour of duty and then go on to other investigative assignments in the Detective Bureau and the Organized Crime Control Bureau.

All IAB investigators receive the 10-day Basic Methods of Internal Investigation Course which includes interviewing techniques, surveillance, and integrity tests with an emphasis on using these skills in internal investigation cases. There are also specialized courses in computers, financial investigations, advanced photography, undercover narcotics tactics, homicide and assault investigations.

The IAB steering committee, comprising the top IAB managers, meets each week with the group commanders from a given borough to conduct a close review of on-going cases. In successive weeks, the group commanders from the other boroughs and the commanders of specialized groups also attend these meetings. Under this system, every important IAB case is reviewed at least once every six weeks by the steering committee.

Changes in Management Culture

Despite these reforms, IAB was still largely stuck in the old culture of secrecy and micro-management.

Despite these reforms, IAB was still largely stuck in the old culture of secrecy and micro-management. The structural, recruiting, training, and management reforms of 1993 had to be matched by a change in operating philosophy in 1994 and 1995. The process began in the summer of 1994, when the Police Commissioner began holding biweekly IAB staff meetings on internal crime cases with the First Deputy Commissioner, the Chief of the Department, the Deputy Commissioner for Crime Control Strategies, the Deputy Commissioner for Policy and Planning, and the Deputy Commissioner for Legal Matters in attendance. For the first time, the day-to-day workings of IAB were truly opened to the scrutiny of the Department's top managers.

The Department assigned some of its best and most forward thinking commanders to Internal Affairs and began decentralizing IAB management. By spring 1995, group commanders had been granted far more latitude than ever before in creating their own tactics and building their own cases. The management culture in IAB was being transformed from one of reaction and error avoidance to one of creative enterprise and responsibility.

In a parallel reform, IAB's internal structure was simplified in early 1995 to two primary divisions, Criminal Investigations and Support Services, each headed by a deputy chief. Criminal Investigations comprises 12 investigative groups, each commanded by a captain and distributed throughout the city by zone. Support Services includes various special investigative groups and IAB's technical support and research capabilities. The lines of management and reporting responsibility are now extremely clear and simple.

The Chief of IAB meets daily with the Police Commissioner and shares all important investigative information. The days of a secretive, ingrown, self-enclosed IAB have ended.

Action Program

Policy of Inclusion

In 1995 and successive years, IAB will continue to expand its policy of including and involving Department commanders in integrity-related issues. The group attending weekly internal

affairs meetings has already been expanded to include the Chief of Detectives, the Chief of Organized Crime Control, and the Chief of Patrol as well as the borough commander for the patrol bureau under discussion in a given week.

In most cases, precinct commanders will be informed and consulted about on-going IAB investigations in their precincts...

In most cases, precinct commanders will be informed and consulted about on-going IAB investigations in their precincts and will be asked to assist in setting integrity tests and surveillances of subject police officers. IAB group commands are establishing regular liaison with the precinct integrity control officers, providing another source of information and assistance. Commanders and integrity control officers are expected to maintain full confidentiality with respect to all information they receive from IAB.

IAB will also be providing monthly reports on corruption complaint data to precinct commanders. The monthly precinct profile will be an enhanced version of the report commanders now receive annually, showing complaint data by category of alleged offense, tours of duty, and the ratio of complaints per number of officers on duty. Precinct commanders will be able to gauge complaints in their own precincts against the citywide numbers, which will also be broken down in the report by category, etc. IAB will publish an annual report containing such information as the number of police officers and civilian employees arrested and suspended each year, the number who test positive for drugs, and the number of corruption complaints received by IAB.

Investigative Technology

Problem

At the time of the Dowd case, the Department's internal affairs function was bereft of advanced investigative technology. It was not able to take advantage of the enormous advances in surveillance technology and in information systems that have come with the computer age.

FACT: Internal Affairs used bulky, outmoded recording and video equipment that often provided poor sound and visual quality.

FACT: The internal affairs computer application was extremely limited and lacked sophisticated case management and data sorting capabilities.

Progress

Since 1993, IAB has acquired the following state-of-the-art equipment:

- F-Bird Digital Recorders which record up to eight hours on computer chips and download onto computer optical disks, providing a very high degree of clarity and recording quality.
- Covert body transmitters that can record up to five hours and can also transmit a signal for monitoring from a remote location.
- Miniature video cameras that provide extremely clear video images.
- Microwave systems for transmitting video images and controlling video cameras through the airwaves.
- "Prism" equipment for transmission of video images over telephone lines.
- Pen register systems that record the phone numbers of incoming and outgoing calls for a subject phone when permitted by court order.
- Wire tap systems that record the content of phone conversations when permitted by court order.
- Systems to intercept cellular phone and beeper transmissions when permitted by court order.
- A complete "wire room" for managing wire taps and intercepts.
- Electronic surveillance vehicles.
- "Bird Dog" vehicle tracking devices.
- A varied fleet of rental cars, both domestic and foreign, including a full sampling of typical cars on the street.

Computerized technology will identify patterns of police corruption.

Action Program

Computer Pin Mapping

In 1995, the Department will utilize computerized mapping technology to identify patterns of police corruption and brutality allegations by time and place, the same way this technology is used to analyze external crime.

PRIDE Computer Application

By July 1995 the Internal Affairs Bureau will place its new PRIDE computer system in use bureau-wide. PRIDE, which stands for Programmable Retrievable Investigative Data Entry, will come into its full usefulness over the next six months as IAB investigators enter cases and build its data base. By December 1995, IAB will be served by one of the most advanced internal investigation computer applications ever devised for police purposes.

PRIDE was designed by the same team of programmers that devised the Department's highly regarded NITRO computer system for managing organized crime and narcotics investigations. It was researched in close cooperation with IAB's current command staff which shared with the computer engineers all the complexities and potential pitfalls of internal investigations. The finished product includes many safeguards that will ensure the integrity of the data introduced to the system and cannot be circumvented by inexperienced or impatient users. The designers of PRIDE used the Dowd case as a model for what can go wrong with information flow in an internal investigation, and built system safeguards that will not allow commanders, investigators, assessment personnel, or intake officers to miss critical information.

PRIDE - Phase 1

Phase 1 of PRIDE, which will be fully operational by July, provides case intake, assignment, and assessment functions. The data from phone complaints will be fed into fields on computer screens by intake officers who will be required to take a complete report by the computer's procedures. The system will validate addresses and the names of police officers provided by complainants. It will also immediately flag any new case that can be connected to other IAB cases by common names, addresses, phone numbers, license plates and other data. Cases will be assessed, classified, and assigned with the full knowledge of how they are connected to other cases already in IAB files.

PRIDE - Phase 2

Phase Two, scheduled for early autumn, will utilize relational database technology to enable PRIDE to access computerized

databases inside and outside the Police Department. These databases include:

- The Organized Crime Control Bureau's NITRO narcotics complaint and investigation data base, which provides information on known narcotics locations and individuals in the narcotics trade.
- The Detective Bureau's CARS data base which contains data on robbery complaints and persons arrested for robbery.
- The ARC system, which can identify police officer's tours of duty, their posts, and their tour supervisors.
- The NYPD Central Personnel Index, which tracks police officers' previous complaints, disciplinary record, sick record, medal record, vehicle accidents, and firearm discharges.
- Law enforcement, financial, motor vehicle and other databases from outside the Department that can assist in a complete investigation of a subject.

The PRIDE technology will allow investigators to highlight, cut, and paste information from the data bases and incorporate them directly in the electronic case folder. With a minimum of time and effort, investigators will be able to construct complete profiles of subject officers.

PRIDE - Phase 3

In Phase 3, to be completed by December 1995, PRIDE will become a fully operational case management system. From July 1995, investigators will input every detail of each case to electronic files in the PRIDE system, including all detective worksheets. Every interview, field observation, and record check will be retrievable not only by the investigators and their direct supervisors but by any supervisor in the IAB chain of the command.

As the case files are built, PRIDE will come into its own as a case manager, functioning as a powerful investigative tool. It will enable investigators to search any and all files for the names of subjects and witnesses, types of complaints, locations (by both numbered address and cross street), vehicles (by both description and license number), and phone numbers.

PRIDE automatically queries itself when important new information is introduced in any case. If an investigator identifies

an associate of a subject police officer, for instance, and enters the name in the electronic case file, PRIDE immediately identifies any other cases where that name has been entered and will require that all the cases be reassessed on the basis of the new information. Commanders must review the cases and sign off on the new assessment decisions made. It will be virtually impossible to repeat the central mistake of the Dowd case – the failure to review on-going cases and discern the broader patterns. PRIDE will also generate detailed reports on case patterns and trends showing whether certain locations, tours of duty, precincts, units, or teams reveal a pattern of complaints or possible corrupt activity.

Proactive Investigations

Problem

The old IAD was a highly reactive organization, responding to individual complaints rather than analyzing patterns and conducting thorough investigations. Even after the new Internal Affairs Bureau was established in 1993 and IAB began conducting more proactive investigations, the bureau wasn't using its investigative resources to full effectiveness.

- Fact: The old IAD's primary investigative tool was the random field observation, often made by a lone investigator. Integrity tests, when used at all, were mostly designed to determine whether officers were performing their duties according to procedure rather than to catch them committing crimes.
- Fact: Although a full range of proactive investigative techniques were in use after 1993, IAB tended to devote its resources to a handful of individual cases, using very elaborate integrity testing techniques of questionable cost-effectiveness.
- Fact: The NYPD has had no objective statistical gauge of the extent of corruption in the Department. All information has been anecdotal and much of it has been provided by criminal officers whose veracity is in doubt.

Progress

Today's IAB uses a full range of investigative techniques, including pattern analysis and identification, sophisticated surveillance, targeted integrity tests, confidential informants, undercover police officers, and liaison with other metropolitan-area police departments, the FBI, the DEA, the ATF, and the IRS.

