



New York City Council

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Finance Division

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Hearing on the Mayor's Fiscal Year 2012 Executive Budget

Civilian Complaint Review Board

May 18, 2011

The Committee on Finance

Hon. Domenic M. Recchia, Jr., Chair

The Committee on Public Safety

Hon. Peter F. Vallone, Jr., Chair

Andy Grossman, Deputy Director

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Overview

The Civilian Complaint Review Board (CCRB) receives, investigates, holds hearings, and recommends actions to the Police Commissioner on complaints by members of the public against members of the New York City Police Department (NYPD). Complaints handled by the Board include allegations of misconduct involving excessive use of Force, Abuse of authority, Discourtesy and the use of Offensive language, including, but not limited to, references to race, ethnicity, religion, sexual orientation and disability. These are collectively referred to as FADO allegations.

Civilian Complaint Review Board Financial Summary						
<i>Dollars in Thousands</i>						
	2009	2010	2011		2012	Difference
	Actual	Actual	Adopted	Exec. Plan	Exec. Plan	2011 – 2012*
Spending						
Personal Services	\$9,417	\$8,395	\$8,473	\$7,958	\$7,978	(\$495)
Other Than Personal Services	1,884	1,696	1,797	1,797	1,632	(165)
TOTAL	\$11,300	\$10,091	\$10,270	\$9,755	\$9,610	(\$660)
Funding						
City Funds	N/A	N/A	\$10,270	\$9,755	\$9,610	(\$660)
TOTAL	11,300	10,091	\$10,270	\$9,755	\$9,610	(\$660)
Positions						
Full-Time Positions	175	135	153	153	141	(12)

**Difference refers to the variance between the Fiscal 2011 Adopted Budget and the Projected Fiscal 2012 Budget.*

The CCRB's Fiscal 2012 Executive Budget is \$9.61 million, which is a decrease of \$660,000 below the agency's Fiscal 2011 Adopted appropriation of approximately \$10.3 million. If the Fiscal 2012 Executive Budget is implemented as proposed, the Board would sustain an overall budget reduction of approximately 6.4 percent compared with its Fiscal 2011 Adopted Budget, along with a reduction of 12 positions or approximately 8 percent of its staff over that period. As these reductions would come primarily at the expense of the Board's investigative staff, they would make it more difficult for the Board to sustain its case closure rate without resorting to overtime expenditures. The principal difference between the Adopted 2011 Budget and the Executive Financial Plan consists of a reduction of \$300,000 in accrued salaries from the 2010 November Plan as well as net changes to the Board's Budget from prior-year financial plans such as the allocation for the Administrative Prosecution Unit pilot program (\$366,319), \$289,296 of which will drop out of the Board's budget at the end of Fiscal 2011.

Fiscal 2012 Executive Budget Actions

- ☑ The Fiscal 2012 Executive Budget reflects a \$660,000 decrease when compared to the Fiscal 2011 Adopted Budget and a reduction of \$1.8 million, or about 15.8 percent, below its Adopted appropriation of \$11.4 million for Fiscal 2009.
- ☑ The Board will receive a New Need appropriation totaling \$77,023 to cover six months of full-time salaries for the remaining attorney and the Level 2 Investigator positions in the Administrative Prosecution Unit (APU). Pending an evaluation by the NYPD and CCRB that is scheduled to occur sometime before the end of calendar 2011, the APU pilot may be renewed.
- ☑ Because the core function performed by the agency is the investigation of complaints against uniformed officers of the NYPD, it is essential that the Board’s investigator headcount be maintained at a level that ensures the timely and efficient processing of cases. The lower the number of investigators available to process cases, the longer it takes to dispose of those cases. Additional cuts to its already strained staff such as the reduction of 11 investigators it has sustained during the course of Fiscal 2011, could further negatively impact the Board’s case disposition rate and add to the agency’s current backlog. Unfortunately, the Administration has neglected to maintain adequate funding for CCRB’s investigative staff (see below chart).

