



NEW YORK CITY CIVILIAN COMPLAINT REVIEW BOARD

Worth A Thousand Words:

Examining Officer Interference with
Civilian Recordings of Police

Goals of Study



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1. Assess the existence and impact of video evidence in police misconduct investigations and outcomes.

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1. Assess the existence and impact of video evidence in police misconduct investigations and outcomes.
2. Analyze the quantity and characteristics of complaints of police interference with civilian recording activity.



About the CCRB





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- Jurisdiction: FADO
 - Force
 - Abuse of Authority
 - Discourtesy
 - Offensive Language



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- Primary Functions:
 - Investigation
 - Prosecution
 - Policy

Threshold Legal Question:

Do civilians have a right to record police officers engaged in their official duties?

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YES.

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- “Freedom of speech; or of the press” encompasses a range of activities related to the gathering and dissemination of information.

NYPD Patrol Guide standards for when recording the Police is permitted:

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- When Officers are engaged in official duties
- When the recording is made in a public place
- The recording does not jeopardize anyone's safety or incite others to break the law

Methodology

Step 1: Quantitative Analysis

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- SQL text search of closing reports for complaints decided by the Board between January 1, 2014 and December 31, 2016

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- SQL text search of closing reports for complaints decided by the Board between January 1, 2014 and December 31, 2016
- For phrases with more than one term, a full text search was used with a NEAR quantity of 100.

"camera"
"cell phone"
"film"
"iphone"
"mobile phone"
"record"
"tape"
"block*" near() "camera*"
"block*" near() "cell phone*"
"block*" near() "cellphone*"
"block*" near() "footage"
"block*" near() "iphone*"
"block*" near() "mobile phone*"
"block*" near() "phone*"
"block*" near() "recording"
"block*" near() "video*"
"confiscat*" near() "camera*"
"confiscat*" near() "cell phone*"
"confiscat*" near() "cellphone*"
"confiscat*" near() "footage"
"confiscat*" near() "iphone*"
"confiscat*" near() "mobile phone*"
"confiscat*" near() "phone*"
"confiscat*" near() "recording"
"confiscat*" near() "video*"
"damag*" near() "camera*"
"damag*" near() "cell phone*"
"damag*" near() "cellphone*"
"damag*" near() "footage"
"damag*" near() "iphone*"

"damag*" near() "mobile phone*"
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"interfer*" near() "footage"
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"interfer*" near() "mobile phone*"
"interfer*" near() "phone*"
"interfer*" near() "recording"
"interfer*" near() "video*"

"prevent*" near() "camera*"
"prevent*" near() "cell phone*"
"prevent*" near() "cellphone*"
"prevent*" near() "footage"
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"prevent*" near() "phone*"
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"seiz*" near() "video*"
"tak*" near() "camera*"
"tak*" near() "cell phone*"
"tak*" near() "cellphone*"
"tak*" near() "footage"

"camera"	"damag*" near() "mobile phone*"	"prevent*" near() "camera*"
"cell phone"	"damag*" near() "phone*"	"prevent*" near() "cell phone*"
"film"	"damag*" near() "recording"	"prevent*" near() "cellphone*"
"iphone"	"damag*" near() "video*"	"prevent*" near() "footage"
"mobile phone"	"delet*" near() "camera*"	"prevent*" near() "iphone*"
"record"	"delet*" near() "cell phone*"	"prevent*" near() "mobile phone*"
"tape"	"delet*" near() "cellphone*"	"prevent*" near() "phone*"
"block*" near() "camera*"	"delet*" near() "footage"	"prevent*" near() "recording"
"block*" near() "cell phone*"	"delet*" near() "iphone*"	"prevent*" near() "video*"
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"block*" near() "footage"	"delet*" near() "phone*"	"search*" near() "cell phone*"
"block*" near() "iphone*"	"delet*" near() "recording"	"search*" near() "cellphone*"
"block*" near() "mobile phone*"	"delet*" near() "video*"	"search*" near() "footage"
"block*" near() "phone*"	"destroy*" near() "camera*"	"search*" near() "iphone*"
"block*" near() "recording"	"destroy*" near() "cell phone*"	"search*" near() "mobile phone*"
"block*" near() "video*"	"destroy*" near() "cellphone*"	"search*" near() "phone*"
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"confiscat*" near() "cell phone*"	"destroy*" near() "iphone*"	"search*" near() "video*"
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"confiscat*" near() "footage"	"destroy*" near() "phone*"	"seiz*" near() "cell phone*"
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	"interfer*" near() "video*"	"tak*" near() "footage"

The initial search returned 2,778 complaints.

