

**OPERATIONAL
AUDIT OF THE
PUBLIC SAFETY
DEPARTMENT**

Prepared for

**ROOSEVELT ISLAND
OPERATING
CORPORATION**

December 6, 2013



230 Park Avenue, New York, NY 10169
212.514.4529 www.tmprotection.com

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**Assessment of the Roosevelt Island Public Safety Department
Prepared for
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INTRODUCTION

Roosevelt Island Operating Corporation was created by New York State in 1984 to manage the development and operations of Roosevelt Island. Before RIOC there existed other state agencies which ran the island's day-to-day operations such as the Welfare Island Development Corporation and later the Roosevelt Island Development Corporation. The first RIOC Board and President were appointed by the Governor in 1986.

RIOC PSD is the law-enforcement agency operated by RIOC that patrols the island under a 1968 contract between the city and the state. The department protects the island's property including all public/state facilities, storefronts, and certain contracted residential buildings, and enforces state and city laws on the island. It employs approximately 40 officers.

Roosevelt Island requires specialized operations and infrastructure maintenance such as the aerial tramway, an on-island bus system, an underground pneumatic tube garbage collection system, and seawall improvements. Basic services such as MTA stops on the subway and bus routes and water and sewage input and output are provided by the City of New York, while RIOC supplements these services with its own specialized operations, infrastructure, and capital improvements.

Today, the Roosevelt Island Operating Corporation manages a mixed-income community of between 12,000 and 14,000 residents featuring numerous parks and green spaces, recreational facilities, and six city-designated landmark buildings. The waterfront promenade circling the island provides panoramic views of New York City icons such as the United Nations, the Empire State building, the Chrysler building, the Queensboro Bridge, and the landmarked Pepsi Cola sign in Queens.

At the time T&M began this project, there was a segment of the Roosevelt Island community that was actively engaged in protests of what these community members believed to be a strictly enforcement oriented RIOC PSD that has engaged in acts of misconduct when dealing with the community. The recent demonstrations began in earnest after an incident in which a young Roosevelt Island resident alleged that during his arrest by officers of the RIOC PSD, he was the victim of unnecessary and excessive force that resulted in injuries which required him to be hospitalized for five days. The incident is currently under investigation by the Manhattan District Attorney's Office and the New York State Inspector General's Office. After this incident received local media attention, many other residents spoke and/or wrote publically of incidents alleging misconduct on the part of RIOC PSD officers. Another issue that has been raised is the perceived lack of meaningful oversight of the RIOC PSD; some residents have expressed a concern that the RIOC PSD is not accountable to anyone and they have voiced their lack of confidence in the ability of the RIOC PSD to adequately investigate complaints of misconduct involving their own officers. The PSD Director reports to the RIOC Vice President of Operations, a position that has been unfilled for a period of time, which placed oversight responsibility on a thin RIOC executive management staff; the RIOC President

position had been temporarily occupied by the General Counsel. Since the recent appointment of the new RIOC President, RIOC has been closely monitoring and active in oversight of the PSD. The RIOC PSD Director now reports directly to the RIOC President, who brings relevant career executive management experience and capabilities to her new role.

T&M conducted an operational audit of the RIOC PSD pursuant to a scope of work defined by RIOC. The scope of work included an analysis of existing Guidelines and Procedures and whether or not members of the PSD are properly following those G&P's. As part of the audit, T&M was asked to review hiring and termination practices, current staffing needs and deployment, training procedures, officer certifications, disciplinary matters, arrest procedures and promotion policies. T&M also examined the complaint reporting system, the civilian complaint process, arrest procedures, coordination with the NYPD and other agencies, budget and expenditures (operational and capital) and the appropriateness of the "force continuum" currently in place.

It should be noted that during the course of T&M's audit we interviewed stakeholders who indicated that some of the outspoken critics of the RIOC PSD are exaggerating the problems associated with the PSD and that there is in fact a "silent majority" of Roosevelt Island community members who do not share many of the critical statements and demands that have been presented as they relate to the PSD. In line with that, **T&M would like to state at the earliest opportunity within this Report, that while the RIOC PSD clearly requires improvement in many key areas, the PSD is comprised of many dedicated and experienced men and women who do their best to provide professional public safety services to the Roosevelt Island community. While in fact the PSD may have been as a whole, an overly enforcement oriented organization, the vast majority of the individual officers perform their duties in accordance with the direction and training they have been provided. T&M is confident that this Report and the findings and recommendations contained herein, will serve to assist the Roosevelt Island Operating Corporation in providing an enhanced level of service in a more efficient and effective manner.**

EXECUTIVE SUMMARY

Key issues facing the RIOC PSD include:

- Redefinition of mission and objectives of RIOC PSD
- The need to repair, improve and sustain community relations
- The need for enhanced management, supervision and leadership
- The need for improved HR Practices
 - Training
 - Disciplinary Process
 - Promotions
 - Suspensions
 - Terminations

KEY FINDINGS AND RECOMMENDATIONS

Mission of the RIOC PSD

- There has been an over-emphasis on strict enforcement in the relatively low crime community at the expense of community relations.
- Insufficient community relations and outreach programs.
- Some members of the community lack respect for the PSOs and the authority possessed by the officers. PSOs' authority is often challenged; they are frequently referred to as "toy cops" and reminded that they are not the NYPD. These issues can exacerbate and escalate some situations.
- RIRA and the RIRA Public Safety Committee have been critical toward the PSD's use of force, enforcement policies and senior management. RIRA Common Council building representatives voted unanimously to request the removal of the PSD Director from his position, illustrating the extent to which relations between the PSD and these important community organizations have devolved.
- There is a community perception of inadequate oversight of RIOC PSD policies, procedures, investigations and operations.