Today's IAB uses pattern analysis, surveillance, integrity tests, confidential informants, and undercovers.

IAB group commanders can now draw on the following specialized resources in conducting investigations in the various precincts and commands:

Corruption Analysis

The IAB Corruption Prevention and Analysis Unit tracks emerging corruption trends and identifies for special monitoring police officers who have had multiple corruption, brutality or other complaints. The unit prepares periodic precinct profiles to determine if the same names, sets of partners, tours of duty, units, supervisors or other factors appear repeatedly in complaint records.

Integrity Tests

IAB has developed increasing sophistication and efficiency in conducting targeted observations, sometimes called "stings," that videotape and record officers committing corrupt acts. Using apartments and automobiles, IAB integrity tests seek to replicate the settings in which investigators believe specifically targeted police officers will commit crimes. The high quality video and audio evidence gathered by these integrity tests has often helped to convince corrupt officers to cooperate with the investigation and identify other corrupt officers. In keeping with the Department's overall reengineering, decentralization, and inclusion efforts, IAB group commands are now staging their own integrity tests, with assistance and advice from the central integrity testing unit. This will greatly increase the frequency of integrity testing throughout the Department.

Surveillance

The IAB provides state-of-the-art surveillance technology and highly skilled surveillance experts to support any on-going IAB investigation. The surveillance group has expertise in conducting

surveillances without being detected by the police officers who are, by virtue of their jobs, quite familiar with police surveillance techniques.

Force Investigations

IAB immediately investigates abuse of force allegations that appear to implicate officers in criminal conduct. With its nighttime response group, the sector groups in IAB's criminal investigation division, and a group that concentrates exclusively on police force investigations, IAB is able to respond to police shootings, deaths in custody, and criminal force complaints 24 hours a day, seven days a week.

In force cases, swift response is critical. Witnesses must be interviewed and statements taken before memories fade and before witnesses begin to alter their stories. Physical evidence must be secured before it is damaged or disappears. Whenever possible, the alleged victims must be examined by a doctor and the extent of injuries documented. A fair, impartial, professional, and timely investigation of the evidence is the only way to assure that officers who have acted properly are exonerated and officers who have acted criminally are indicted.

Action Program

Increased Integrity Testing

In addition to targeted integrity tests aimed at specific officers under suspicion, IAB began random integrity tests in 1995. While these tests do not target specific officers, they are targeted on the basis of statistical information, indicating precincts and tours of duty that might be prone to corruption.

IAB will significantly expand its random and targeted integrity testing programs over the next year. The goal is to conduct sufficient integrity tests to establish a statistically valid sample of police corruption in the NYPD. There will be tests conducted on all tours and in all precincts. The base line established by integrity testing will be compared with integrity testing results in future years as one means to gauge the rise or decline of corrupt activity among police officers.

All previous estimates of the extent of police corruption are based on purely anecdotal information. Much of this information has come from corrupt police officers themselves who were providing evidence in court and other investigative inquiries. It may be in the interest of many of these witnesses to exaggerate the extent of police corruption, both to place their own transgressions in the context of a generally corrupt organization and to win more favorable treatment from investigators and prosecutors by providing extensive evidence of wrongdoing, whether accurate or not.

A base line established by integrity testing will provide hard data on actual observed incidents of corruption in the NYPD. Although not conclusive in itself, such data, when coupled with statistical data on complaints, will be useful in evaluating strictly anecdotal evidence that may indicate widespread corruption.

Enhanced Drug Testing

The Department has taken two steps to increase the effectiveness of drug testing of police officers and civilian employees.

- Since December 1994, members of the service randomly tested for drug use are no longer given one day's notice of the test, preventing drug users from preparing for tests or falsifying results.
- In addition to the Dole test or urine test, members tested for cause have also been subject since June 1995 to drug screening through hair analysis, which can detect past drug use dating back several months. The test was first used as part of the investigation of police misconduct in Washington, D.C.

The Department conducts more than 12,000 Dole tests a year, including random tests, tests of new employees, promotional tests, and tests for cause. About 41% of officers tested for cause test positive, but only about one-third of one percent test positive in random Dole tests.

Conclusion

In the late 1980s, corrupt police officers in the NYPD committed criminal acts with apparent impunity. Michael Dowd and others later testified that they did not believe that anyone could stop

them. By 1995, the tables had turned. As the police criminals in the 48th Precinct learned, a revitalized Internal Affairs Bureau is more than a match for corrupt police officers. As its PRIDE computer application comes on line, its integrity testing increases, and its coordination with the Department's key commanders continues, IAB will become even more adept at detecting and investigating police crime.

But successfully policing the police is not sufficient. The Department must reengineer its basic organizational systems to institutionalize a high-performance organization grounded in integrity and respect. The next chapter will explain how.

Chapter Four

REENGINEERING THE ORGANIZATIONAL SYSTEMS

Making the New York Police Department a high-performance organization that sustains dramatic impact on crime, disorder, and fear by providing professional police services that are delivered with integrity and respect requires transformation of the main organizational systems, especially supervision, training, and discipline. These systems evolved over time to support a core identity for the NYPD that was determined above all to avoid the appearance, if not reality, of scandal.

During 1994 and 1995, the Department initiated a reengineering process that would reconfigure the major systems of the Department to institutionalize a new core identity for the NYPD: benchmark high-performance, delivered with unmatched integrity and respect.

We are building a supervisory corps. where new roles and responsibilities will make them again the backbone of the Department.

**—Police
Commissioner
William J. Bratton**

SUPERVISION: TRAINING, STAFFING, AND DEPLOYMENT

The cornerstone of the effort to transform the NYPD operating culture is the reconstruction of the supervisory corps. Since 1994, the Department has worked to improve fundamentally and lastingly the selection, training, function, and deployment of supervisors.

- Within eighteen months, the nearly 6,000 sergeants and lieutenants of the NYPD will be trained to become effective front-line managers committed to sustaining high-performance action against crime, disorder, and fear with unparalleled integrity and respect. The role of supervisors will be redefined and significantly expanded.

The Challenge

No organizational system of the New York Police Department is more in need of overhaul than the supervisory ranks of sergeant and lieutenant.

The Zuccotti Committee (Mayor's Advisory Committee on Police Management and Personnel Policy) in 1987, the Mollen Commission in 1994, and the NYPD's Reengineering Teams on Supervision and

Integrity in 1994 all found that incidents of misconduct, corruption, and brutality occur in the absence of strong supervision.

At the start of its inquiry in 1992, the Mollen Commission found that "honest and corrupt cops alike reported that in many precincts in our City, police supervision was in a state of crisis." The commission's report went on to describe that crisis:

In every precinct where we found corruption, we found ineffective or sparse supervision—and a willingness by certain supervisors to turn a blind eye to corruption which they knew or strongly suspected existed.

The Department's Reengineering Team on Supervision noted that the current supervisor is in some ways superior to the supervisor of the pre-Knapp era: "They are younger, better educated, more reflective of the community, and presumably more honest." Yet, the Reengineering Team went on:

... a major deficiency has been identified. The clarity of authority, leadership presence, command bearing, and earned respect which marked the sergeant of twenty years ago are less universal today.

The Reengineering Team faulted the Department's promotional policies and training curricula for the current situation. It also noted that supervisors are not properly supported once they are in the field. For example:

FACT: Although first-line supervisors are held responsible for breaches of integrity during their "watch," there is no routine interaction with the Internal Affairs Bureau. Other than the standard IAB lectures in the Basic Management Orientation Course, there is no process for keeping supervisors aware of trends, problems in their commands, etc.

Weakness in the Department's supervision was confirmed by the focus groups and *NYPD Survey No. 1* conducted in 1994. Many focus-group participants, particularly among precinct commanders, described the problem of too much familiarity among sergeants and the police officers they are supposed to supervise. They lay the blame on four factors:

- the closeness in age of most new sergeants to the officers they must supervise;
- the lack of seasoning and street experience among many new sergeants;
- the chronic practice, caused by cyclical shortages, of sergeants serving as just another radio-response unit for 911 calls; and
- inadequate training.

None of this is surprising to officers and supervisors in the field. In *NYPD Survey No. 1*, uniformed members of the Department at the rank of lieutenant and below strongly agree that today's front-line supervisors are not strong enough.

Members of the Department agree that today's sergeants are not strong enough.

	RESPONDENTS WHO	
	AGREE	DISAGREE
Sergeants do not have enough confidence to take charge of many situations on the street	66.6	28.1
Sergeants afraid to deal with corrupt Police Officers	38.6	45.3

Table 5

It is neither practical nor necessary for supervisors to be present for every police action taken by patrol officers, as is the case in the Organized Crime Control Bureau where personnel always work in supervised squads. But strong supervision on the streets and in the precinct houses creates a standard of performance, behavior, and skill that all police officers can and must embrace.

Staffing and Deployment

Problem

Chronic cyclical shortages of supervisors have plagued the New York Police Department for many years.

Progress

Through focus groups convened in early 1994, the Department was alerted to a critical shortage of sergeants. A record 351 sergeants were trained and promoted in February and March of 1994 and assigned immediately to the field. Another 229 sergeants were promoted during the remainder of the year.

It became clear in the wake of the investigation into the 48th Precinct in 1995, that precinct commanders had not always assured adequate supervisory coverage of the midnight tour. Accordingly, the Chief of Department ordered precinct commanders to make substantial adjustments. Presently at least one lieutenant and four sergeants are assigned to the midnight tour, so that a minimum of two supervisors are working on any given night.