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Step 2: Qualitative Analysis:

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- Reading all 2,778 complaints resulting from text search to determine which complaints actually involved police interference with civilian recordings.

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- Reading all 2,778 complaints resulting from text search to determine which complaints actually involved police interference with civilian recordings.
- Ensures no cases are excluded if incorrectly pled.

What is Interference?

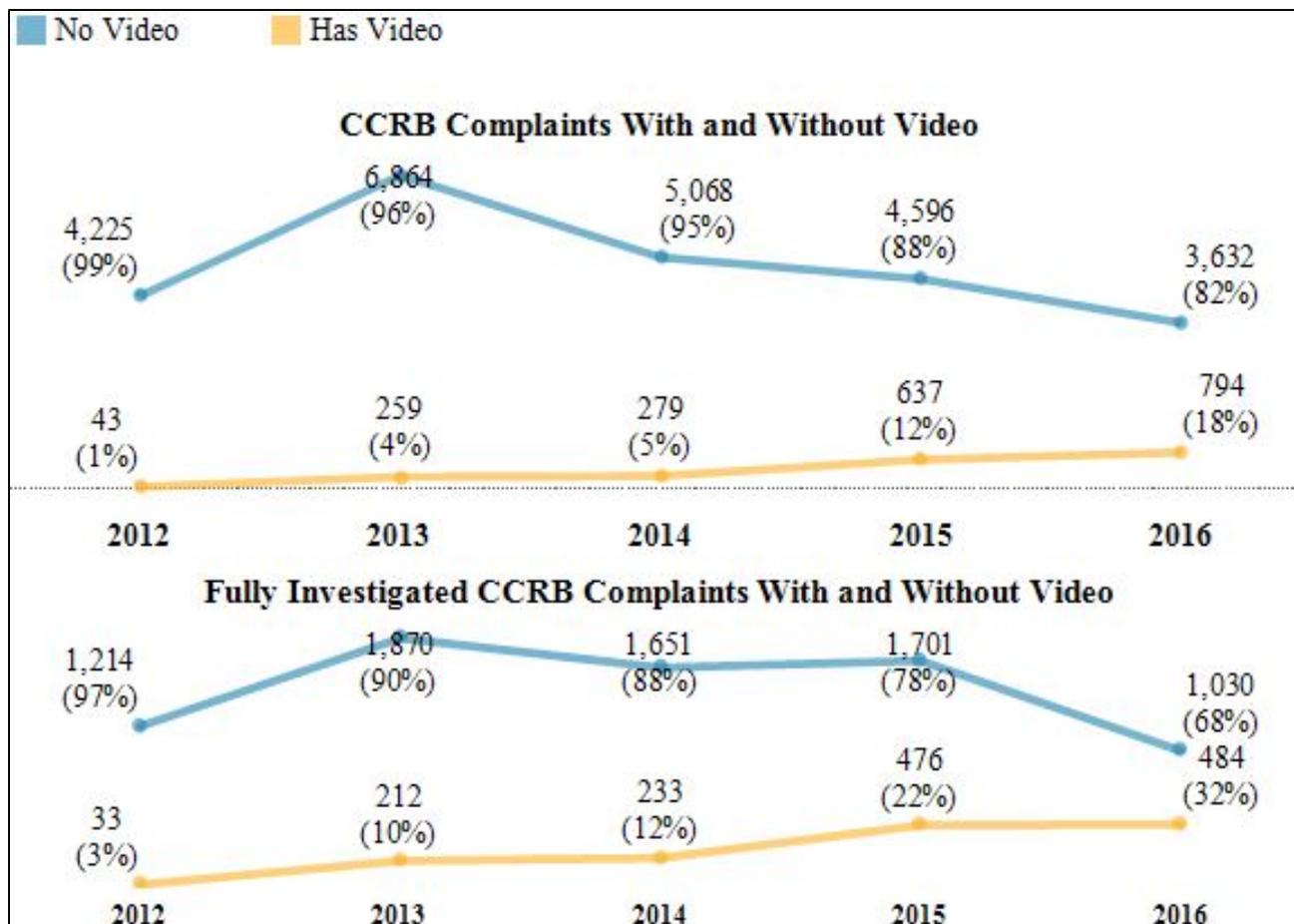


Physical
Vs.
Verbal

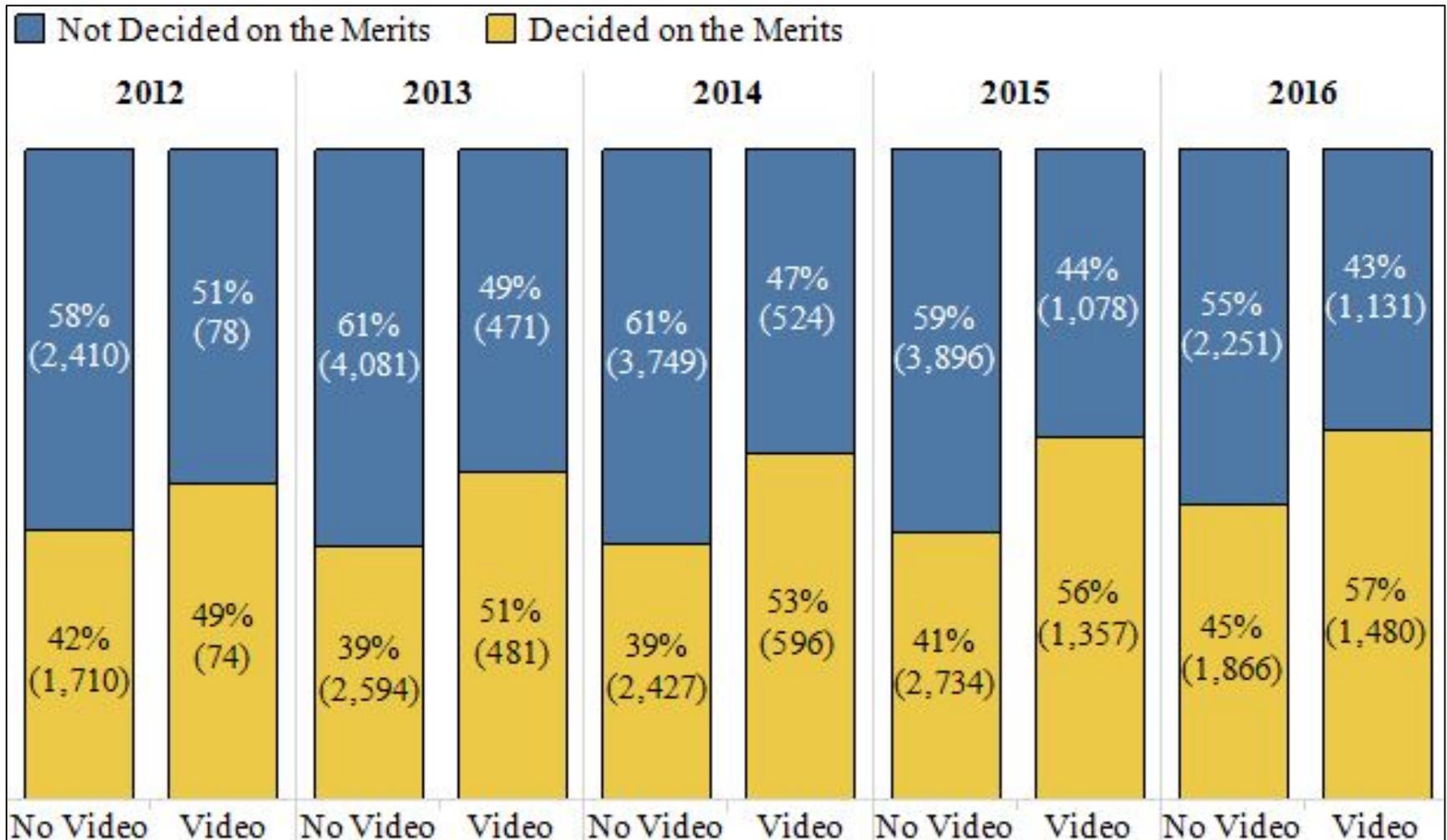
Findings: The Presence and Impact of Video on CCRB Investigations and Outcomes Overall