Recommendations

- Redefine the focus of RIOC PSD from a strict enforcement model to more of a community service model. T&M was informed by the interim RIOC PSD Director that he has instituted measures toward implementing this recommendation including enhanced department leadership and supervision, increased high visibility foot post assignments and an emphasis shift away from the strict enforcement model toward a community service model. Reported results include a decrease in enforcement activity and in citizen complaints.
- Establish a meaningful community relations/outreach program. The interim PSD Director has made significant strides toward implementing this recommendation and has re-established positive dialogue

and working relationships with community based organizations and individuals. In addition, the Director informed T&M that PSD members are coaching a team in the Roosevelt Island Youth Soccer Program, intend to coach a team in the Island Basketball and Baseball Programs and are in the planning stages to establish a RIOC PSD Law Enforcement Youth Explorer Program for youths between ages 14 and 20.

- RIOC PSD senior management should attend as many community meetings as possible. The interim PSD Director recognizes the importance and value of this recommendation and has personally attended many community meetings and events since assuming his position. This effort has not gone unnoticed by the Roosevelt Island community.
- Provide training to the RIOC PSD that will enable them to accomplish the shift from a strict enforcement mode to a community service style of providing public safety. T&M was informed by the interim RIOC PSD Director that a Request for Proposal to obtain training services in order to implement this recommendation is currently being prepared.
- Limit the use of vehicles by officers.
- Assign officers on foot patrol to posts/events where they can regularly and easily interact in a positive fashion with the community. The interim RIOC PSD Director informed T&M that he has increased foot patrols at locations that include schools, the Tram and subway stations, Main Street and the Farmers Market. In a measure indirectly related to the issue of facilitating positive interactions between the PSD and community, the interim PSD Director has directed the window tint affixed to the glass in the PSD marked vehicles be removed.
- Should the RIOC PSD commit to a community service model, the Roosevelt Island community should be requested to support this shift in style and accept the PSD's efforts to achieve an improved relationship with the community based on mutual respect and desire to maintain a safe and secure Roosevelt Island community.
- Have the PSD Director report directly to the RIOC President. Since the appointment of the new RIOC President, the RIOC PSD Director now reports directly to her.

Organizational Structure

- Senior management (Director, Deputy Director and Captain) primarily work Monday through Friday daytime tours.
- Senior and middle-management should be more involved in supervising operations and events in the field.
- Record keeping within the PSD is inadequate, largely due to the limited use of electronic data bases.
- PSD unnecessarily deployed a plainclothes Anti-Crime Team.

Recommendations

- The RIOC PSD should be led by a Director with previous executive-level law enforcement command experience. Similarly, the Deputy Director position should be filled by a former law enforcement middle-manager with proven management, administrative and investigatory skills. Filling these positions will likely require RIOC requesting a “pension waiver” for qualified candidates.
- Adjust management schedules to increase days and hours covered; require senior managers to regularly engage in patrol supervision, and whenever possible, respond to field incidents, including arrests.
- At the earliest opportunity, conduct an assessment of the suitability of each member of the PSD for their current assignment. Make adjustments as appropriate.
- Immediately re-purpose the officers assigned to Anti-Crime. This recommendation has been implemented by the interim PSD Director.

Personnel and Human Resources Issues

- The RIOC PSD internal disciplinary system is severe, ineffective and detrimental to the good working order of the PSD. Officers are often suspended from duty for relatively minor infractions.
- The PSD’s personnel monitoring capabilities are inadequate.
- There is no clearly defined and documented career path or promotion system.
- The current training program, while meeting mandated requirements, should be enhanced to be more relevant to the needs of the Roosevelt Island PSD and the community they serve.

Recommendations

- Understanding that the disciplinary process is linked to the collective bargaining agreement, revision will require RIOC to work with the employee union to the extent required, to revise the disciplinary process and adopt more appropriate progressive discipline policies at the earliest opportunity. T&M was informed by the interim RIOC PSD Director that the proposed collective bargaining agreement includes a provision to establish a working group tasked to re-engineer and make substantive positive changes to the disciplinary system.
- At the earliest opportunity, create a personnel monitoring system that will readily make available to RIOC and PSD management, relevant personnel data.
- A clear, concise and transparent career path policy should be defined, documented and communicated to the rank and file.
- Prepare & deliver an enhanced and meaningful training program for all RIOC PSD staff. T&M was informed by the interim RIOC PSD Director that a Request for Proposal to obtain training services in order to implement this recommendation is currently being prepared.

- Identify positions that require “enhanced” or “special” qualifications, such as Community Affairs and Youth officers, and identify suitable officers to staff those posts. T&M was informed by the interim RIOC PSD Director that the proposed PSD budget includes funding to add a second Youth Officer who will be dedicated toward increasing youth programs on Roosevelt Island.

Patrol and Operational Issues

- RIOC PSD has voluminous and unnecessarily complex operational policies and procedures, many of which are irrelevant or fail to support what should be the objectives of the RIOC PSD. Other operational policies and procedures which are practiced are undocumented.
- The PSD Use of Force policy is not clearly and concisely documented.
- Incidents where force is used by PSOs are not always adequately documented, and in some cases not adequately investigated.
- There is a lack of clear and concise documented responsibilities pertaining to supervisory staff, particularly Lieutenants and Sergeants regarding their required response to arrest/summons/emergency/other unusual situations.