Action Program

- To replace supervisors lost through attrition in the past several months, the Department has begun sequential pre-promotional training of 240 sergeant candidates and 100 lieutenant candidates. Training began on May 30, 1995 for the first group of 80 sergeant candidates and on June 7 for the first group of 57 lieutenant candidates.
- Promotions will occur on a regular basis providing precincts with sufficient staffing to ensure proper supervisory coverage 24 hours a day, 7 days a week.
- As soon as all pre-promotional classes now scheduled are completed, the Department will put into effect a new staffing and deployment model for supervisors, keying future allocations to 26 indices that track police activity, interactions with the public, and other matters that measure the need for supervisory attention.

Pre-Promotional Qualifications

Problem

The Department's Reengineering Team on Supervision determined that a root cause of weakness in the rank of sergeant is youth and inexperience. The Team said:

FACT: ... uniformed members of the service are eligible to take the sergeant's examination after one year and are eligible for elevation to supervisory status after only three years in the Department.... While the Career Program requires police officers to have, on the average, five years of service for assignment to investigative or specialized units, a police officer can become a supervisor after only three years.

And the Reengineering Team found a serious deficiency in the civil-service test used to select promotees:

FACT: Promotional examinations are based on rote memory of Departmental procedures and legal materials. Open-book portions of recent examinations required nothing more than the ability to read an index. Leadership skill is not evaluated. (emphasis added)

Failure in the exam room twice now stops promotions.

Progress

- As a matter of policy, promotional training for sergeants will now occur before promotion and not afterward.
- A new, in-depth final examination will test the leadership knowledge and skill of candidates for supervisory jobs. Failure of the exam in a second attempt will result in being passed over for promotion.

Action Program

- Sergeants selected from future civil service examination lists will be required to have five years of service, three of which must have been spent on patrol. This requirement, coupled with the proposed change in civil service law, requiring future entrants to the Police Academy be at least 22 years of age, means that new sergeants will soon be at least 27 years of age.

Training

Problem

The Reengineering Team on Supervision observed in 1994 a number of serious shortfalls in supervisory training:

FACT: Supervisory responsibilities regarding many tactical situations, including controlling personnel during searches, are not included in training.

FACT: The Basic Management Orientation Course (BMOC) concluded with a fifty-question multiple-choice written examination. The few members who fail the examination are scheduled to return to the Police Academy at a later date for retesting. The only penalty for failing the examination is the denial of three college credits; the sergeants who fail are not prevented from assuming their roles as supervisors in patrol precincts.

Progress

Beginning in 1993 and continuing in 1994 and 1995, supervisory training was substantially revised. A new curriculum, called the Basic Leadership Course, replaced the Basic Management Orientation Course. The new course includes 39 hours dealing with leadership and integrity issues—compared with 17 hours in 1992, and 30.5 hours in 1993.

Soon after the new Sergeant's Academy opened in 1994, the Basic Leadership Course included the following new course material:

- Ethics and Values
- Professionalism
- Discipline
- Developing Leaders
- Desk Officer Workshop

In response to the Mollen Commission and the Reengineering Team reports, further refinements were introduced in late 1994 and 1995. These include:

- dramatic increases in realistic interactive training and use of role playing;
- training conducted in small groups rather than in large classes;
- instruction in practical supervisory and leadership skills;
- instruction in ethical leadership skills and qualities;
- frank, real-world discussions with excellent field supervisors; and
- IAB-selected, real-world cases of failed leadership.

To address the need for better trained supervisors identified by the Reengineering Team on Supervision, the Chief of Department is conducting training for all incumbent sergeants in managing confidently the real-world situations in which corruption, brutality, and threats to officer safety can occur.

Sergeants are now getting street training in corruption and brutality situations.

- Starting on May 9, 1995, every sergeant assigned to patrol is receiving two days of classroom and street-conditions training by expert, highly respected fellow supervisors. This training includes a series of interactive situations in which the skills and behavioral competence of supervisors are assessed and corrected. Each situation is constructed to enhance the problem-solving and team-building capabilities of supervisors, increase their confidence, and enable them to train officers working under their direction.

The curriculum for this training incorporates the approach and some of the content of the TOPCOPS (Tactical Operational Policing Causes Optimal Personal Safety) training recently developed by the Disorder Control Unit. The curriculum includes situations determined by the Internal Affairs Bureau and the reports of the Civilian Complaint Review Board as requiring special attention.

Integrity-related street situations include:

Corruption: Illegal search and seizure in a street enforcement situation; firearm involved.

Corruption: Apartment search; illegal contraband discovered.

Brutality: Street chase with arrest; over-aggressiveness.

Brutality: Prisoner transportation; goading by prisoner leads to physical response.

Integrity-related desk officer situations include:

Corruption: Hand-off of arrest to another officer; overtime avoided and statement falsified (common source of "testilying").

Brutality: Overly aggressive precinct-house interrogation of prisoner who shot at officers.

Along with the skills and confidence supervisors need to deal competently with corruption and brutality, they must also master day-to-day tactical situations. The training, therefore, will include the following scenarios:

- Foot Posts:* Disorderly persons; intoxicated and violent.
Drug-prone location; subjects flee leaving behind weapon.
Emotionally disturbed person locked in running car.
Robbery-prone location; three wanted individuals, all having guns, observed.
- Car Stops:* Illegally parked car at drug-prone location; individuals inside have drugs and guns.
Vehicle driving at night with headlights off near drug-prone location; individuals inside arrogant.
Carjacking of personal vehicle from off-duty officer; the car stops when pursued by marked police car, but officers are attacked by vehicle occupants.
"Meals on Wheels" van without rear window goes through stop sign; driver polite and has all required paperwork.
- High Risk:* Commercial burglary; two perpetrators with guns, one hidden.
Jewelry store robbery in progress; store owners black or Hispanic; robbers Hispanic and white; all have guns; robbers try to convince police they are store owners.
Residential burglary; off-duty female officer has gun pointed up stairs where two armed perpetrators hiding.
Man with a gun in bar, sitting with other patrons; bartender tries to signal entering officers which patron has gun.

At the same time, pre-promotional training in the Police Academy is continuing to be changed.

Action Program

Sergeants – Basic Leadership Course

Currently, the Basic Leadership Course is being further refined to focus on the expanded responsibilities, accountabilities, and roles of sergeants.

At present, an old videotape series dealing with situational leadership (produced in Florida and in use at the NYPD since early 1970s) is being revised, updated, and focused on New York-specific issues. These include situations in which a police officer:

- claims to be on scene when he or she is not;
 - is unfit for duty, due to alcohol, etc.;
 - fails to voucher drug money;
 - uses excessive force;
 - uses unauthorized force during prisoner transport;
 - conducts an illegal search of an apartment;
 - conducts an illegal search of a bystander;
 - verbally abuses a civilian;
 - reports sick after being denied day off;
 - commits sexual harassment;
 - is caught off-duty with a prostitute;
 - takes an unauthorized meal; and
 - is the favored "golden boy or girl" in a command.
-
- The new Basic Leadership Course will feature speakers from the Mayor's Commission to Combat Police Corruption. The course will also include in-depth discussion of the primary types of corruption the Internal Affairs Bureau has discovered within the Department. For the first time, surveillance videotape from closed cases will be presented.
-
- The new Basic Leadership Course will include training in Verbal Judo, enabling participants to convey this skill to police officers. In the Verbal Judo course, officers learn how to use tactical communications to preserve law and order while maintaining their own and the public's safety. Proper physical stance and respectful but firm words, as alternatives to force, will generate compliance and cooperation in most circumstances. Participants learn how to look at conflict creatively and how to respond to actual situations rather than react to personal feelings and emotions that might be triggered by events.

These classes teach officers to

- secure cooperation and gain voluntary compliance under stressful conditions
 - reduce citizen complaints and lawsuits by handling citizen encounters skillfully and professionally
 - improve courtroom credibility by becoming more articulate in justifying the steps taken to defuse a situation prior to resorting to the use of force
- The new Basic Leadership Course will include training in the operational and attitudinal issues confronting the Housing and Transit Bureaus of the NYPD. Participants will gain firsthand field experience in the highly successful approaches of Housing's Project Community Officers and in the special dangers and nuances of policing the subway environment.

Lieutenants—Advanced Leadership Course

Integrity-related training in the Advanced Leadership Course for lieutenants was increased from one hour to seven hours of training in 1994.

- The Advanced Leadership Course in 1995 will include 27 hours for integrity/leadership related matters.
- The Middle-Manager Leadership Workshop will stress assertiveness, delegation, motivation, and leadership in engendering high-performance activity built on a foundation of integrity and respect.
- During prepromotional training, candidates will also participate in the regularly scheduled Police Commissioner's Executive Staff and Crime-Control Strategy Meetings held at Police Headquarters;
- All new topics, sections, and testing procedures from the Basic Leadership Course, described above, will be adapted and included in the Advanced course.

POLICE OFFICERS: SCREENING, TRAINING, AND PERFORMANCE MONITORING

The first six Police Strategies dramatically increased the performance requirements of all the enforcement units of the New York Police Department. *Police Strategy No. 7: Rooting Out Corruption and Building Organizational Integrity* dramatically increases the performance requirements of all the members of the Department.

- *Police Strategy No. 7* ensures that New York City police officers will be older, more carefully selected, better educated, better trained, better managed, and better monitored. All these changes will help the NYPD build a high-performance organization that will continuously reduce crime, disorder, and fear by providing professional police services delivered with integrity and respect.

The Challenge

No one need choose to be a police officer or to bear the public trust; but those who do so...must acquire the excellence of character necessary to live up to it.

—Edwin J. Delattre

The drunken and disorderly behavior of a number of police officers staying in Washington, D.C. for the police memorial held on May 15, 1995, as well as other recent incidents involving excessive use of alcohol, has increased awareness of "out-of-town" and "off-duty" rowdiness by police. This, combined with on-going arrests and prosecutions of officers for serious crimes, has raised questions about the backgrounds of individuals selected for the job.