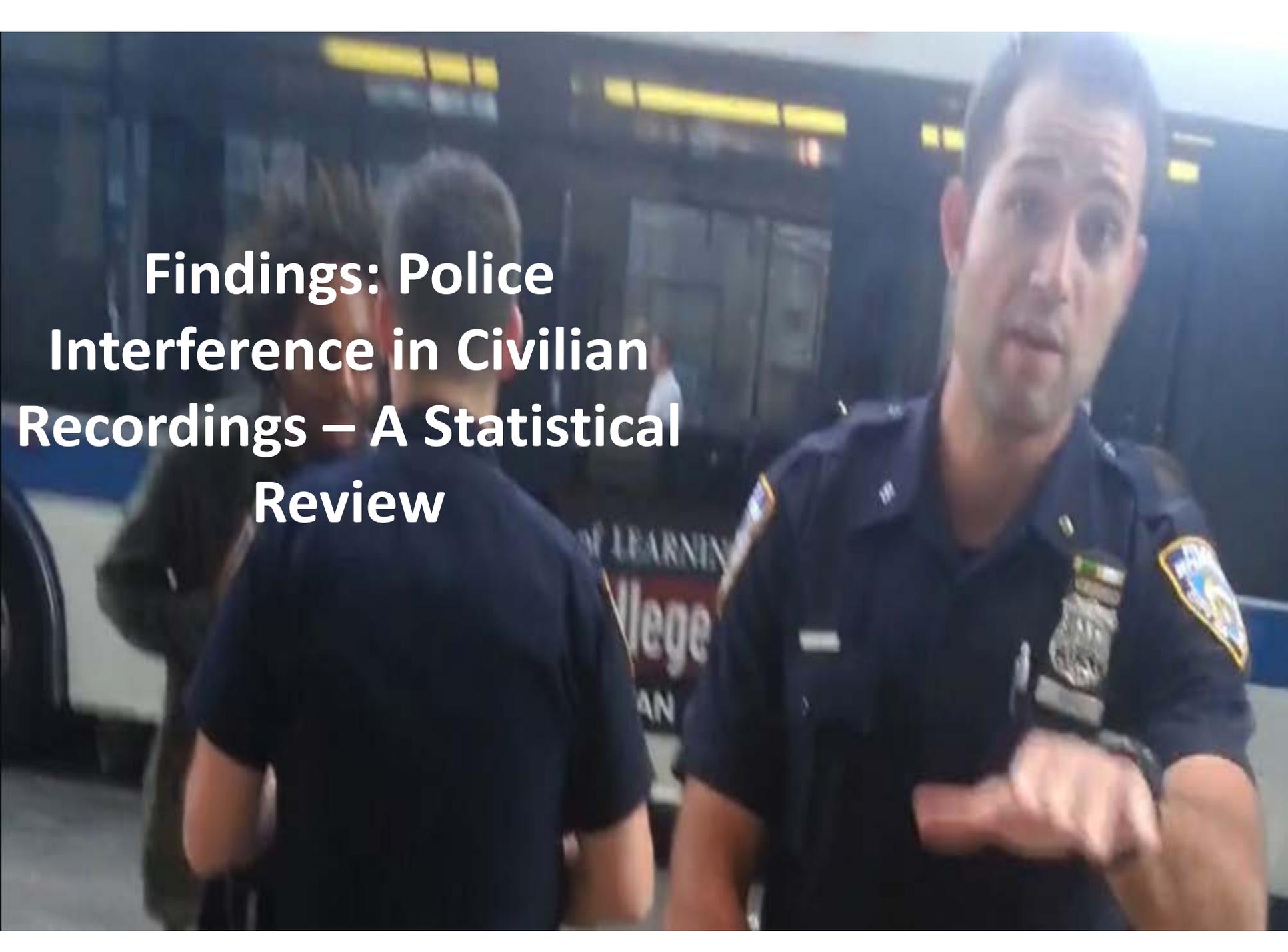


CCRB Complaints With and Without Video



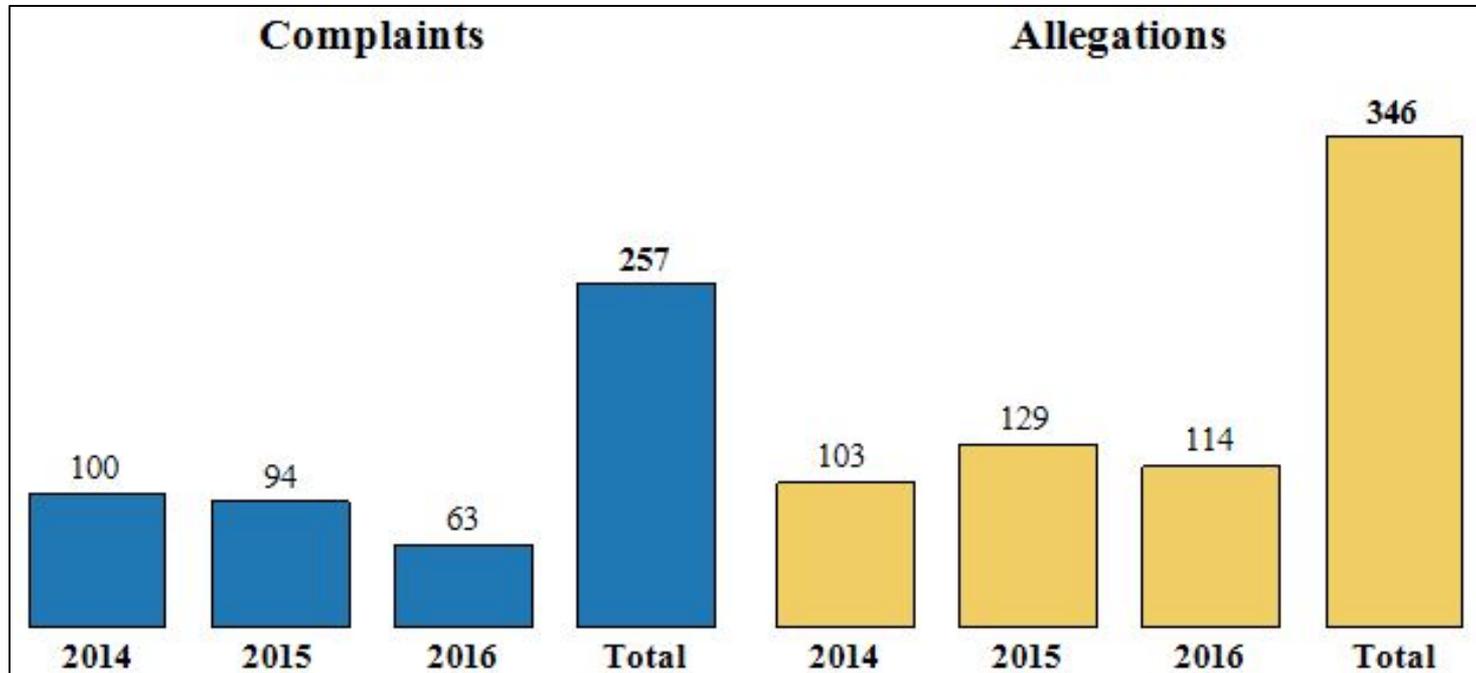
Fully Investigated Allegations Decided On the Merits, With and Without Video