Recommendations

- Revise and reduce operational policies and procedures to be more relevant and less complex.
- Create, document, disseminate and train the PSD staff on, a clear and concise Use of Force policy that is consistent with N.Y.S. Penal Law Article 35 and stresses that only the minimal amount of force necessary may be used and only as a last resort.
- Ensure all members of RIOC PSD qualify annually on required coursework pertaining to N.Y.S. Peace Officer Use of Force Guidelines; provide adequate and competent training and testing to ensure proficiency.
- Ensure all incidents involving use of force (physical, PR24, OC Spray, other) are adequately documented and subsequently investigated and analyzed by the Director. T&M was informed by interim PSD Security Director that RIOC is in the early stages of gathering data toward examining whether the use of body cameras for on-duty PSD officers would be a beneficial option for RIOC to consider.
- Amend supervisory duties and responsibilities, mandating they respond to and supervise all arrest/summons/emergency/other unusual situations.

METHODOLOGY

In order to best conduct this assessment, T&M endeavored to understand the mission of the RIOC PSD, how it is structured and how it operates. This required the T&M team to review pertinent documents, conduct on-site observations and to conduct numerous interviews with various stakeholders within the Roosevelt Island community. This multi-faceted approach enabled the project team to gain an understanding

of the role and operational functions of the RIOC PSD, its working relationship with the NYPD and its standing within the community.

Toward this end, the T&M team:

1. Held a Kick-off meeting and toured Roosevelt Island with RIOC PSD personnel to better understand the Island and its nuances.
2. Conducted more than fifty “one-on-one” interviews with a diverse cross-section of stakeholders, including, but not limited to: RIOC board members, RIRA board members, residents, community leaders, PSD Management, PSD rank and file, merchants, civic leaders and others that were recommended by the Client or PSD Director.
3. Reviewed numerous RIOC PSD documents including:
 - The RIOC PSD Operations and Procedures Manual
 - The RIOC PSD General Duties and Responsibilities Manual
 - The RIOC PSD Arrest and “C” Summons Log (2008-2103)
 - Arrest Reports (2010-2013)
 - Civilian complaint reports and investigation folders (2008-2012)
 - The RIOC Emergency Management Plan
 - Rosters/Roll Calls/ Deployment Schedules
 - The RIOC Contractual Agreement with PSD officers union
 - Command Log
 - RIOC PSD Budget data
4. Assembled and analyzed the collected data and combined with independent research, identified strengths and deficiencies within the structure and/or operations of the RIOC PSD.
5. Conducted “ride-alongs” with RIOC PSD staff assigned to vehicle patrol duty, as well as observed PSD Desk and Assistant Desk Officers to better understand the patrol function, vertical patrol duties and the administrative responsibilities including the processing of incoming calls for service and subsequent deployment of resources in response to those calls.
6. Conducted follow-up briefings and interviews with RIOC Board and RIOC PSD senior management to discuss preliminary observations and findings and to seek clarification of issues.
7. Conducted independent research including benchmarking RIOC PSD against other residential area PSDs.
8. Reviewed crime and disorder history, threats and conditions on Roosevelt Island and analyzed the cost/benefits of an enforcement-oriented PSD versus a community service model PSD.

FINDINGS AND RECOMMENDATIONS

MISSION OF THE RIOC PSD

Findings

- There is an over-emphasis on strict enforcement by the RIOC PSD in the relatively low crime community of Roosevelt Island. As a result, community relations have suffered. This is not to say that the PSD should entirely abandon enforcement activity; that would likely result in an increase in crime and disorder. T&M recommends that enforcement, arrests and summonses, be used only when appropriate and necessary to preserve the safety, security and quality of life of the community.
- The RIOC PSD strongly emphasizes and encourages its public safety officers and supervisors to employ a “letter of the law” enforcement style with the overwhelming number of arrests made being self-initiated (the officers (PSNY) are the complainants) for minor offenses (such as trespassing and disorderly conduct). Very often these incidents escalate to include the charge of resisting arrest and/or obstructing governmental administration.
- A contributing factor to this issue is a lack of respect for the PSOs and a lack of recognition of the authority possessed by the officers, on the part of some members of the community, particularly young people that the PSD have cause to interact with. PSOs’ authority is often challenged; they are frequently referred to as “toy cops” and reminded that they are not the NYPD. These challenges may tend to escalate some situations to a point where an inadequately trained, “thin-skinned” PSO may choose to make an arrest to exert his/her authority in a situation that may have otherwise been corrected. Further, some community members may object to an arrest as described above and physically resist or otherwise attempt to obstruct the arrest, further exacerbating the situation.
- Many of these arrests are the result of vertical patrols performed within several residential buildings on Roosevelt Island that participate in a trespass affidavit program. The intent of a program such as this is to deter criminal activity such as drug sales/use, prostitution, burglary, etc., by preventing unauthorized persons from entering and remaining in the public areas of the participating buildings. Stakeholder interviews indicate that many of the arrests effected under this program result in the District Attorney’s Office declining to prosecute. This may be due to the fact that the landlord has not posted or maintained required signage, or the arresting officer failed to conduct an adequate investigation prior to effecting an arrest of a person who was not in fact trespassing, or the arresting officer was unable to adequately articulate the facts to the assigned assistant district attorney after making a bonafide arrest.
- Similarly, strict enforcement of the vehicle and traffic laws by PSOs is resented by some community members who believe the officers use little to no discretion.
- During our interview with the Chair of the Roosevelt Island Residents Association (RIRA) Public Safety Committee, T&M asked what the primary mission of the Committee is, and was told in response, “to act as a liaison between the residents and the PSD.” However, another member of the

Committee informed T&M that the member was in attendance at a Committee meeting during which 2 members of the RIOC PSD “were turned away.” Recently, RIRA and the RIRA Public Safety Committee have been in the forefront of criticism directed toward the PSD’s use of force, enforcement policies and particularly toward RIOC PSD senior management. At a recent RIRA Common Council meeting, the building representatives present voted unanimously to request that RIOC remove the PSD Director from his position. This illustrates the extent to which relations between the PSD and these important community organizations have devolved. However, it should be noted that local media very recently reported positive and hopeful comments for improved relations made by leaders of both RIRA and the RIRA Public Safety Committee in response to the recent designation of a new interim PSD Director.

