

Discipline in the NYPD 2024



New York City Police Department

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Executive Summary

The New York City Police Department (the Department) continues to be committed to a fair, effective, timely, and transparent disciplinary process. This report contains information regarding employee discipline in calendar year 2024, including the timeliness of the discipline process, the demographic information of subject employees, and the types of discipline imposed.

The Department is bound by the many laws, policies, procedures, and rules governing the policing profession. Police work and police decision making in the field relies on an officer's discretionary judgment and accumulated experience, as well as an adherence to guiding principles, to solve a variety of problems. Public trust is eroded each time the conduct of a Department employee does not conform to the values and standards of the Department and the policing profession.

When an allegation of misconduct is substantiated, disciplinary action is imposed to: correct and prevent employee misconduct; maintain the orderly functioning of the Department; ensure compliance to high standards of conduct and establish appropriate consequences for the failure to comply; and assure the public that the Department will hold employees accountable for misconduct. The disciplinary process reaffirms the Department's commitment to public service above all else.

Discipline must be imposed fairly and equitably. **Fairness** within a discipline system means taking the time and effort to objectively review the circumstances surrounding the alleged misconduct - including the reliability, intention, and motivation of all witnesses; impact of the misconduct on the Department and members of the public; the absence, presence and extent of damages; the level of training of the employee in question; the history of the employee with the Department; as well as other mitigating and aggravating factors. **Equity** within a discipline system means holding all employees accountable regardless of rank, demographic, assignment, or tenure. Each disciplinary matter is unique, requiring a comprehensive analysis, and must consider the totality of the circumstances.

The Department's robust disciplinary process is able to accomplish these goals while minimizing excessive case buildup. In 2024, there were 2,021 disciplinary cases referred to the Department for investigation. As of December 31, 2024, 1,131 (2.8%)¹ members of the service (MOS)² had active investigations of serious misconduct. In 2024, MOS forfeited 12,103 penalty days³ due to disciplinary cases. This represents a decrease of 5.2% (12,103 vs. 12,768) from 2023. Additionally, 56 members were subject to forced separation from the Department as a result of disciplinary action.

In furtherance of transparency and accountability, the Department strives for the expeditious adjudication of disciplinary matters. On average, over the last three years (2022, 2023, and 2024), cases the Department Advocate's Office (DAO) prosecuted have concluded in 420 days. Over the same time period, cases prosecuted by the Civilian Complaint Review Board's (CCRB) Administrative Prosecution Unit (CCRB-APU) were concluded in an average of 618 days. While the DAO prosecutes cases for both civilian

¹ Staffing calculations are derived from a 12 month average from January 2024 to December 2024. For 2024, the Department's workforce consisted of 33,705 uniformed members of the service and 16,280 civilian members of the service.

² The term "members of the service" refers to both uniformed employees and civilian employees, unless otherwise specified.

³ An aggregate of suspension and vacation days.

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members of the service (CMOS) and uniformed members of the service (UMOS), CCRB-APU exclusively focuses on cases involving UMOS. Both timelines include administrative days to review, process, and file.

The Department's disciplinary process underwent significant change in 2021, and as part of that change, the Department publicly released its disciplinary penalty guidelines. The guidelines, commonly referred to as the "Discipline Matrix," were developed from recommendations made by a blue-ribbon panel. The panel, consisting of former prosecutors and judges, convened for the evaluation and improvement of the Department's disciplinary system and recommended penalty guidelines for an array of infractions. The Discipline Matrix was most recently updated in 2024. Some of the changes include specifying new penalties for misuse of Department technology, failure to take police action, and failure to report biased-based enforcement action.

In addition to the Discipline Matrix, the Department and the CCRB entered into a memorandum of understanding in 2021 wherein both parties agreed to use the disciplinary penalty guidelines as a framework for discipline recommendations. However, these guidelines are not absolute. Both parties are allowed to deviate from the Matrix but must notify the other party in writing when doing so. The Department posts these written explanations on its Officer Profile Portal.⁴ This portal, created in 2021, is a publicly accessible database where users can search by specific UMOS and view various employment related data points. The disciplinary tab on the officer profile displays information for cases with charges and specifications that resulted in discipline for the UMOS, including a description of the charges, the disposition, and the penalty, if any. The Department also uploads its trial decisions library to its public website,⁵ dating back to 2008. The creation and posting of the Officer Profile Portal, as well as this report, are some of the many proactive steps taken by the Department to assure the public of its commitment to transparency.