It is a widespread perception, inside as well as outside the Department, that the agency's standards of selection have slipped in recent years, and that it has been hiring convicted felons. While it is not true that the Department has ever hired a convicted felon, agency standards of selection and retention declined markedly.

Nevertheless, some officers charged in recent corruption cases were, as the Mollen Commission said, "ideal recruits on paper: excellent references and employment histories, well-respected and liked in their communities, and good scores on their psychological evaluations." They seemed to perform well while in the Department, making arrests and winning awards. The Mollen Commission concluded that "regular and constant exposure to certain conditions and opportunities in crime-ridden precincts changes the attitudes and behavior of some officers." Other corrupt officers were poor performers, with little or no arrest activity in high-crime precincts and poor attendance records.

- It is the contention of *Police Strategy No. 7* that both groups—the seemingly good performers and the obviously poor performers—had abandoned their real responsibilities as police officers because, in part, the Department had not really expected a great deal of them.

Fear of scandal led to many other policies and procedures that convinced police officers that the Department did not trust them.

By not expecting and demanding that all its members meet high standards of activity and results, the Department allowed sub-standard performance to become acceptable, rewards to become separated in too many cases from performance outcomes, and cynicism to proliferate.

FACT: Fear of scandal led to the practice of discouraging uniformed police officers from making drug arrests, except in the presence of a supervisor. Until discontinued in 1994, this practice increased cynicism both among officers and citizens.

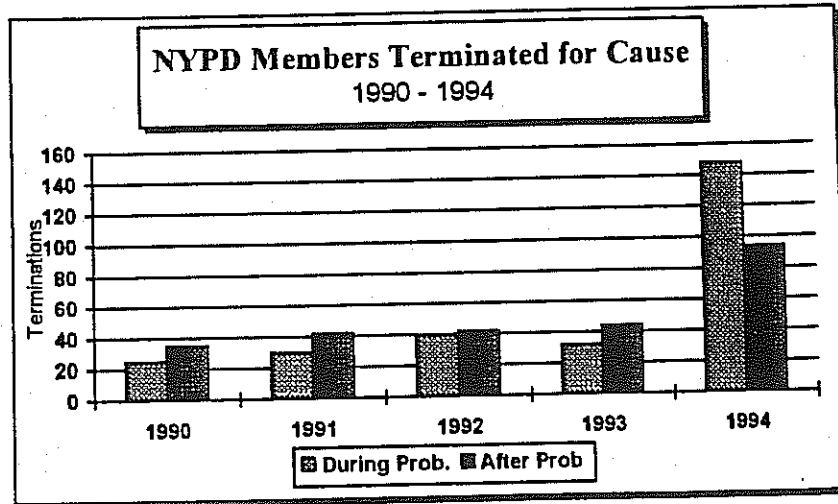
Fear of scandal led to many other policies and procedures that convinced police officers that the Department did not trust them, did not expect very much from them, and wanted them (as *NYPD Survey No. 1* indicated) to "write summonses" and "stay out of trouble" and do little else. Supervisory paperwork proliferated so that the responsibility for failures could be fixed as low as possible in the organization. Centralized control of precinct operations from One Police Plaza forced precinct commanders to become, in a word often used in 1994's focus groups, "jugglers" — managers managing mandates to avoid criticism, instead of leaders managing people to achieve results.

FACT: In August 1994, it was found that a large number of police officers had very low arrest averages and some individuals had not made an arrest in years.

FACT: Instead of being the "backbone of the Department," as one NYPD slogan would have it, Patrol was seen to be the dumping ground of last resort for poor- and non-performers.

And there seemed to be no penalties or other negative consequences for doing nothing.

FACT: Until policies began to change under Police Commissioner Bratton in 1994, few officers were fired— during or after probation.



With rewards seeming to be related more to who-you-know than to good performance in the field, and with virtually no negative consequences for non-performance, cynicism did, as the Mollen Commission indicated, proliferate. The culture of "us versus them" was strengthened, and operational effectiveness was undermined.

Alienation

In reporting the results of its study of the Police Department conducted between 1992 and 1994, the Mollen Commission described cynicism and erosion of pride in the ranks of officers assigned to precincts. This finding is supported by *NYPD Survey No. 1*, which found that 46.6% of those identifying themselves as police officers disagreed with the statement, "If they had it to do all over again, most members of this Department would choose to be a New York police officer." Significantly, as respondents rose in rank, their optimism increased. About a third of the sergeants (34.4%) and a quarter of the lieutenants (27.5%) disagreed with this statement.

Strengths to Build Upon

Despite the presence of such cynicism, the vast majority of the men and women of the NYPD responded in 1994 to the call for effective action against crime, disorder, and fear. There is reason to believe they will also respond to the mandate for higher standards of integrity and respect throughout the organization.

NYPD Survey No. 1 indicated that of those identifying themselves as police officers:

- 93.3% agree that "police integrity is essential to police being able to take back the streets"
- 94.7% disagree that "it's OK to exaggerate or misstate the facts at trial to make sure a criminal gets convicted"
- 74.0% agree that "officers who show disrespect for people they question or arrest may thereby cause unnecessary escalation of force"

Majority understanding of the negative consequences of disrespect on the street is encouraging. Still, it must be noted that more than a quarter of police officers disagree that this connection exists. This is one measure of the challenge now facing the Department.

Recruiting, Screening, and Selection of Police Officers

Problem

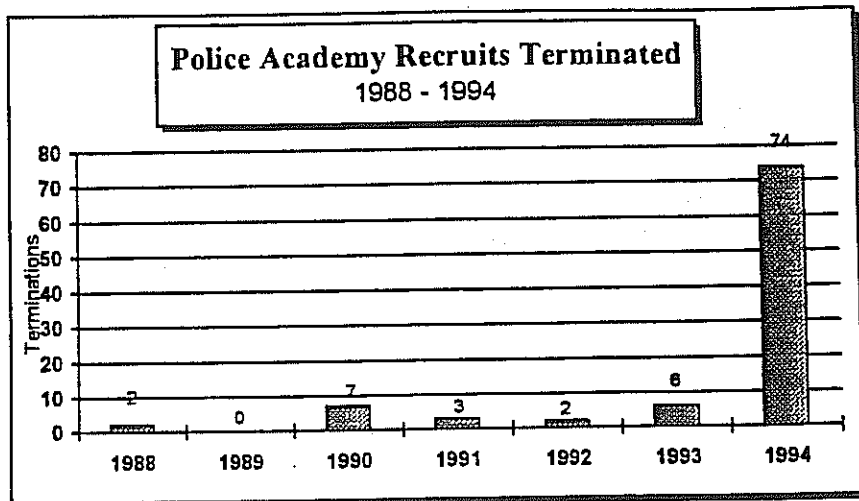
The Reengineering Implementation Team declared in the fall of 1994 that the "macho us vs. them attitude" is the result of "immaturity, lack of confidence, and low self-esteem." Raising admission and performance standards is one of the necessary responses to this condition.

Until 1995, the Department used only the automatic disqualifiers for hiring accepted by the Civil Service Law, conviction for a felony and dishonorable discharge from the military. It assumed that background investigations and review by the in-house Candidate Review Board would weed out the unfit.

Progress

During 1994, for the first time in memory, recruits at the Police Academy were terminated in substantial numbers for failure to perform.

In 1992, for example, 2 recruits were terminated for academic reasons or physical incompetence. In 1994, 49 recruits were terminated for academic reasons, and 25 recruits were terminated for physical incompetence.



The next Police Academy class, scheduled for June 29, 1995, will be the first in memory to be subject to:

- background investigations completed before admission to the Academy;
- expanding the automatic disqualifications for employment as a police officer to include, dismissal from public employment, misdemeanor convictions where the charges had been reduced from a felony, and a schedule of moving violations;
- grade point average of 75, raised from 70, required for graduation.

This class will be only the second to work a two week assignment in uniform in the precinct where each new officer will be assigned, occurring after the third exam in the Academy, constituting another level of evaluation in the recruit training process.

Action Program

Although it will be several years before the Department exhausts the list of 15,288 candidates who passed the police civil service examination given in 1993, recruiting will be an on-going activity that encourages applications from highly qualified, dedicated individuals of integrity who represent the diversity of the City of New York. At the same time, the Department is moving to raise its admissions standards.

To this end, starting with the next police candidate exam, the Department will:

- increase the age requirement for entrance into the Academy from 20 to 22 years of age;
- expand recruitment efforts to cover a greater number of college campuses in New York City and the metropolitan area; and
- expand recruitment efforts from the military, and offer the entrance exam more frequently on military bases.

The Department is also reviewing raising the minimum educational requirement from a high school diploma to an Associate's Degree (64 college credits), or an honorable discharge from the military;

Training of Police Officers

Problem

For many years, police officers, supervisors, and executives have complained that recruit and in-service training conducted by the Police Academy is too far removed from the realities police personnel face on the streets of New York. This may explain the following responses from *NYPD Survey No. 1*.

Training Issues	RATED EXCELLENT OR GOOD	RATED FAIR, POOR OR NOT AVAILABLE
Corruption / Integrity	62	36
Firearms Training	61	38
Searches and Seizures	33	65
Officer Safety	31	68
Cultural Diversity	29	68
Courtroom Testimony	25	73
Criminal Law Updates	19	79
Conflict Resolution	16	81
Pre-promotional Training	13	80

While it is encouraging that training dealing with the issues of corruption and integrity was rated most highly of all training areas

assessed by survey participants in August 1994, it is clear that far more remains to be done in this area, as well as in the others listed.