- There is a perception within segments of the community of inadequate oversight of RIOC PSD policies, procedures, investigations and operations. Outspoken critics have alleged that RIOC PSD is not accountable in any meaningful way and therefore has operated with impunity. There have been calls from community members and local politicians for the establishment of a Civilian Complaint Review Board (CCRB) and allegations of misconduct have been given to the New York State Attorney General’s Office and Manhattan District Attorney’s Office. Creation of a CCRB would require legislation and is not likely to occur in the foreseeable future if at all. In addition, prudent consideration should be given prior to modeling an oversight entity on the New York City CCRB, which is an agency that is considered by many, including civilian complainants, subject police officers and board members themselves, to be ineffective in the accomplishment of its mission. There is in fact an oversight system in place for the RIOC PSD. The Director of Public Safety reports to the RIOC Vice President of Operations. However, that position has been vacant for an extended period of time and the most recent holder of that position, by some stakeholder accounts directed, or at a minimum, supported, the RIOC PSD strict enforcement orientation. This vacancy placed oversight responsibility on a thin RIOC executive management staff; the RIOC President position was temporarily occupied by the General Counsel. Since the recent appointment of the new RIOC President, RIOC has been closely monitoring and active in oversight of the PSD and the PSD Director reports directly to the RIOC President, who brings relevant experience and capabilities to this role.

Recommendations

- Understanding the mission of the Department is to provide a safe and secure environment for the residents, employees, business owners and visitors, RIOC PSD should consider a paradigm shift and adopt a more community service oriented model, training and supporting its officers and supervisors to enforce the “spirit of the law.” T&M was informed by the interim RIOC PSD Director that he has instituted measures toward implementing this recommendation including enhanced department leadership and supervision, increased high visibility foot post assignments and an emphasis shift away

from the strict enforcement model toward a community service model. Reported results include a decrease in enforcement activity and in citizen complaints.

- The PSD as a whole should embrace the position that each and every minor infraction need not result in an arrest or summons. Alternatives, such as notifying parents when juveniles are observed committing minor violations or safely controlling traffic moving around a double parked vehicle that is unloading groceries or discharging an elderly passenger, are examples of a service oriented style that T&M believes will serve RIOCD PSD well. A warning or “progressive enforcement” system may improve community relations as well as reduce civilian complaints.
- Provide training to the RIOCD PSD supervisors and officers that will enable them to move from a strict enforcement mode to a community service style of providing public safety to include conflict resolution and verbal de-escalation tactics. T&M was informed by the interim RIOCD PSD Director that a Request for Proposal to obtain training services in order to implement this recommendation is currently being prepared.
- Establish a meaningful community relations/outreach program to include one or more community affairs and youth officers. Consider establishing an intern and/or cadet program to bring resident youth within the PSD, fostering the potential for enhanced understanding and respect for the PSD and its officers. T&M was informed by the interim RIOCD PSD Director that the proposed PSD budget includes funding to add a second Youth Officer who will be dedicated toward increasing youth programs on Roosevelt Island. In addition, the Director informed T&M that PSD members are coaching a team in the Roosevelt Island Youth Soccer Program, intend to coach a team in the Island Basketball and Baseball Programs and are in the planning stages toward establishing a RIOCD PSD Law Enforcement Youth Explorer Program for youths between 14 and 20.
- RIOCD PSD senior management should attend as many community meetings as possible, particularly Board of Directors, RIRA and RIRA Public Safety Committee meetings. The interim PSD Director recognizes the importance and value of this recommendation and has personally attended many community meetings and events since assuming his position. This effort has not gone unnoticed by the Roosevelt Island community.
- Limit vehicle use by officers. Assign officers on foot to posts/events where they can regularly and easily interact in a positive fashion with the community such as school arrivals and dismissals, subway stop during rush hours, scheduled games, etc. The interim RIOCD PSD Director informed T&M that he has increased foot patrols at locations that include schools, the Tram and subway stations, Main Street and the Farmers Market. In a measure indirectly related to the issue of facilitating positive interactions between the PSD and community, the interim PSD Director has directed the window tint affixed to the glass in the PSD marked vehicles be removed.
- Request a meeting with the Manhattan District Attorney’s Community Affairs Office and the landlords/property managers of the buildings registered in the trespass affidavit program, to review the program’s parameters and requirements and to ensure the subject buildings are in compliance

with program requirements. Request that the District Attorney's Community Affairs Office provide a training curriculum specific to the program, to be provided to members of the RIOC PSD on a quarterly basis. T&M was informed by the PSD interim Director that he has initiated efforts toward meeting and conferring with the Manhattan District Attorney's Community Affairs Office toward implementation of this recommendation.

