

Would Include Positive Interactions

## Outside Monitor Favors NYPD System Of Evaluations Measuring ‘Total Cop’

BY MARK TOOR | October 30, 2017

The monitor in charge of the NYPD’s conversion to a constitutional stop-and-frisk policy recommended that a Federal Judge approve a new evaluation system for officers that while focused on making sure stops are lawful also responds to the complaints of cops that they are evaluated only on arrests and summonses.

“The department has been working on a new evaluation system for years,” the monitor, Peter Zimroth, wrote in an Oct. 20 report to U.S. District Judge Analisa Torres. “There was widespread dissatisfaction with the old system throughout the ranks.

### Officers Squeezed

“Moreover, one aspect of the system became a focus in Floyd [vs. New York, the 2013 trial in which the department’s tactics were declared unconstitutional]—the fact that officers were under pressure to make more stops without regard to their legality. Officers feared that if they did not produce these numbers, they would be disadvantaged in many ways—for example, in assignments, promotions, overtime, time off and transfers.”

Officers have complained that many positive things they do, from delivering a baby to heading off a fight between gangs, were not reflected in the old evaluation system, which registered only enforcement actions—arrests and summonses—that could be counted.

Patrolmen’s Benevolent Association President Patrick J. Lynch reacted cautiously to the new system.

### PBA: Traces of Quotas

“While we are pleased that the Federal Monitor has proposed reforms that would prevent the reintroduction of purely quantitative measures of stop, question and frisk for police officers’ evaluations,” he said in a statement, “we remain concerned by the dangerous inclusion of statistical averages for other police actions—including summonses of all types and, remarkably, arrests—which have been a key source of unnecessary friction between police officers and the New Yorkers we serve. State law already bans numerical forms of measurement as an evaluation tool.

“The PBA prefers a condition- and location-based, non-numerical enforcement evaluation that is consistent with statewide policy, and that has been negotiated with the union before implementation.”

The new system has 12 categories, including community interaction and “implementation of proactive policing strategies.” Officers may also file their own reports on good police work they have done.

“This system is now in operation,” Mr. Zimroth wrote. “In it, the lawfulness of stops and the accuracy of stop reports play a role, but the number of stops does not.”

### How It Works

It calls for quarterly evaluations for Police Officers and Detective Specialists, who are generally senior patrol officers who don’t do investigative work. Officers are evaluated from 4 to 1 on each of the 12 categories. A 4 means exceptional, a 3 means exceeds standards, 2 means meets standards, and 1 means needs improvement. (Ratings of 4, 3 or 1 “must be supported by official documentation.”)

The categories are:

- Problem identification/solving (“uses initiative and innovative thinking to address the needs of the command and the community”);
- Adaptability and responsiveness (“acclimates to varied environments, adjusts style and approach when necessary, and produces alternative solutions”);
- Judgment (“uses appropriate discretion and judgment in handling tasks and processing incidents; prioritizes assignments properly...can independently arrive at steps to accomplish tasks and seeks guidance when appropriate”);
- Integrity (“adheres to department policies

and guidelines...exhibits a sense of duty, moral obligation and strict personal honesty and is not a disciplinary problem”);

- Application of law and procedures (“including but not limited to the law and department procedures for arrests, summonses stops, frisks and searches”);
- Community interaction (“engages the community in a proactive and positive manner; treats others with courtesy and professionalism and is an active listener...allows individuals to respond and be heard...Feedback from community members is positive.”);
- Departmental interaction (“treats co-workers and supervisors with courtesy and professionalism”);
- Professional image and maintenance of equipment (“maintains a smart and professional appearance...that projects authority and commands respect while providing reassurance to the public of a professional standard of service”);
- Quality and timeliness of written reports (“completes all required paperwork...and does so accurately and professionally, and in a timely manner”);
- Initiative (“initiates work independently and sets a positive example”);
- Leadership (“provides guidance and motivates others. Identifies and addresses issues to improve the good order and efficiency of the department”); and one of the following
- Implementation of proactive policing strategies (“utilizes proactive policing strategies including, but not limited to, arrests, summonses, interior/directed patrols, and prevention strategies appropriately, and as needed”); or
- Competence in supporting unit’s/squad’s mission (“demonstrates competence...and is proactive in advancing the unit’s/squad’s mission”).

Members of the service are invited to file Officer Self-Reports, which are accessed through department smart phones. “The reports shall describe specific, successful accomplishments rather than general self-assessments...” Mr. Zimroth’s report said. “Appropriate examples of notable accomplishments include positive and substantial community engagement, referring citizens to needed services, providing valuable information to the command’s Field Intelligence Officer, or other notable acts of problem-solving, crime detection or crime prevention.”

### File at Tour’s End

The officer should submit the Self-Report at the end of the tour in which the accomplishment occurred, and it will be considered during monthly assessments.

Similarly, bosses may complete a Supervisor Feedback Form during any tour to give immediate positive or negative reaction to an officer’s activity.

### How They’re Evaluated

The Monthly Officer Profile Report, generated automatically, allows supervisors to evaluate whether each officer’s activity addresses the problems of the command and the 12 categories for evaluation. “It automatically compiles data from department databases and compares officers to other officers in their precinct, their borough and citywide,” Mr. Zimroth wrote.

“The report does not include a count of the number of stops conducted by each officer,” he continued. “It does, however, compile the number of times officers’ stops resulted in corrective action by their supervisors.”

Mr. Zimroth was appointed by U.S. District Judge Shira Scheindlin, now retired, after she ruled in 2013 that the department’s approach to stop-and-frisk was unconstitutional and racially discriminatory. His brief is to help the department come up with policy changes involving procedure, training and supervision that would allow it to conduct legal stop-and-frisks.