Progress

Recruit Training

The Police Academy's entry-level training now contains 102.5 hours out of a total 904 hours of class time devoted to integrity-related issues, including corruption, ethics, and moral obligations of police officers.

Since the start of 1994, the curriculum on Law has been expanded to include 33.0 hours on integrity-related matters. New and revised courses include:

- Erosion from integrity-to-corruption series
 - revised in 1994 and conducted by IAB in light of Mollen Commission report

- Bribery and related offenses
 - professional and impartial police service necessary at all times
 - appearance of preferential treatment compromises all police operations
 - Penal Law offenses, including Bribery/Bribe Receiving; Official Misconduct; Rewarding/Receiving Reward for Official Misconduct; Giving/Receiving Unlawful Gratuities

- Police Ethics
 - current Conflict of Interest Board rulings and guidelines on accepting gifts and other compensation

- Civil Liability
 - all actions must be reasonable, taken in good faith, and within Department guidelines and the scope of employment

- Drug Enforcement Strategies
 - practical instruction in context of described temptations for corrupt activities (vast amounts of money, narcotics)
 - consequences of corrupt acts exemplified through past and present Department corruption scandals

Since the start of 1994, the curriculum on Police Science has been expanded to include 40.5 hours on integrity-related matters. New courses include:

- Department Mission and Values
- Sick Procedures
 - addresses proper procedures and possible abuses
- Prohibited Conduct/Duties and Responsibilities
- Disciplinary Process
 - Command Disciplines, Charges and Specifications
(See section of Discipline below)
- Professionalism and Ethics
 - reporting corruption and serious misconduct
- Preliminary Investigations
- Property
 - vouchering currency, firearms, controlled substances
 - chain of evidence
 - temporary removal of property stresses the accountability of the individual officer.
- Vehicles
 - vouchering
 - Directed Accident Response Program (DARP) - deals with possible bribery by tow drivers
 - Stresses guidelines and requested notifications
- Emergencies and Unusual Occurrences
 - safeguarding of property at scene
- Summonses
 - discretion
- Arrests
 - prisoner's property (1993)
 - proper treatment of prisoner (1994)

PHYSICAL EDUCATION

- Integrity Related Issues
 - excessive force
 - excessive force workshop

In-Service and Precinct-Level Training

- During 1994, all police officers were shown a new videotape describing the anatomy of gun and narcotics arrests, including procedures for proper, truthful reporting and court testimony.
- During 1995, the first cycle of in-service training for police officers included a segment on preventing use of illegal drugs by members of the Department. Since involvement with narcotics is almost always associated with corruption, the Internal Affairs Bureau helped develop the course.

The Department's policy of zero tolerance for narcotics use is reaffirmed, while members of the service are informed about the most common means by which some of their colleagues become involved with drugs.

- In early 1995, Verbal Judo (Tactical Communications, as described above in the section on training of sergeants) classes taught under a grant from the New York City Police Foundation by the inventor of the method, were given to 115 trainers, to all members of the 30th Precinct, and to 6 officers from each of the other 75 precincts. A total of 838 members were trained.

Action Program

Police Commissioner Bratton created a Training Advisory Board in 1995, comprised of experts from outside and inside the Police Department and chaired by Michael Julian, former Chief of Personnel, to examine all recruit (entry-level) in-service, precinct-level, and executive-development training.

- The curricula, materials, and instructors for all training segments will be evaluated and systematically changed to integrate the values of integrity and respect in real-world, utilitarian courses dealing with every subject from police tactics to officer safety to courtroom testimony.

This year police officers will get intensive, integrated tactical and integrity training.

In-Service and Precinct-Level Training

- In-service training for police officers has traditionally been given in one-day segments scattered over two or three days throughout the year. Starting in 1995, the fall cycle of Borough-based training will concentrate on a dramatically revised curriculum over a unified period. Topics will include: an Ethical Awareness course updated and revised in the light of Mollen Commission findings and prosecutions of the Dowd, 30th Precinct, and 48th Precinct cases; tactical issues presented in the light of their implications for officer safety, respectful interactions with citizens, and integrity of professional conduct; and segments mandated by federal, state, and city law.
- A precinct-level course on the 150-year history of the New York Police Department will begin later this year. This course, taught by training sergeants, will include a videotape and printed materials which highlight the proud traditions of the Department as well as its legacy of corrupt practices.
- The Patrolmen's Benevolent Association, the Sergeants Benevolent Association, and the Lieutenants Benevolent Association will sponsor a videotaped series on the unions' zero tolerance for corruption, brutality, and perjured testimony. This series, produced by the NYPD Video Unit, will be completed in summer 1995.

Performance Monitoring

Problem

Although the performance-appraisal system for the NYPD was revised in 1992, the changes did not lead to measurable higher performance by police officers.

Progress

Performance Appraisal

Recognizing this problem, the Reengineering Implementation Team proposed, and the Police Commissioner approved, complete and rapid redesign of the performance appraisal system for police officers.

- In April 1995, a new performance-appraisal form was introduced which measures impact on crime, disorder, and fear through overall activity, activity specifically directed at solving problems stipulated by supervisors, appearance, community service, and respect for both the public and fellow officers.

As the Reengineering Team stipulated, "Quality achievement, or lack of same, will be assigned quantitative value and considered in career path, precinct assignments, and distribution of overtime.

- Police officers are using a new, user-friendly Monthly Performance Report to replace the current Police Officer's Monthly Activity Report. It has been redesigned to show not only overall activity, but activity directed at specific precinct conditions targeted by precinct commanders and supervisors.
- A standard Squad Supervisor's Recapitulation form has been developed to record the performance, appearance, and quality of service provided each month by the officers under the patrol sergeant's direction.

Action Program

Performance Appraisal

- At the beginning of every month from now on, supervisors will direct each of their police officers to address specific problems and undertake certain activities which should ameliorate those problems. In effect, a monthly contract between supervisors and officers will be created to identify problems and measure progress.
- Acting through the relevant supervisors, precinct commanders will take action to secure effective performance, undertaken with integrity and respect, from every police officer under his or her direction.

Performance Monitoring

The New York Police Department has seven separate, centralized performance-monitoring programs. Taken together, these are designed to identify and track individuals having discipline problems and/or personal difficulties which may have an impact their job performance.

The Early Warning System consists of cases automatically generated through the Central Personnel Index, whenever a member receives a negative performance appraisal, accumulates 20 or more points, is suspended, or is involved in an off-duty incident. As appropriate, members are referred to Departmental or outside entities for help with work stress, illness, financial pressures, alcohol abuse, behavioral or family/relationship problems. Quarterly evaluation reports must be submitted by the Commanding Officer or Integrity Control Officer for individuals being tracked in this program.

The Penalty Held in Abeyance Program defers a portion of the penalty given by the Police Commissioner, allowing the offender's commanding officer to excuse the remaining penalty if improved performance warrants it. The Personnel Bureau's Employee Management Division tracks the timely disposition of such penalties.

The Disciplinary/Dismissal Probation Program tracks individuals who will be terminated if given one more serious command discipline or charges and specifications. These officers are interviewed by the commanding officer of the Employee Management Division and receive continuous monitoring over the course of one year by their own commanding officers.

The Chronic Complaint Monitoring Program tracks individuals with whom positive discipline has failed. Each new individual in the program is interviewed by a captain from the Employee Management Division. Sick leave, personnel records, and evaluation reports are routinely checked. The commanding officer of the monitored individual submits quarterly reports. If behavior continues or worsens, disciplinary action and/or placement in Special Monitoring is pursued.

The Special Monitoring Program is a pre-termination program that includes police officers who have consistently performed in an unacceptable fashion and have demonstrated they are not amenable to positive or negative discipline. Any complaint involving a police officer in this program is investigated by the Internal Affairs Bureau. Officers in this program are monitored by a board consisting of the First Deputy Commissioner, Chief of Personnel, and Chief of Internal Affairs.

Officers placed on modified assignment are referred automatically to the Suspended/Modified Review Committee, which meets monthly to review their cases and recommend to the First Deputy

Commissioner return to full duty or inclusion in the Special Monitoring Program.

The Force Monitoring Program includes anyone found guilty of Department charges growing out of a force complaint within the last five years, anyone with four or more force complaints in the last two years, anyone with five or more force complaints in the last four years, or anyone recommended by his/her commanding officer or the Chief of Personnel. Officers in this program receive a thorough investigation of all their personnel records; their commanding officers and supervisors are then interviewed. After eighteen months in this program, recent participants were found to have a 63% reduction in complaints, with only a 1.8% reduction in their arrest activity.

- All seven performance monitoring databases and the Central Personnel Index will be added to the Internal Affairs Bureau's case-management system by fall 1995. This will provide IAB with a complete cross-referential database for personnel tracking.

DISCIPLINE

The disciplinary system of any organization is designed to ensure compliance with the rules and regulations that represent the minimum requirements of good standing. How effectively and fairly the disciplinary system does its job is one measure of organizational integrity.

In a police department, the disciplinary system must function to assure the public that basic standards of professional and ethical conduct are being met. At the same time, the disciplinary system must function to assure members of the Department that they will receive swift justice, equitably administered, and that good-faith efforts to carry out the mission of the agency will be supported.

Having concluded that the NYPD's disciplinary process needed to be improved in both respects, Police Commissioner Bratton ordered a top-to-bottom review of the system, which eventually involved more than 50 experts and practitioners from inside and outside the Department. The recommendations of the Reengineering Team on Discipline were presented in July 1994 and refined later in the year by the Reengineering Implementation Team. These served as the basis for a larger, comprehensive study completed by the First Deputy

Commissioner in May 1995. The highlights of that report are set forth below.