- Should the RIOC PSD commit to a community service model, the Roosevelt Island community should be formally and immediately informed of such and requested to **support this shift in style and accept the PSD's efforts to achieve an improved relationship with the community based on mutual respect and a shared desire to maintain a safe and secure Roosevelt Island community**. The logical entity to approach for support is RIRA and especially the Public Safety Committee. The following is taken from the RIRA website: "The Roosevelt Island Residents Association (RIRA) promotes and defends the interests of the residents for a better quality of life on Roosevelt Island, NY. Our organization: 1) represents the interests of its members to all governmental, quasi-governmental and private institutions that develop policy affecting Roosevelt Island and its residents; that supervise or manage our housing and that supervise or manage other Island operations; and 2) ensures that the health, safety and welfare of its members and the quality of life in our community are maintained and improved." Clearly, re-establishing and maintaining open communication and mutual support and cooperation between RIRA and the RIOC PSD is to the benefit of both entities and the Roosevelt Island community as a whole.
- Continue to have the PSD Director report directly to the RIOC President who will oversee PSD policies, procedures, investigations and operations including but not limited to, civilian complaints, disciplinary matters, recruitment, hiring, promotions and terminations.

ORGANIZATIONAL STRUCTURE

Findings

- T&M found that the RIOC PSD senior management (Director, Deputy Director and Captain) primarily work Monday through Friday daytime hours, though it should be noted that the Captain works long hours and receives notifications of unusual events at home on a 24-hour basis.
- T&M found some senior management policies, decisions and judgments questionable and believes these shortcomings may in part be due to a lack of prior senior law enforcement management experience.
- Senior and middle-management are not sufficiently engaged in field operations and unusual incidents affecting RIOC PSD. Four of the five top managers perform administrative duties almost exclusively. The remaining Lieutenant was assigned as the Anti-Crime Supervisor (T&M found this unit to be unnecessary for RIOC PSD), as well as the designated PSD training officer. In short, the executive staff spends very little time physically monitoring or supervising patrol operations.

- The RIOC PSD is hampered by inadequate record keeping and limited use of electronic databases, making data retrieval unnecessarily tedious and inefficient.
- The RIOC PSD deployed an inadequately trained plainclothes Anti-Crime team; T&M found no reasonable justification for this deployment.

Recommendations

- The RIOC PSD should be led by a Director with previous executive-level law enforcement command experience. Similarly, the Deputy Director position should be filled by a former law enforcement middle-manager with proven management, administrative and investigatory skills. Filling these positions will likely require RIOC to request a “pension waiver” for qualified candidates.
- Senior management schedules should be adjusted to optimize days and hours covered; require senior managers to engage in patrol supervision and to the extent feasible, to respond to “unusual” field incidents, including arrests.
- Develop an IT strategy for the PSD that will enable the electronic recording, management, analysis and reporting of data that is currently being inefficiently managed. RIOC has hired a new IT Director. T&M was informed by the interim PSD Director that he has been meeting with the new IT Director to: design and implement an efficient Record Management System; to redesign and reconfigure the RIOC CCTV system to be more effective and efficient; to implement audio recording capabilities of incoming calls to the PSD switchboard as well audio recording capabilities to supplement video recordings of the areas of the front desk and holding cells.
- Immediately re-purpose the officers assigned to Anti-Crime. The new interim PSD Director has implemented this recommendation.

PERSONNEL AND HUMAN RESOURCE ISSUES

Findings

- The RIOC PSD is currently staffed by 40 full time employees and 2 part time employees, the majority of whom spend their shifts on patrol in the field. Exceptions include officers assigned as the desk officer and assistant desk officer on every shift, supervisors assigned to administrative functions, officers processing arrests or involved with other administrative duties, officers attending training, etc. Currently, the staffing breakdown is as follows: Director (1); Deputy Director (1); Captain (1); Lieutenants (2); Sergeants (6); Public Safety Officers (28); Administrative Assistant (1); part time School Crossing Guard (1); part time Administrative and Access Control Assistant (1). Whether this staffing level is optimum for the RIOC PSD is a question best answered as the result of a detailed personnel allocation study that considers many various factors including but not limited to, what are the philosophy and priorities of the PSD, how many calls for service and other assignments are handled by the PSD, what types of assignments are these, what are the response time standards or

goals, what is the population size, density, stability and transiency and what are the community demands for crime control and none crime control services. While there are simplified staffing models that consider only the ratio of officers-per-thousand population, they do not consider the vast majority of the above factors which when applied to Roosevelt Island, would consider for example, specialized functions including internal vertical patrols of certain residential buildings and patrols of the Motorgate and Tram. The population ratio model also fails to consider whether a PSD is enforcement or community service oriented, the latter requiring more time per shift for proactive crime prevention and community service activities. The International Association of Chiefs of Police (IACP) offers the following on this topic: “Ready-made, universally applicable patrol staffing standards do not exist. Ratios, such as officers-per-thousand population, are totally inappropriate as a basis for staffing decisions. Accordingly, they have no place in the IACP methodology. Defining patrol staffing allocation and deployment requirements is a complex endeavor which requires consideration of an extensive series of factors and a sizable body of reliable, current data,....the mix of which is absolutely unique to each locality and agency.....To prescribe patrol requirements properly, a series of professional guidelines and departmental policy preferences must be explicitly considered and deliberately applied.”