**Findings: Police
Interference in Civilian
Recordings – A Statistical
Review**

Interference-related complaints and allegations



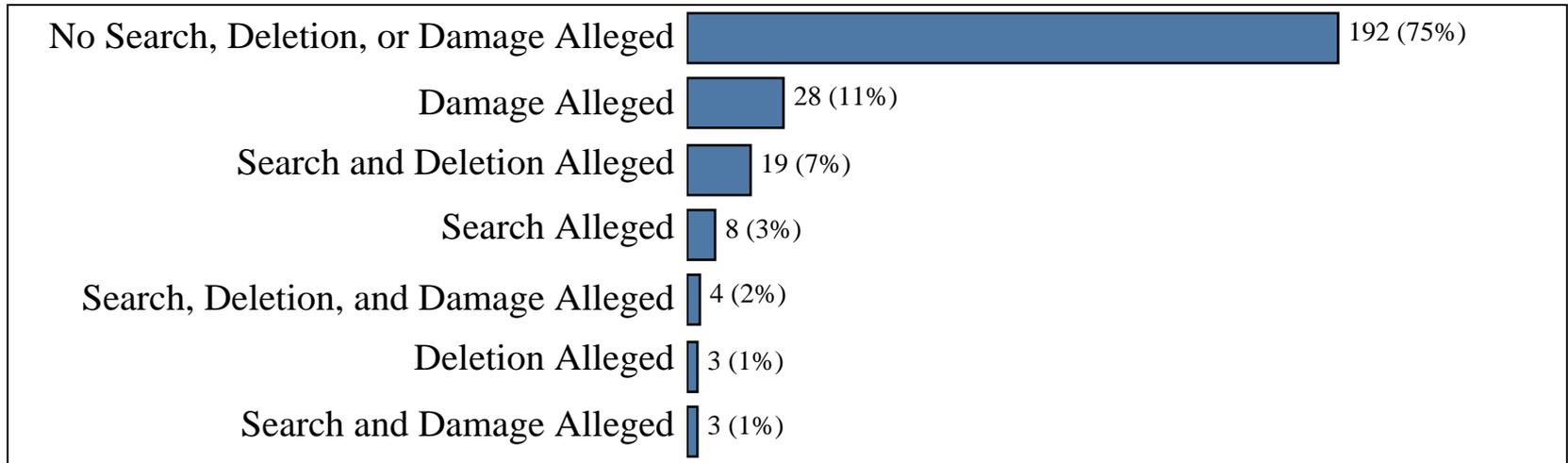
Who is recording?