Consider the stress endured by an officer who is temporarily assigned to Central Booking for over a year while his Department Charges are pending. Ultimately, the officer may be given a 20-day penalty. But the officer probably had suffered a harsher penalty than the 20 days, having worked for so long in a temporary status, with his employment status hinging on the results of a department trial.

—Reengineering Team on Discipline

Background

A command discipline is a non-judicial punishment available to a commanding officer or supervisor to correct minor deficiencies and maintain discipline within the command.

The Department brings formal charges and specifications when a member allegedly commits an act which is severe enough to warrant charges or when a member refuses a finding and penalty under the command discipline process. Once charges are preferred, the Department Advocate ensures that charges are served on the respondent officer, negotiated, or brought to trial, either in the Department Hearing Room or in the New York City Office of Administrative Trials and Hearings (OATH).

Problem

Numerous police officers complained in the focus groups that opportunities for promotion are often needlessly lost during a disciplinary process that chronically takes too long.

In addition, they said that unfounded complaints remain permanently in personnel records, thus unfairly clouding or damaging careers. These common observations contributed to the widespread conviction among police officers, in early 1994, that "the job is not on the level" and that "the system is for the bosses, not for us."

Duration

A review of a number of the disciplinary cases adjudicated in 1994 indicates that these concerns may be warranted. For example, in 475 negotiated cases, the average time taken from receipt of charges by the Department Advocate (Department prosecutor) to approval of disposition by the Police Commissioner was 230 days, or nearly 8 months, to complete. The average time taken for the parallel process in 236 trial cases was 390 days.

Effectiveness

It is readily apparent that the inefficiencies of the disciplinary process diminish its effectiveness as a deterrent against serious misconduct and hinder the managerial effectiveness of precinct commanders. Therefore, the Department is enacting the following reforms.

Action Program

In the next 12 months, the average time to disposition of discipline cases will be cut by 30%.

This will be achieved by:

- 1) simplifying the command discipline process;
- 2) streamlining the negotiation process;
- 3) creating a Special Prosecutor to prioritize and expedite significant cases of serious misconduct; and
- 4) creating a Disciplinary Assessment Unit within the First Deputy Commissioner's Office to help ensure efficient and effective functioning among all departmental units concerned with discipline, including the investigation and prosecution of members of the NYPD.

Simplifying the Command Discipline Process

- The categories of command discipline will be reduced from three levels to two.
- Schedule A command disciplines, all for minor infractions, will continue to be adjudicated by the charged individual's commanding officer.
- Schedule B command disciplines will be expanded to include selected, more serious offenses, which in the past required preparation of charges and specifications by the Department Advocate. Commanding officers will now be empowered to impose penalties of up to ten days for these more serious offenses, after consulting with the Department Advocate to maintain fairness and consistency of penalty throughout the agency. This should cut by about 25% the number of cases in the Department's judicial process.

Streamlining the Negotiation Process

- Instead of forwarding draft wording for charges and specifications to precincts for typing, a process that now takes an average of 24 days, the Department Advocate will prepare the official forms for all charges and specifications and will provide the official charges to the investigator on the day charges are approved and
 - the Precinct Commander will sign and forward these charges within 48 hours to the borough command; and
 - the Borough Commander will endorse and return the charges to the Department Advocate within 3 business days.
- Instead of serving charges on the respondent an average of 30 days after getting the typed forms back from precincts, the Department Advocate now will
 - forward copies of the charges and specification to the respondent's attorney within two weeks of their return from the borough command;
 - be available to confer with the respondent's attorney via phone and begin the negotiation process; and
 - delay formal service of charges until the initial negotiation session.
- The Department will introduce this new expedited procedure with a specially dedicated plea negotiation session, where a large percentage of pending cases will be negotiated.

Creating a Special Prosecutor

To expedite and prioritize significant cases of alleged criminal wrongdoing and other forms of serious misconduct, a Special Prosecutor has been appointed to work under the direction of the First Deputy Commissioner. The Special Prosecutor's efforts may include the interrogation of officers who are subjects or witnesses during the pendency of criminal proceedings. In these cases, the Special Prosecutor will ensure that the information obtained is insulated from the pending criminal matters. The Special Prosecutor may utilize information obtained from the interrogations to facilitate administrative disciplinary prosecutions to ensure that the Department deals swiftly with members who may have violated the public trust.

Disciplinary Assessment Unit

This new unit, reporting directly to the First Deputy Commissioner, will conduct on-going reviews of the staffing levels, equipment, and operating efficiencies of the key components of the disciplinary system in an effort to ensure that contemplated improvements in the system are achieved and maintained.

Chapter Five

ENSURING ACCOUNTABILITY AND DEVELOPING ESSENTIAL PARTNERSHIPS

Success in dramatically and permanently reducing the level of crime, disorder, and fear in the City of New York depends ultimately on one thing: a bond of trust between the people of the City and the police officers who are sworn to protect and serve them. The Department's precinct-decentralized, outcome-focused crime control strategies have made significant gains against crime in the past seventeen months, but those gains can't be secured and accelerated without the active help and support of the people of New York.

As of today, the NYPD begins a new reliance on a dramatically different partnership with the public. The Department will:

- ensure institutional accountability for implementing and maintaining anti-corruption practices and programs by cooperating with the Mayor's Commission to Combat Police Corruption;
- work with the Civilian Complaint Review Board to reverse the trend of rising civilian complaints and to determine common means of data collection and reporting;
- work with the police unions to educate and motivate police officers about police corruption, brutality and serious misconduct issues.
- enlist the vast expertise available in the City of New York to complete the reengineering of its training and technology systems and transformation of its core values to those of respect and integrity.

ENSURING ACCOUNTABILITY: THE COMMISSION TO COMBAT POLICE CORRUPTION

On February 27, 1995, Mayor Rudolph W. Giuliani issued Executive Order No. 18, which established a Police Commission to Combat Police Corruption. The Mayor appointed five distinguished New Yorkers to serve for varying terms as Chairperson and Members of the Commission.

As recommended by the Mollen Commission, the Police Commission is charged with assisting the Mayor in assessing the effectiveness of the

Police Department's implementation and maintenance of anti-corruption efforts. Limited investigatory powers were given to the Commission to enable it to carry out this fundamental mission, with care given by the Mayor to ensure that the investigatory responsibilities of the District Attorneys, the United States Attorneys, other government agencies, and the Police Department itself are not superseded or displaced.

The Mayor directed that the Police Department furnish the Police Commission with all requested information and access to enable the Commission to perform audits, studies, and analyses regarding:

- the Police Department's development and implementation of anti-corruption policies and procedures;
- the effectiveness of the Police Department's systems and methods for gathering intelligence on corrupt activities and investigating allegations of corruption;
- the effectiveness of the Police Department's implementation of a system of command accountability, supervision, and training for corruption matters;
- the effectiveness of the procedures used by the Police Department to involve all members of the Department in combating corruption; and
- such other policies and procedures, without limitation, of the Police Department relating to corruption controls as the Commission deems appropriate.

Further, the Mayor directed that the Commission

shall perform audits, studies and analyses of conditions and attitudes within the Police Department that may tolerate, nurture, or perpetuate corruption and shall evaluate the effectiveness of Police Department policies and procedures to combat such conditions and attitudes.

To help the Police Commission perform its mission:

- The Police Commissioner has invited the Chairman, Members, and Executive Director of the Commission to attend the weekly internal-crime control meetings with the Chief of Internal Affairs, the First Deputy Commissioner, the Chief of Department, all Bureau Chiefs, the Deputy Commissioner Crime Control

Strategies, the Deputy Commissioner Legal Matters, and the Commander of the Patrol Borough whose area is under discussion.

BUILDING A PARTNERSHIP WITH THE CIVILIAN COMPLAINT REVIEW BOARD

Last year and in the first quarter of 1995, the Civilian Complaint Review Board (CCRB) recorded rising levels of citizen complaints in all major categories. In 1994, the CCRB recorded an 11% rise in overall complaints, from 8,959 to 9,922, compared with the same period in 1993. Of these, the CCRB retained 4,920 complaints involving force, abuse of authority, discourtesy, or offensive language, a 37.4% increase when compared to 1993. The balance of the complaints concerned alleged misconduct not under the jurisdiction of CCRB. These were referred to the Chief of Department for appropriate action.

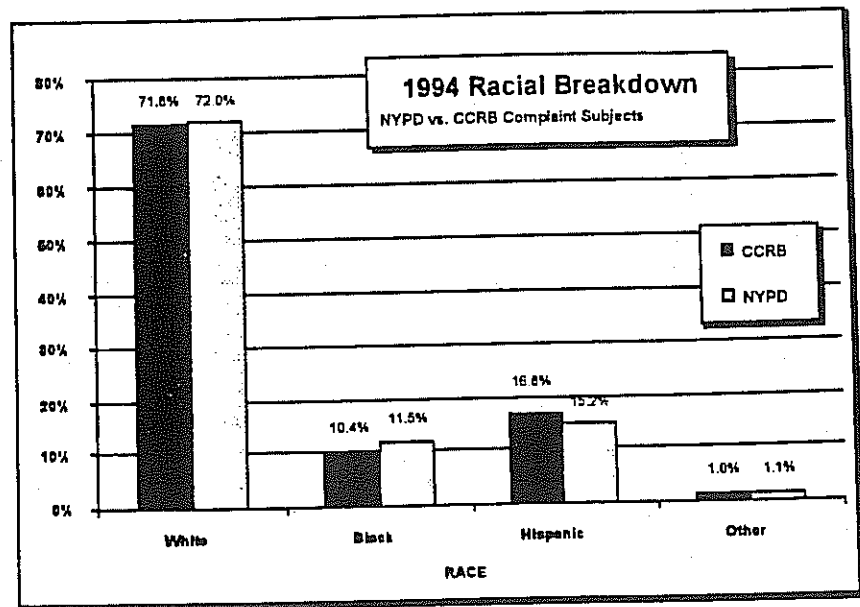
Allegations* to CCRB of Police Misconduct

<i>Allegation</i>	<i>'93</i>	<i>'94</i>	<i># Change</i>	<i>% Change</i>
Force	2175	3072	897	41.2
Abuse of Authority	1236	1851	615	49.7
Discourtesy	1636	2150	514	31.4
Offensive Language	550	586	36	6.5
TOTALS	5597	7659	2062	36.8

* More than one allegation may be attached to each CCRB complaint

Any increase in citizen complaints about police service, and especially complaints involving force, abuse of authority, discourtesy, and offensive language, are of central concern to the NYPD. The Department uses complaint data to identify officers who may be abusing authority in the field and to spot trends and training needs in different precincts throughout the city. It intends to work closely with CCRB and take the steps necessary to reverse the recent trend of rising citizen complaints.