- T&M was informed that the population of Roosevelt Island is expected to begin to increase in the not-too-distant future due to the opening of the Cornell campus and associated living quarters and the potential for three new residential buildings in the Southtown area. Should these projects come to fruition it would result in an estimated residential population increase of over 7,000 (over 50%); this does not include transient workers and the associated traffic that is likely to increase with the start of construction.
- The RIOC PSD does not have a formal recruitment program intended and designed to attract the best possible candidates.
- RIOC Public Safety Officers are New York State Peace Officers with Special Patrolman status granted by the NYPD. They are not police officers, and while they have received at a minimum, the training mandated by the New York State Division of Criminal Justice Services, the PSD would be better served if continuous, relevant and current in-service and on-the-job training was provided to each public safety officer and supervisor, particularly in that RIOC PSD is a very active department, required to respond to calls for service, consistently interacting with the community and taking legal enforcement action when necessary. The in-service training presently provided to the PSD staff often lacks substance and relevance, and according to our PSD staff interviews, is delivered in an uninspired and monotonous fashion. Meaningful and relevant training is going to be a key to success if RIOC PSD commits to the paradigm shift from an enforcement to a service model, as previously discussed in this report.
- The RIOC PSD internal disciplinary system, partly defined by the collective bargaining agreement in place, requires significant revision. It is severe, ineffective and detrimental to the good working order

of the PSD. Officers are often suspended from duty for relatively minor infractions. The practice of suspending a PSO for one day as a result of four incidents of lateness—many articulated that being “one minute late” constitutes official lateness—is counter-productive and has had a negative effect on the PSD. All PSD staff interviewed, including executive management indicated that the lack of manpower is an issue. By suspending an officer, who may have accumulated an aggregate late period of fifteen minutes or less, the PSD is short one officer for that entire tour. In addition, community members have successfully utilized Freedom of Information Laws to obtain the disciplinary records of PSD members, particularly those involved in incidents contributing to community unrest. Recently, a PSD Sergeant was found to have been suspended on more than 30 separate occasions; most of the disciplinary issues were very minor though some were serious. The fact, however, that he had been suspended more than 30 times makes it difficult to justify his promotion or even his continuance of service and exposed RIOC and the PSD to significant criticism.

- RIOC PSD has inadequate personnel monitoring capabilities which may, in part be, the cause of some persons with checkered personnel records being promoted, subsequently damaging the reputation of the PSD, as well as the trust in RIOC as the PSD oversight entity.
- There is no clearly defined and documented career path or promotion system. It appears that a high level of enforcement activity is a primary consideration for promotion.
- The current training program, while meeting mandated requirements, should be enhanced in both content and delivery, to be more relevant to the needs of the Roosevelt Island PSD and the community in which it operates.

Recommendations

- Maintain the current staffing level until the PSD paradigm shift from a strict enforcement oriented to a community service model is completed and the ability to capture, retrieve and analyze data is improved. At that juncture in time, the status of the above mentioned Cornell and residential building projects and their population and potential public safety impacts will be more concrete. At that time RIOC can decide whether a detailed personnel allocation study should be conducted to determine the optimum staffing level and deployment schedule for the PSD.
- Establish a meaningful recruitment program targeting social media, job placement websites, college job fairs and in particular the student populations at colleges and universities offering degrees in criminal justice such as John Jay College. T&M was informed by the interim PSD Director that the PSD has distributed recruitment fliers at John Jay College and plans to expand recruitment efforts in the future.
- Designate a competent, qualified and NYS Certified Trainer within the PSD as the Training Officer to customize and present an enhanced and meaningful training program for all RIOC PSD staff. T&M was informed by the interim PSD Director that the current training officer is scheduled to attend Instructor Development Training.

- If there is no PSO so qualified, allocate funding and retain the services of a competent and qualified consultant to assist RIOC PSD to develop a relevant and current training curriculum and manual and to provide specialized training sessions as needed. T&M was informed by the interim RIOC PSD Director that a Request for Proposal to obtain training services in order to implement this recommendation is currently being prepared.
- Recommended topics in the program might include: Conflict Resolution; Verbal De-escalation Tactics; Use of Force; Laws of Arrest; Public Safety and Criminal Law; Public Safety and Civil Law; Organizational Behavior and Development; Communication Skills; Report Writing; Emergency Management; Fire Safety; High Rise Safety; CPR/AED; and others pertinent to the duties and responsibilities of a RIOC Public Safety Officer.
- Special training sessions to include members of the Roosevelt Island community such as youth groups, senior groups, the RIRA Public Safety Committee in moderated “Mutual Awareness and Respect” sessions should be considered at the earliest juncture to help foster the progression from an enforcement to a community service model and to strengthen community relations.
- Understanding that the disciplinary process is linked to the collective bargaining agreement, revision will require RIOC to work with the employee union to the extent required, to revise the disciplinary process and adopt more appropriate progressive disciplinary policies at the earliest opportunity. Officers with dozens of suspensions being promoted has damaged the reputation of the PSD and underscores the need to promptly address this issue. T&M was informed by the interim RIOC PSD Director that the proposed collective bargaining agreement includes a provision to establish a working group tasked to re-engineer and make substantive positive changes to the disciplinary system.
- At the earliest opportunity, create a personnel monitoring system that will capture and make readily available relevant personnel data including, but not limited to,; tenure, performance reviews, activity, civilian complaints, disciplinary record, absence and tardiness record, education, special qualifications, and training certifications.
- At the earliest opportunity, assess the suitability of each member of the PSD for their current assignment. Make adjustments as appropriate.
- A clear, concise and transparent career path policy should be defined, documented and communicated to the rank and file. A promotion process should be established and adhered to that will enable RIOC to select the best candidate while maintaining an appropriate level of integrity in the process and enhancing PSD morale and community confidence. Open positions should be posted detailing the required duties, responsibilities and qualifications. Interested candidates should be given a specified period to formally apply and eventually appear before a promotion review board. A checklist of candidates’ attributes (appearance, attendance, prior performance reviews, initiative, judgment, learning ability, etc.) should be graded and considered along with their qualifications (experience, education, special training, etc.). Prior to notification to any potential candidates, all

promotion requests should be reviewed by the RIOC President and either endorsed or returned to the PSD for reconsideration.