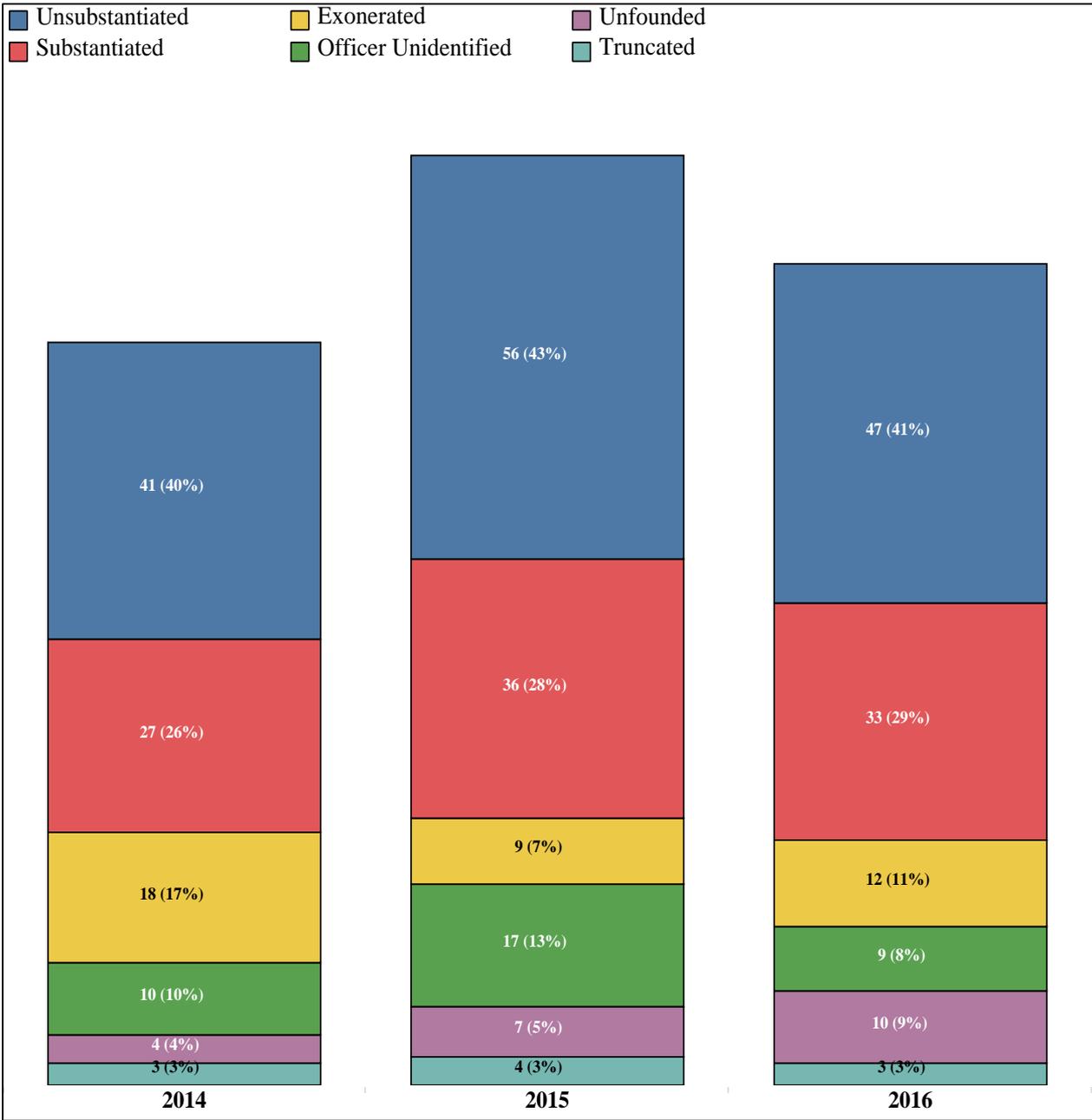
Bystander	108 (42%)
Self-Interaction	149 (58%)
Total	257 (100%)