The police officers against whom force, abuse of authority, discourtesy, and offensive language allegations were made closely approximate the demographic profile of the Department.



In the coming months, the Department will intensify efforts to work with CCRB to lower the level of police misconduct toward civilians. In this regard, data collection methods will be refined to maximize use of all available information in achieving these goals.

- Police Commissioner Bratton has initiated meetings with the CCRB's Chairman and Executive Director and between both agencies respective staffs to determine the best methods for encouraging full and accurate complaints, evaluating the accuracy of those complaints, and determining their root causes.
- The Police Commissioner meets regularly with his appointees to the CCRB, and regularly reviews CCRB issues with Deputy Commissioner for Legal Matters, Chief of the Internal Affairs Bureau and the Commanding Officer of the Disciplinary Assessment Unit.
- The Commanding Officer of the Disciplinary Assessment Unit will work closely with the CCRB to refine methods for data collection and complaint intake.

WORKING WITH THE POLICE UNIONS

Reflective of the Department's policy of inclusion and involvement, the top leadership of the Patrolmen's Benevolent Association and other police unions gave a great deal of their time and energy to the

Discussions of integrity have generally been negative, focused on ... punitive consequences upon career, family and friends of getting caught stealing or lying.... There is a need to articulate a positive sense of integrity...

—New York City Police Foundation

Department's Reengineering effort. Nowhere was this more true than in the work of the Reengineering Team on Integrity. Union representatives on the Integrity Reengineering Team helped to design new systems for defining and rooting out corruption while securing protection for officers innocent of wrongdoing.

Today, this work continues.

- By the end of the year, the police unions will participate in a series of video messages designed to increase intolerance of corruption and brutality among all officers and to encourage them to report on those who tarnish the shield they wear, putting at physical risk all good and decent officers.
- The Department is asking the unions to encourage their local representatives, who are often the informal leaders of the commands where they work, to help lead the fight to drive corrupt officers—those who use their shield for personal gain—from their midst.

ENLISTING THE EXPERTISE OF THE CITY OF NEW YORK

The Committee on Integrity and Respect

In February 1995, Police Commissioner Bratton appointed a Committee on Integrity and Respect comprised of business, union, religious, academic, community activist, and police representatives to create a new, positive behavioral standard of integrity and respect for the Department.

With the financial support of the Henry Luce Foundation and New York City Police Foundation, the Committee will:

- • assess the NYPD's value system, including its vulnerabilities to tolerance of corruption, brutality, and serious misconduct;
- assist the Training Advisory Board in reviewing the adequacy and effectiveness of all recruit, in-service, promotional, and executive-development training in instilling the values of integrity and respect in all police practices and operations;

The only way to break out of the Blue Cocoon that police work tends to wrap around police officers is to expose them to the best thinking the community, business, and academia have to offer.

**— Police
Commissioner
William J. Bratton**

- construct and conduct workshops for 300 members of the command staff, which culminate in production of a consensus-based action plan;
- design and implement an internal system to support and encourage integrity among employees;
- design and produce interactive training materials for all personnel based on the results of this review;
- publish and disseminate a document that defines and communicates a code of ethics and professional responsibility which is based on the insights of the broadest possible spectrum of participation from within the Department; and
- institute a one-year pilot incentive program to recognize positive action to curb corruption.
- fund Verbal Judo for selected officers and trainers

The main outcome of these efforts will be a working set of standards, constructed from the best current practices and aspirations of members of the service at all ranks, that will be incarnated in the everyday behavior of working police officers.

The Training Advisory Board

In January 1995, Police Commissioner Bratton appointed a Training Advisory Board to bring to bear on all levels of the New York Police Department state-of-the-art training in the skills, attitudes, and values essential to high-performance policing founded on integrity and respect.

Composed of criminal-justice academics and professionals, as well as corporate and civic leaders with varied experience and talents, the Board will:

- inventory all training in the Department, including for each target audience the subjects taught, methodologies used, duration of lessons, locations, and impact;
- assess the quality and effectiveness of all such training;

The overwhelming majority of NYPD officers are honest and committed to the best interests of the City. Corrupt behavior by police officers must be dealt with quickly and strictly.... [T]he Police Department must be the first line of defense against police corruption.

—Mayor Rudolph W. Giuliani

- evaluate the mission, function, and performance of the Police Academy to assess whether the Academy is properly focused and operating efficiently;
- structure training systems in the Patrol, Detective, Internal Affairs, and Organized Crime Control Bureaus so that each may develop and conduct entry-level, in-service, and advanced training for their members;
- review and revise the Police Academy recruit curriculum and academic standards so that recruits graduate with the knowledge, skills, and attitudes to perform basic patrol tasks at a high level of efficiency and professionalism;
- review and revise the probationary evaluation system for all ranks and titles to assure competency prior to tenure;
- create a state-of-the-art computer training center;
- develop an executive exchange program with the corporate sector;
- develop an advanced preparatory course for members identified as future precinct commanders.

Technology Policy Board

In May 1995, Police Commissioner Bratton created the Technology Policy Board to evaluate, prioritize, and, if necessary, reconfigure the more than 100 projects now underway in NYPD's Office of Technology and Systems Development. Taken together, these projects must deliver information and data analysis that will enable the Department to carry out its mission with integrity and respect.

CONCLUSION: CEMENTING THE BOND OF TRUST

Mayor Giuliani and Police Commissioner Bratton have introduced an integrity strategy for the NYPD at a time when the Department is achieving enormous progress against crime, disorder, and fear in New York City. The Mayor and the leaders of the Department recognize that continuing success against general crime cannot be sustained if the police officers betray their trust or if the public mistrusts the police.

"We must establish a culture in the Department in which every officer understands that his or her primary loyalty is to the law—to upholding the law at all times; to rooting out lawbreakers, especially if the lawbreaker carries a badge," Mayor Giuliani has said.

Establishing such a culture requires more than an effective system for detecting and punishing police wrongdoing. It requires a comprehensive, integrated approach to restructuring the Department its entirety—including its recruitment, training, supervision, and disciplinary systems. It also requires a new policy of inclusion in which the accountability for integrity issues is spread throughout the command staff and the responsibility for keeping the Department corruption-free is shared by all police officers.

With this strategy the NYPD commits itself to the deep institutional changes necessary to sustain a high-performance organization grounded in integrity and respect. As the Mayor has said, "The Police Department itself must be the first line of defense against police corruption."

Appendix A

INTEGRITY LEGISLATIVE INITIATIVES

Mayor Giuliani is proposing seven integrity-related legislative initiatives, all of which will strengthen the hand of the Police Commissioner and the Police Department in identifying, investigating, and punishing police crime and serious police misconduct. Six of these initiatives have been combined in a single omnibus bill that will require the approval of the New York State Legislature and the Governor. The seventh initiative, Intro. Bill No. 250, is a local law initiative and will require approval of the New York City Council. It has previously been introduced by the chairman of the Council's Public Safety Committee Sheldon Leffler.

A careful examination of existing case law in light of recent police corruption cases and especially the Dowd-related cases revealed a compelling need for decisive legislative action. The Mayor's integrity initiatives focus on police officers convicted of felonies who are still entitled to police pensions, limitations on the Police Commissioner's authority to discipline officers, and statute of limitations and record sealing procedures that weaken the Police Department's ability to pursue disciplinary actions against delinquent officers who may be acquitted in criminal proceedings but still subject to disciplinary proceedings.

Mayor Giuliani and the Police Department believe that there must be no safe haven for corrupt police officers. The package of legislative reforms that the Mayor is proposing moves toward ensuring that police officers who have violated the law or their oaths of office cannot use the law to protect themselves from investigation and discipline.

State Integrity Initiatives

Vacating the Positions of Convicted Public Officials

This provision amends the Public Officers Law to deem non-elected public officials to have vacated their office as of the date that a subsequent conviction proves that they first committed a felony or other crime violating their oaths of office. If this initiative is enacted into law, police officers who have retired and qualified for police pensions before the crimes they committed in office were discovered, would be vacated from office retroactively and their pension benefits rescinded as a matter of law.

There are convicted police felons who are receiving tax-free disability pensions from the City of New York. The present law mandates the public to bear the cost of providing these unfaithful public servants with lifetime pension benefits. The only class of individual adversely impacted by proposed legislation would be convicted criminals who managed to obtain a pension after engaging in serious criminal activity under the pretenses of being a police officer. The proposal would prevent future cases of this type and provide a powerful deterrent to the small number of officers who might otherwise be tempted to engage in crime.

Suspension of Police Officers Charged with A Crime

This proposal would empower the Police Commissioner to suspend without pay any officer charged with the commission of a crime for the full duration of the criminal proceeding. A limitation of 30 days on all suspensions was imposed in 1990 by an amendment to Section 75 of the Civil Service Law.