- Identify positions that require “enhanced” or “special” qualifications, such as Community Affairs and Youth officers, and identify suitable officers to staff those posts.

PATROL AND OPERATIONS

Findings

- RIOC PSD has voluminous and unnecessarily complex operational policies and procedures, many of which are irrelevant to PSD operations or fail to support what should be the objectives of the RIOC PSD. Other policies such as receiving, dispatching and responding to calls for service are undocumented.
- The PSD Use of Force policy is not clear and concise. Force continuum policies of RIOC PSD as it relates to Article 35 of NYS Penal Law are not effectively documented, communicated and managed.
- Incidents where force is used by PSOs are often not promptly documented and in many cases not adequately investigated.
- There is a lack of clear and concise responsibilities of supervisory staff, particularly Lieutenants’ and Sergeants’, response to and supervision of, arrest/summons/emergency/other unusual situations.
- RIOC PSD policy does not require a supervisor to be present on the scene to verify arrests or other enforcement activity.
- While RIOC PSD has a good working relationship with the NYPD 114th Precinct, T&M believes communication and intelligence sharing can be improved. By way of example, the RIOC PSD does not have direct radio contact with the 114th Precinct. A RIOC PSD field unit requiring immediate emergency response needs to notify the PSD command desk who then calls 911 or the 114th Precinct. In addition, this would provide real-time intelligence for RIOC PSD in terms of NYPD response onto Roosevelt Island. Other PSDs maintain an NYPD radio at their base to facilitate real-time communication; the Commanding Officer of the 114th Precinct has indicated he is amenable to this communication improvement. As another case in point, New York State law requires police officers to record all reports of domestic incidents on a “Domestic Incident Report” which is utilized to create a database, whereby domestic cases are monitored and investigated by the police as appropriate. Our audit found that RIOC PSD routinely responds to domestic disputes and that as long as there are no weapons involved or there is no arrest effected, it is unlikely that the NYPD will be made aware of the incident; therefore, the required Domestic Incident Report is not prepared and the data contained therein is not captured, analyzed, or investigated.

- As it relates to the intake and investigation of Civilian Complaints made by the community against PSD staff, the Department has lost the confidence of at least a segment of the community, who feel that their complaints are not taken seriously, poorly investigated and inappropriately adjudicated.
- T&M's review of the RIOC PSD civilian complaint process found that until very recently, complainants were required to physically enter the PSD Headquarters and request a form thereat. Upon completion, the form is given to the desk officer, investigated by the Integrity Control Officer and reviewed by the Director and Assistant Director. Some members of the community indicated that they found this process to be intimidating and expressed limited to no confidence in a fair and thorough investigation by the PSD. Others cited this as the reason they were reluctant to proceed with filing a complaint against a PSD member. T&M reviewed the form utilized by the PSD and found it to be lacking in terms of collecting relevant data. RIOC should be commended for recently improving the process so community members can now pick up and submit civilian complaints to the RIOC offices, thus eliminating the need to enter PSD Headquarters.
- T&M reviewed numerous Civilian Complaint folders and found that most cases were inadequately investigated and rarely include documentation of a notification to the complainant of the case disposition.

Recommendations

- Revise and reduce operational policies and procedures to be more relevant and less complex. The RIOC PSD Operational Manual should succinctly articulate the duties and requirements of a RIOC Public Safety Officer/Supervisor.
- Create, document, disseminate and train the PSD on a clear and concise Use of Force policy that is consistent with Article 35 and stresses that only the minimal amount of force necessary may be used and only as a last resort.
- Immediately require that, except for cases where someone's safety is endangered, a supervisor be present on scene to verify arrests or other enforcement activity.
- At the earliest opportunity, request a meeting with the Commanding Officer of the 114th Precinct to discuss obtaining an NYPD portable radio to be maintained at the PSD command desk. Ensure all staff is trained in proper operation and protocols.
- Develop written directives regarding resource dispatching protocols. Procedures should include a list of assignment types, whereby notification to 911, not the 114th Precinct, to request Police response is mandatory, such as incidents involving weapons and domestic incidents.
- Develop written directives mandating that cases requiring specialized investigations such as narcotics sale, prostitution and gang related crimes are referred to the NYPD with referrals documented.
- The Civilian Complaint process can and should be further revised; allowing complainants to generate and submit their complaints on-line or allowing they be submitted at selected locations on the island, such as churches or other community based entities willing to provide this service.

- Revise the current Civilian Complaint form utilizing the NYPD on-line civilian complaint form as a template.
- Require that a prompt acknowledgement of the complaint be made by the investigating supervisor within 24 hours informing the complainant that the complaint has been received, will be thoroughly investigated, and further in-depth discussion with the complainant will occur soon.
- Ensure that supervisors investigating complaints are adequately trained relative to internal investigations.
- The Director should, at a minimum, actively monitor and supervise all investigations. The Interim RIOC PSD Director personally supervises and is typically actively involved in the investigation of civilian complaints.
- In order to strengthen the process and community confidence in same, all investigations, proposed dispositions and adjudications should be reviewed by the RIOC President and either approved or returned with specific guidance to the PSD Director prior to final disposition, adjudication and notification to complainant and officers concerned.

BUDGET

T&M examined the RIOC's 2014 proposed budget as well as the 2013/2014 capital improvements budget. Attending only to Public Safety expenditures the following findings and recommendations are noted. T&M believes that as indicated below, efficiencies can be realized. T&M recommend that savings resulting from efficiencies be utilized to fund enhanced training of PSD staff.

