



POLICE DEPARTMENT

Commanding Officer, Risk Management Bureau
One Police Plaza, Room 1408
New York, New York 10038

September 14, 2016

Frank Patone
Audit Director
New York State Comptroller's Office
110 State Street, 11th Floor
Albany, NY 12236

**Re: NYS Comptroller:
Reporting and Utilization of
Bias Incident Data**

Dear Director Patone:

This is in response to the Draft Report for the preliminary recommendations contained in the Reporting and Utilization of Bias Incident Data conducted in 2015 by the New York State Office of the State Comptroller, Division of State Government Accountability.

We are pleased to see the status update to full compliance with the recommendation of developing a document tracking system for bias-related incidents. The Electronic Case Management System ("ECMS") maintains all bias-related incidents, patterns and their associated complaint reports, as well as all investigative steps and case actions taken. The continuous maintenance of both ECMS and the statistical summary data in the correlated excel database were critical for the reconciliation of the 2015 preliminary totals. It should be noted that on a continuous basis, Hate Crimes Task Force provides the incident reports to OMAP where they are reviewed for completeness and proper coding prior to being forwarded to the Division of Criminal Justice Services.

Regarding the recommendation to periodically analyze the captured hate crime-related summary data and make inquiries or take actions as appropriate, we disagree with the status of partial implementation. While we appreciate the acknowledgement of the performance of analyses, we feel that ample information has been provided indicating that numerous actions and measures have been taken as appropriate for all bias-related incidents. Since its establishment, the Hate Crimes Task Force has included within its purview the responsibility to investigate all

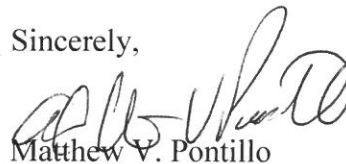
incidents that have any possibility of being bias motivated. Of the information provided, the wanted fliers and press releases coupled with the subsequent updates of confirmed arrests (Hate Crimes Task Force made 118 arrests for 2015 alone) should serve as examples of appropriately implemented measures and actions taken.

With respect to the partial implementation status of the recommendation to develop a training-related recordkeeping system to ensure that all officers receive required training, it should be noted that the Training Attendance Certification Transcript Integrated Collection System database is fully operational, and is linked to a master personnel database maintained at the office of the Chief of Personnel. Although pilot testing has been successful, thus far it has only been implemented for two topics: Use of Force and Investigative Encounters (as mandated by the Federal Monitor). The Right to Know policy revisions are scheduled for next month, and implementation for hate crimes training is tentatively planned for the late fall of 2016.

For the final recommendation to consider requiring periodic hate crime training as part of the regular curriculum, we see that the report acknowledges that the department provides formal training to probationary police officers assigned to the Police Academy, as well as uniformed members of the service who are promoted to the ranks of Sergeant, Lieutenant and Captain. Additional training is conducted intermittently at the precincts during roll call and other police facilities as updates are made to the Patrol Guide procedure regarding bias related incidents. It should also be noted that as stated in the internal memo we provided by the First Deputy Commissioner, hate crime training is to be conducted annually at the command level. Any future supplemental training sessions will be scheduled by the Specialized Training Section via command level training conferences, and training topics are scheduled based on priority.

We appreciate the time and effort the examiners used to complete this audit. If you have any questions concerning this response, please contact Lieutenant Eileen Han of the Quality Assurance Division at 718-250-5954.

Sincerely,



Matthew V. Pontillo
Assistant Chief
Risk Management Bureau