Given the realities of the criminal justice system, it is almost impossible to conduct an administrative trial within 30 days of suspension while a criminal trial is pending. The Police Commissioner should not be compelled as a matter of state law to restore officers to payroll status regardless of the seriousness of the offense with which they are charged. The proposed amendment would restore the Police Commissioner's discretion as permitted by Section 14-115 and 14-123 of the Administrative Code of the City of New York in this limited sphere of cases.

Extension of the Statute of Limitations for Disciplinary Proceedings

This proposal would amend Section 75 of the Civil Service Law to extend the administrative statute of limitations from 18 months to three years. The statute of limitations was reduced to 18 months in 1983 with a view to expediting administrative disciplinary proceedings. However, the narrowness of the 18 month time frame has resulted in hampering administrative proceedings in the many cases where a criminal investigation uncovers serious administrative misconduct. In these cases, which can involve lengthy investigations of several years duration, the criminal investigation must take precedence. To ensure that the larger criminal case is not compromised, disciplinary proceedings for administrative misconduct usually are deferred until the criminal investigation has run its course.

When the eventual outcome is criminal charges and/or administrative proceedings alleging criminal activity, there is no disciplinary statute of limitations and charges may be preferred at any time during the tenure of the subject. However, when an investigation of more than 18 months duration does not result in a charge of criminal activity or when criminal charges have been brought unsuccessfully, the employer is foreclosed by statute from addressing serious administrative misconduct that may have come to light in the course of the investigation. This is no minor matter because most police corruption cases uncover every variety of administrative misconduct, including extremely serious non-criminal offenses. Extending the statute of limitations from 18 months to three years will help ensure that these offenses do not go unpunished.

Access to Sealed Arrest and Prosecution Records

This proposal would amend Criminal Procedure Law Sections 160.50 and 160.55 to provide the Police Commissioner with access to sealed records of police officers who have been subjects of criminal proceedings equivalent to what is currently permitted with respect to police applicants. Section 160.50 of the Criminal Procedure Law requires the sealing of the official record of any criminal proceeding resolved in favor of the accused. Recent case law extended the scope of the statute to cover active police officers charged with and prosecuted for criminal activity. The Department must demonstrate a compelling need in a superior court to obtain the sealed record.

The Department's position is that each and every time a police officer is prosecuted in a criminal proceeding, the Police Commissioner has a compelling need to obtain and review the complete record of the criminal proceedings. Denying the Commissioner this information forces him to make critical decisions about the duty status of police officers without the benefit of sworn testimony and accumulated evidence. The judge whose decision extended the scope of Section 160.50 to police cases, herself noted that it was highly inconsistent to allow the Police Commissioner access to such records when they involved police applicants while denying him access to similar records bearing on officers already working for the Department. The judge said that this inconsistency in the statutory scheme can only be remedied by the legislature.

Sharpening the Legal Definition of a Bribe

This proposal would amend Penal Law Sections 200.00, 200.03, 200.04, 200.11, and 200.12 to require proof only of "the intent" to give or solicit a bribe to sustain a conviction for bribery, rather than proof of "agreement or understanding" between the parties to the bribe. The above Penal Law Sections describe the necessary state of mind to sustain a conviction with the phrase "upon agreement or understanding." Case law has interpreted this phrase as requiring the district attorney to prove "something more than simple intent" on the part of the bribe giver to influence a public servant. The construction of the statute makes it more difficult to prosecute not only people who attempt and fail to bribe public officials but also officials who solicit bribes without success or with no actual intention to fulfill their part of the bargain.

If, for instance, a public official actively solicits or accepts bribes but does not intend to provide the service he was bribed to render, there is no agreement between the parties, but there is misconduct. It should not matter if the individual he solicits ultimately refuses to pay, or whether the tainted result of the bribe actually comes to pass. A public servant who actively solicits or accepts bribes has abused his trust and should not be protected by the wording of the Penal Law. This proposal would remove the protection provided by the "upon understanding and agreement" phrase.

Requirement of 90 Days Notice for Pension Applications

This proposal would amend Section 13-246 of the New York City Administrative Code to extend the minimum period of filing a retirement application to 90 days prior to actual retirement. The code currently requires 30 days notice. If a police officer, facing charges that would justify his dismissal, files for retirement, he must be terminated within those 30 days, or pension benefits become irrevocable.

The New York City Administrative Code requires a formal hearing on the merits of misconduct charges. The brevity of the 30-day waiting period denies the Police Department adequate time to process and complete administrative disciplinary proceedings involving a police officer prior to an effective retirement date. As a result, senior police officers who are arrested and charged with serious offenses can immediately file retirement applications in the hope of evading termination and securing their pension rights for life, regardless of

whether or not they are subsequently convicted criminally. A 90-day prior notice requirement would significantly reduce the likelihood that a police officer facing departmental charges could retire and secure pension benefits before his case was adjudicated.

City Integrity Initiative

Expanding the Disciplinary Powers of the Police Commissioner

The city legislative initiative would significantly increase the disciplinary options available to the Police Commissioner when disposing of cases of police wrongdoing. Under present law, the Commissioner's penalty options are limited to a choice among a reprimand, a penalty of up to 30 days suspension, or the far more severe sanction of dismissal from the Department. The Commissioner can only demote police officers above the rank of captain, and may only demote them to captain. Section 75 of the Civil Service Law empowers other municipal agency heads to discipline employees by demotion and other penalties. Only the Police Commissioner is constrained to a narrower range of options. Both the Mollen Commission and its predecessor, the Knapp Commission, recommended expanding the Police Commissioner's powers in this regard. The Knapp Commission Report, published in 1972, listed as a principal recommendation expanding the powers of the Police Commissioner to include the power to demote any police officer in rank or grade for serious misconduct.

The current proposal calls for expanding the statutory penalties available to the Police Commissioner to include the following options.

- Suspension without pay for a period not to exceed one year.
- A monetary fine not to exceed \$25,000.

Demotion in grade or title with a commensurate reduction in salary.

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GLOSSARY

ARCS - Automated Roll Call Computer System

Blue Wall of Silence - Cultural artifact of police departments which discourages officers from reporting crimes and serious misconduct of fellow officers, even if they disapprove of the behavior

Brutality - Excessive use of force under color of lawful authority

CARS - Computer Assisted Robbery System database

CCRB - Civilian Complaint Review Board

Central Personnel Index - Database which tracks a police officer's previous complaints, disciplinary record, sick record, medal record, vehicle accidents, and firearm discharges

Command Discipline - A non-judicial punishment available to a commanding officer or supervisor to correct minor deficiencies or to maintain discipline within the command. Serious misconduct is not appropriate for disposition by command discipline

Commission to Combat Police Corruption - Created February 27, 1995 by Mayor Giuliani to monitor the performance of New York Police Department anti-corruption systems

Core Identity - The expression of the ultimate value or goal which an organization is, in fact, trying to achieve

Corruption - Criminal behavior or other misconduct engaged in by a member of the Department, on or off-duty, associated with the performance of official duties or the exercise of discretion in relation thereto and which is intended to result in personal or financial gain or other benefit to the police officer or to another person

Cultural Diagnostic - Research system to determine the obstacles to change which are seeded within an organization's culture and the means of clearing away those obstacles

Department Advocate - Police Department's prosecutor for administrative disciplinary matters

Dole test - Urine test for the presence of illegal drugs

Focus Group - Group of people assembled to discuss a particular issue

IAB - Internal Affairs Bureau, formed on January 1, 1993

IAD - Internal Affairs Division

Integrity Control Officers - Uniformed supervisors in each precinct charged with maintaining integrity and monitoring performance

Integrity Test - Targeted or random observations directed to scenarios in which members of the Department come into contact with cash, other valuables, and/or contraband

Knapp Commission - Commission to Investigate Allegations of Police Corruption and the City's Anti-Corruption Procedures, formed in the early 1970s and referred to by the name of the chairman, Whitman Knapp

Misconduct - Improper behavior or conduct

Mollen Commission - The Commission to Investigate Allegations of Police Corruption and the Anti-Corruption Procedures of the Police Department, chaired by Judge Milton Mollen and created in 1992 in the wake of the arrest of Michael Dowd and six other current or former NYPD officers on drug charges stemming from an investigation initiated by the Suffolk County Police Department

NITRO - Narcotics Investigative Tracking of Recidivist Offenders database

NYPD Survey No. 1 - A mailback questionnaire that was distributed in August 1994 to all uniformed members of the New York Police Department below the rank of captain

OCCB - Organized Crime Control Bureau of the NYPD

Operating Culture - The collection of embraced values, activities, rules, and standards that enable an organization to achieve its core identity

PRIDE - Programmable Retrievable Investigative Data Entry computer system of IAB

Serious Misconduct - Activity or conduct engaged in by a member of the Department, on or off-duty, that would tend to demean or destroy public confidence in the Police Department and in the employee's integrity, honesty, judgment or fitness to be employed in a position of public trust. Serious misconduct can consist of criminal conduct that has no relation to employment or job duties.

Training Advisory Board - Committee created in early 1995 by Police Commissioner Bratton to bring state-of-the-art training procedures to the NYPD

Verbal Judo - Training program in tactical communications and conflict resolution taught under a grant from the New York City Police Foundation

Voluntary Assistance Program - Formerly the Field Associates Program

Voluntary Associates - Volunteer officers, formerly called field associates, who serve in precincts and other commands as information sources about serious misconduct and police corruption for the Police Commissioner and the Internal Affairs Bureau

"White Socks" findings of fault - The penalizing of police officers for minor infractions if the investigative unit (IAD, FIAU, etc.) was unable to substantiate more serious charges brought against them

Zuccotti Committee - The Mayor's Advisory Committee on Police Management and Personnel Policy, created in 1985 after several alleged incidents of police brutality and commonly referred to by the name of the chairman, John Zuccotti
