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## The Public Ought to Know: CCRB needs resources to increase its effectiveness

By Corey Bearak 06/26/2003



Corey Bearak

“In fact, the vast majority of decent men and women in the NYPD do their job every day with respect for the citizens of this city and their rights.”

For 34 months, visitors observed those words on a sign over my office desk. I take no credit for the phrase; my former “boss” and still friend required it in every letter and statement involving alleged or real instances of police misconduct.

When I submitted a list of columns to my editors, police misconduct hovered near the bottom. After all, this mayor avoided his predecessor’s divisive rhetoric and appeared to make strides with those communities most concerned about gaps in police-community relations.

Police Commissioner Ray Kelly maintains good relations with communities of color dating to his service in the Dinkins administration. He also is the police official who took the bull by the horns and quelled the lawlessness in Crown Heights.

Recent events suggest that a fresh face and the return of a respected professional would allow no one who cares about our city and police-community relations to neglect real change to prevent police errors. Some of these errors, at their worst, as with Amadou Diallo, Patrick Dorismond and Gideon Busch, resulted in innocent deaths and the city’s paying \$106 million in claims from fiscal years 1998 to 2000 (according to the comptroller’s office) during the days of Rudy.

The May 16 apartment raid that led to the death of Alberta Spruill and the subsequent May 23 police shooting of Burkina Faso immigrant and African artifacts repairer Ousmane Zongo make clear that good people make less of a difference than concrete institutional change.

No less a body than the Queens Civic Congress recognized this imperative. In its 2002-2003 platform, it stated: Three factors remain of great concern to the Congress — lack of community policing; inadequate response time to 911 emergency calls and deteriorating public confidence in the NYPD, particularly among our diverse ethnic communities.

The Congress platform embraced a simple one-sentence solution: Strengthen the Civilian Complaint Review Board and re-engineer it as an independent NYPD monitor with its budget set as a percent of the NYPD budget.

The CCRB reviews instances of police misconduct (but not criminality) based on complaints from the public. It lacks the resources to do this job well, despite many dedicated staff members and commissioners — including several former ranking police officials — committed to justice. Its long backlog offers no justice to those who complain and to police officers with an investigation unresolved, some as long as 24 months or more.

The CCRB, despite the failure to adequately and investigate and substantiate cases of police misconduct on a timely basis, performs certain tasks rather well. It issues studies on the use of pepper spray by the NYPD, the use of which may have contributed to the death of Busch in Borough Park.

The board also initiated a study of racial profiling. Its monthly, semi-annual and annual reports on complaints filed against police officers provide useful data that call attention to police commands where problems may exist and can be addressed.

The CCRB's most recent data indicated that through April this year, complaints increased 18.2 percent compared with the same three-month period in 2002. The rise in complaints comes against a backdrop where overall police staffing continues to decrease and several high-profile police actions resulted in the loss of innocent life.

The current NYPD leadership says the right things, takes the complaint numbers seriously, apologizes for actions that cause deaths and looks into the contributing procedures. And then things get quiet, the leaders smile, they say all the right things. We can only hope nothing as tragic happens again.

If good policing merely depended on good leadership, who needs rules, who needs reform? The facts remain: Good people and competent leadership offer no guarantee, in and of itself, that government acts make good outcomes. Spruill and Zongo represent compelling examples of the need for adequate, competent and independent outside police oversight. The Mollen commission formed to review police corruption and misconduct made an independent police oversight board its key recommendation.

Let's revisit former Bronx Borough President Fernando Ferrer's plan to re-engineer the CCRB: Re-create the CCRB as a fully independent agency with each appointment subject to council confirmation and a budget a percent of the NYPD's. In addition, require the CCRB to study and recommend practices of the NYPD that affect members of the public, including tracking patterns of abuse and oversight and periodic reviews to ensure that the NYPD appropriately trains and supervises its police officers.

Community boards in four boroughs also embraced this reform. It makes sense, it will help save lives and, just as importantly, it will help ensure police officers get the ongoing training, support and supervision they need as they deal with an important job that never gets easy.