Types of Interference Reported

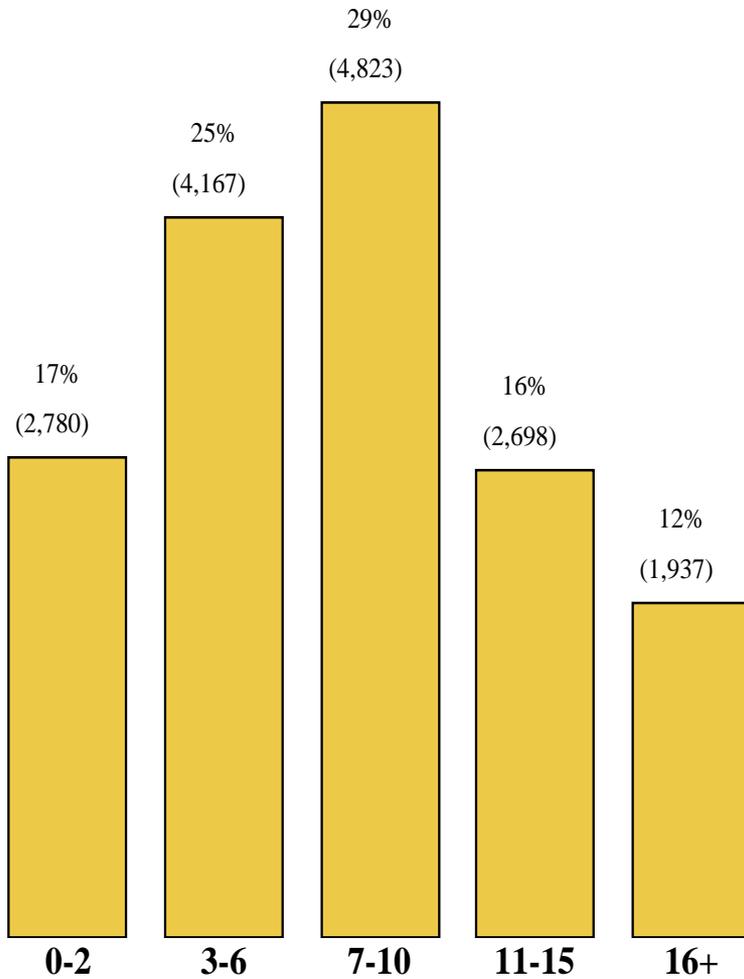
Verbal	61 (24)
Physical	119 (46%)
Physical and Verbal	77 (30%)
Total	257 (100%)