Findings

- The current allocation of \$80,000 overtime (60K hourly and 20K holiday) represents 5% of the annual salaries of overtime eligible staff. This amount exceeds the industry standard of 2.5%, and the 60K of dedicated hourly overtime wages represents in excess of 115 hours per month at the top pay rate of the public safety officers employed. Should the PSD move from a strict enforcement model to a community service model, arrests and associated overtime will likely be reduced.
- While Roosevelt Island is geographically situated in Manhattan, vehicular access is available only to Queens and therefore the island logically receives police services from the 114 Precinct. However, arrests are prosecuted by the Manhattan District Attorney's office. This arrangement creates logistical difficulties that increase arrest and court related overtime for both the PSD and the 114 Precinct for arrests effected on Roosevelt Island. Arresting/assigned officers frequently are required to travel between the 2 boroughs to process arrests, transport prisoners and make court appearances.
- \$18,000 for equipment purchases is possibly excessive and may contain equipment that is neither necessary nor practical.

- Initial distribution and replacement costs for uniforms should be examined on a regular basis and competitive vendor bids sought.
- The capital improvements budget allocates the purchase of a new Ford Escape every year. Should the PSD move more toward a foot patrol and community service based model, the lifespan of the existing fleet should last longer and eliminate the need for annual purchases.

Recommendations

- Create and implement overtime controls, tracking overtime in categories including arrest, operational and directed. Administrative overtime should be very limited and authorized only by the ranking officer on duty with a report to the Director justifying the expenditure. Limit arrest overtime by reassigning arrests when appropriate and working with the 114th Precinct and District Attorney's Office to assist or expedite processing. Identify and monitor high overtime earners and potential abusers.
- Explore the potential to have arrests effected on Roosevelt Island prosecuted by the Queens District Attorney's office.
- Conduct an audit of specific purchases to ensure all items are mission appropriate. Additionally, "miscellaneous" expenses should be more specifically defined.
- Review the need for the annual expense of \$26,000 for uniforms for a department currently staffed with 37 uniformed members to determine how replacement boots and coats (\$8,000) are being distributed. Ensure appropriate competitive vendor bid processes are in place.
- Consider extending the use life of the PSD fleet. Purchasing a new Escape every other year instead of annually would result in an annual savings in excess of \$10,000.

BENCHMARKING

Regarding practices and policies of the PSD, T&M researched and reviewed a sample of administrative and operational protocols of two other Public Safety Departments (Peter Cooper Village/Stuyvesant Town and Parkchester), both serving residential developments within New York City. As summarized in the chart below and largely consistent with T&M's recommendations, the other PSDs are led by former law enforcement executives with command experience; are not subject to oversight by a CCRB or similar entity; are not oriented toward strict enforcement; have a career path program in place; and work very closely with the local NYPD precinct.

Entity	STPCV	Parkchester	RIOC PSD
Staff	70 Special Patrolmen	60 Special Patrolmen	37 Special Patrolmen
Director	Former NYPD Executive Commander	Former NYPD Executive Commander	Former Police Officer/Detective
Oversight	Reports to Prop. Mgr. Overall PCVST Mgmt.	Reports to Gen. Mgr. Overall Parkchester Condo Board	Reports to VP of Operations
Model	More Service than Enforcement Oriented. Few Arrests. Most Arrests Made By Pct. Some "C" Summonses Incidents w/ Juveniles Confer w/ Parents	More Service than Enforcement Oriented. Virtually No Arrests. Some "C" and "ECB" Summonses and "In House" (Condo) Summonses	Strict Enforcement. "Letter of the Law" Arrest, Traffic and "C" Summonses Activity
Civ. Clothes	No Civilian Clothes Deployment	No Civilian Clothes Deployment	Anti-Crime Team Deployed
Promotions	Application Process. Director Presents Selection to Bd.	Position Posted. Director and Gen. Mgr. Present to Condo Board	Selected by Director after Conferral with Sr. Staff
Civ. Complaints	Director Investigates with PCVST Mgmt.	Community Affairs Lt. Reports to Director. Appeal Process w/ Condo Bd. Legal	Investigated by ICO. Reviewed by Dep. Director and Director
NYPD	Close Working Relationship. Share PCVST Command Center w/ 13 th Pct. All Domestic Related Assignments 911 Must Be Called.	Tour Commander Carries NYPD Radio. All Crimes in Progress / Domestic / Weapons - 43 rd Pct. Requested to Respond	Communication Needs Improvement. No NYPD Radio. Most Calls for Service Are Not Being Referred to 114 th Pct.

CONCLUSION

T&M has discussed the findings and recommendation contained in this Report with RIOC executive management who have indicated an intention to quickly begin the implementation of key recommendations.

This report is not meant to be an all-inclusive definitive document, but it is an assessment of the existing organizational structure and operational programs of the RIOC PSD. It should be noted that security is an evolving and ever-changing process requiring continuous review and evaluation based on external events and internal needs. This assessment should be used as a guideline in evaluating the RIOC PSD. Legal issues raised during and by this assessment should be addressed and discussed with legal counsel.

On behalf of T&M, I thank you for the opportunity to be of service to the Roosevelt Island Operating Corporation for this important assignment. If you have any questions concerning this Report or if you would like to have further information about our services, please contact me directly at 212.514.4529.

Sincerely,

T&M PROTECTION RESOURCES, LLC



Edward T. Cannon

Director, Security Consulting Services

Phone: 212.514.4529

E-mail: ecannon@tandmprotection.com