CCRB Headcount Summary					
	2009	2010	2011	2012	2012
	Adopted	Adopted	Executive	February	Executive
Investigators	147	128	123	116	112
Non-Investigators	33	32	30	30	29
Totals	180	160	153	146	141

- ☑ The PEG program for the CCRB totals \$405,000 for Fiscal 2012.

Budget Actions in the Executive Plan

<i>Dollars in Thousands</i>	FY 2011			FY 2012		
	City	Non-City	Total	City	Non-City	Total
Agency Budget as of February 2011 Plan	\$9,970	\$0	\$9,970	\$9,600	\$0	\$9,600
Program to Eliminate the Gap (PEGs)						
FY 2011 PS Surplus Takedown	(\$215)	\$0	(\$215)	\$0	\$0	\$0
Investigative Staff Reduction	0	0	0	(206)	0	(206)
Vacancy Reduction	0	0	0	(43)		(43)
Total, PEGs	(\$215)	\$0	(\$215)	(\$248)	\$0	(\$248)
New Needs						
Administrative Prosecution Unit	\$0	\$0	\$0	\$77	\$0	\$77
Total, New Needs	\$0	\$0	\$0	\$77	\$0	\$77
Other Adjustments						
Investigative Attrition Fringe	\$0	\$0	\$0	\$63	\$0	\$63
Lease Adjustment	0	0	0	103	0	103
Vacancy Reduction Fringe Offset	0	0	0	15	0	15
Total, Other Adjustments	\$0	\$0	\$0	\$181	\$0	\$181
Total, All Changes	(\$215)	\$0	(\$215)	\$10	\$0	\$10
Agency Budget as of Executive 2012 Plan	\$9,755	\$0	\$9,755	\$9,610	\$0	\$9,610

Program to Eliminate the Gap (PEGs)

- Investigative Staff Reduction.** The Board will reduce its investigative staff by four through attrition in Fiscal 2012. This is not a baseline reduction and the Board will be able to replace all four positions beginning in Fiscal 2013. This PEG will generate \$206,000 in savings in Fiscal 2012 and is in addition to three additional positions taken during the February Plan. These savings include PEG credit for fringe benefits totaling \$62,912 which are offset as an “Other Adjustment” in the Board’s budget since the associated fringe benefit savings are generated in the Miscellaneous Budget.
- Vacancy Reduction.** The Board will eliminate one Machine Aide vacancy to generate baselined savings beginning in Fiscal 2012 of \$42,698. The proposal would generate outyear savings of \$43,798 in Fiscal 2013, \$44,998 in Fiscal 2014 and \$46, 298 in Fiscal 2015. These savings include PEG credit for fringe benefits totaling \$15,110 which are offset as an “Other Adjustment” in the Board’s budget since the associated fringe benefit savings are generated in the Miscellaneous Budget.

Appendix A: Budget Actions in the November and February Plans

<i>Dollars in Thousands</i>	FY 2011			FY 2012		
	City	Non-City	Total	City	Non-City	Total
Agency Budget as of June 2010 Plan	\$10,270	\$0	\$10,270	\$9,711	\$0	\$9,711
Program to Eliminate the Gap (PEGs)						
Personal Service Accrual Reduction	(\$300)	\$0	(\$300)	\$0	\$0	\$0
Investigative Staff Reduction	0	0	0	(157)	0	(157)
Total, PEGs	(\$300)	\$0	(\$300)	(\$157)	\$0	(\$157)
Other Adjustments						
Fringe Offsets	\$0	\$0	\$0	\$47	\$0	\$47
Total, Other Adjustments	\$0	\$0	\$0	\$47	\$0	\$47
Total, All Changes	(\$300)	\$0	(\$300)	(\$111)	\$0	(\$111)
Agency Budget as of February 2011 Plan	\$9,970	\$0	\$9,970	\$9,600	\$0	\$9,600