Search, Damage and Deletion

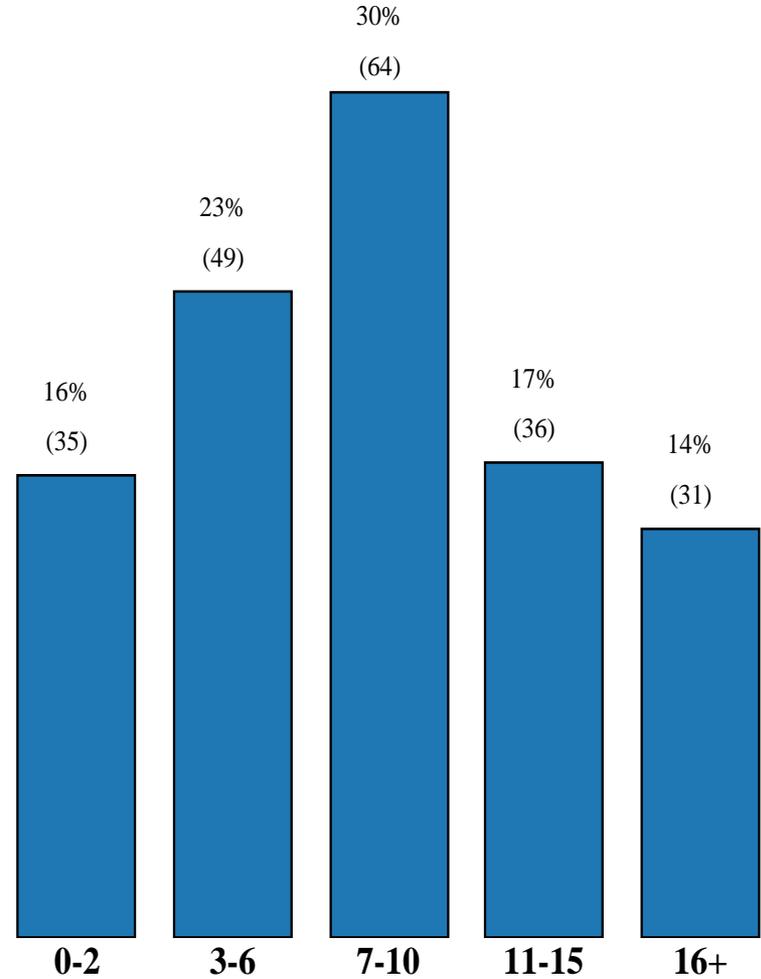




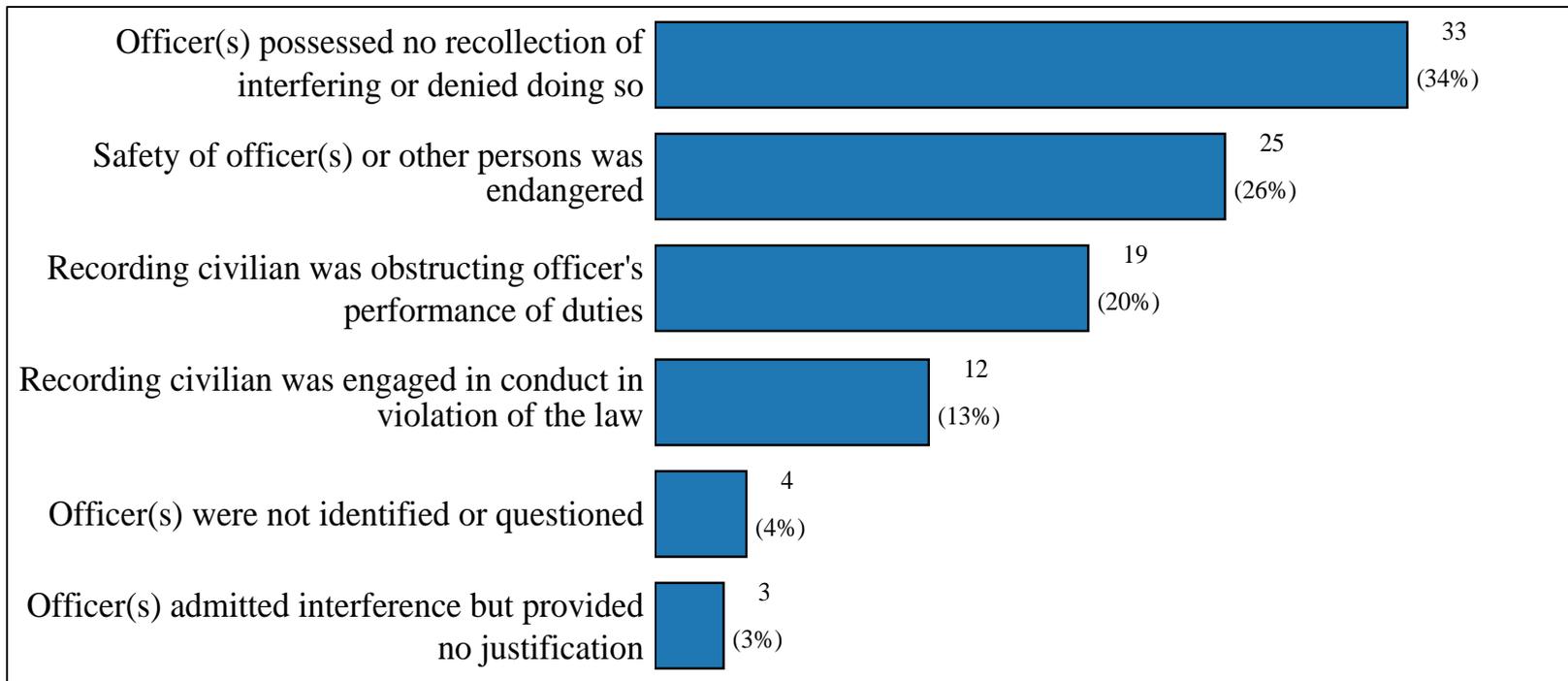
**Tenure of NYPD Officers in
All CCRB Complaints**



**Tenure of NYPD Officers in
Video Interference Complaints**



Officer Justifications for Interference





Recommendations

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- New section in NYPD Patrol Guide and improved training

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- Training for CCRB investigators

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- Training for CCRB investigators
- Greater NYPD engagement with community organizations



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