

August 25, 2020

REFORM NYPD NOW AGENDA

Set forth below is a list of recommended actions that must be taken immediately to help address current deficiencies in the way that the NYPD treats communities of color.

A. Pledge to Reform

1. The Mayor and Police Commissioner should: (1) publicly acknowledge and apologize for NYPD's history of disparate treatment of persons of color; and (2) pledge to institute systemic reforms, including those noted below.

B. Reduce Police Officer Misconduct and Excessive Use of Force

1. Update all use-of-force policies to clearly set forth the maximum use of force allowable in response to specific types of conduct (*)
2. Require officers to de-escalate situations to the greatest extent possible before using force (*) (†)
3. Require police officers to exhaust all other reasonable alternatives before resorting to deadly force (*) (†)
4. Require officers to give a clear verbal warning, when possible, and give people a reasonable amount of time to comply with the warning before using deadly force (*)
5. Prohibit shooting at a moving vehicle, unless threatened with deadly force other than the vehicle (*)
6. Require officers to provide comprehensive reporting of all uses of force and threats of use of force (*)
7. Establish a "duty to intervene" for all police officers witnessing misconduct by another police officer, including but not limited to excessive use of force (*) (†)
8. Provide whistleblower protections for officers who report misconduct by another officer (†)

C. Strengthen the Civilian Complaint Review Board (CCRB)

1. Eliminate Police Commissioner review of CCRB recommended sanctions, thereby providing the CCRB with final disciplinary authority in the cases it investigates (†)
2. Expand the CCRB's jurisdiction to include: (1) allegations of biased policing and racial profiling; and (2) allegations against non-uniformed NYPD employees (†)
3. Codify the CCRB Administrative Prosecution Unit (APU), which now exists only pursuant to an MOU among the CCRB, NYPD and City Hall.
4. Fully fund CCRB's current operations, and any expanded duties granted to the CCRB

D. Enhance Police Officer Qualifications and Training

1. Create a statewide board with authority to certify all police officers, and to revoke an officer's certification for misconduct, which would prevent the officer from simply being hired by another jurisdiction (†)
2. Prohibit the hiring of officers with a history of excessive force or serious substantiated misconduct complaints
3. Implement mandatory annual training for all officers in the following areas:
 - a. Diversity, Equity and Inclusion (DEI)
 - b. Community relations, including effective youth engagement strategies
 - c. De-escalation and violence reduction strategies
 - d. Preventing racial, ethnic, religious and discriminatory profiling
4. Prohibit deployment of officers to any precinct prior to their completion of community relations training
5. Require officers deployed to any precinct to participate in an introductory two-week period focused on engagement with the community being served, including meetings with tenant associations, community groups, nonprofits, schools, business associations, youth and others

Note: CBOs must be involved in the design and implementation of the above trainings

E. Other Reforms

1. Make footage from body-worn cameras immediately publicly available (†)
2. Require that any NYPD rules governing interactions with the public, including those impacting arrests and use of force, follow the NYC Administrative Procedures Act process of public notice and comment (†)

Items marked with an asterisk () are part of the "8 Can't Wait" agenda, which has been adopted by multiple police departments throughout the country, including those in San Francisco, Boston and Tucson. The "8 Can't Wait" agenda also includes a ban on chokeholds, which has already been enacted into law by New York City.*

Items marked with an obelisk (†) are part of the reform agenda recommended by New York State Attorney General Letitia James

Note: The above NYPD reform agenda does not purport to be a comprehensive list of all actions that are needed, and instead intentionally focuses solely on essential immediate reforms to NYPD policing structures, tactics and policies. These improvements are just one component within a broader array of systemic reforms required to eliminate racial and ethnic inequities in housing, education, health care, employment, law enforcement and other areas. Finally, these reform proposals do not take a position on what amount of funding is appropriate for the NYPD.