Data Limitations

The Department's data regarding formal discipline is stored in a case management database. This database is intended to manage cases throughout the disciplinary process, not for cataloging and manipulating data. The complexity of individual cases makes lateral comparisons difficult. Mitigating or aggravating factors, the number of charges per case, and the respondent's disciplinary history make every case unique. Accordingly, this report is limited to consideration of the broad data points found in the case management system (e.g., intake volume, active cases, case length, and separations).

⁴ <https://nypdonline.org/>

⁵ <https://www.nyc.gov/site/nypd/bureaus/administrative/trials.page>

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The Disciplinary Process

When an allegation of misconduct against an MOS is investigated and evidence is found to show that the event did occur, that the member in question engaged in the action, and that the act itself was a violation of Department guidelines, the allegation is deemed by the investigator to be substantiated. Substantiated allegations follow due process and are investigated to determine veracity, culpability, and, when warranted, are subject to discipline.

Discipline in the Department is imposed in a variety of ways, largely measured against the seriousness of the substantiated misconduct. The least serious violations result in training which is either conducted by a commanding officer who instructs a member on proper procedures (informal) or by members assigned to the Training Bureau (formal re-training). Other minor violations of Department policies can also be addressed through discipline imposed at the command level via a written command discipline. Command disciplines allow a commanding officer to impose discipline without resorting to filing formal disciplinary charges with the DAO. The types of violations subject to command discipline are outlined in Administrative Guide 318-01: "Command Disciplines and Authorized Penalties"⁶ and include infractions/violations such as improper uniform and loss of Department property. Depending on the severity of the violation, commanding officers may impose penalties that range from "warn and admonish" to revoking up to 10 days of vacation or accrued time.

Substantiated allegations of serious misconduct are referred to the DAO. Staffed by civilian attorneys and augmented by a complement of uniformed and civilian personnel, the DAO evaluates substantiated allegations of serious misconduct and files administrative charges known as "charges and specifications" when necessary. The DAO also recommends appropriate disciplinary penalties for each charge and pursues legal action for disciplinary matters. In situations in which there are no significant aggravating factors nor additional misconduct, the DAO may adjudicate a command discipline in lieu of charges and specifications for a maximum penalty of 20 days.

Case resolution for uniformed and civilian members differs slightly. Faced with disciplinary charges and specifications for substantiated allegations of misconduct or violations of Department rules, UMOS may acknowledge the charged misconduct and accept a penalty by entering into a negotiated settlement offered by the prosecuting agency. If the offer is refused, the case will proceed to trial where a guilty or not-guilty disposition is decided. For cases involving CMOS, resolution is achieved in a similar but expanded process. CMOS may process discipline through an informal conference, an administrative adjudication by the Office of Labor Relations, or trial. Because of the different paths, case lead time to closure is significantly different between uniformed and civilian members. All settlement terms are based on prior case precedent and the Discipline Matrix. Also taken into account is the member's disciplinary history as past discipline may affect final penalty outcomes. Settlements benefit all parties involved by resolving and imposing any penalties quickly and efficiently.

If members do contest the charges or do not agree to the proposed penalty, they have the legal right to a full *de novo* administrative hearing known as a Department trial, a process overseen by the Office of the Deputy Commissioner of Trials (DCT). When a Department employee is charged criminally with a violation of federal or state law, the Department also files internal disciplinary charges. Criminal conduct always includes a corresponding violation of the Department's internal rules. All employees are entitled to be represented by counsel, and the trial proceedings are open to the public. At trial, the DAO or, where

⁶ https://www.nyc.gov/assets/nypd/downloads/pdf/public_information/public-adminguide1.pdf

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applicable, the CCRB-APU is required to present evidence against the MOS to reach the legal threshold of proving the charges by a preponderance of the evidence.⁷ The member is entitled to cross-examine prosecution witnesses, present a defense to the charges, and/or present evidence in mitigation of the proposed penalty.

The DCT conducts Department trials in a fair and impartial manner, consistent with the rules and regulations governing administrative hearings, as well as the due process rights of the Department's members. At the conclusion of a trial, the trial commissioner (a civilian administrative attorney) issues a report that includes an analysis of the evidence presented, a determination on witness credibility, and a recommendation as to findings on each charge. Where there is a finding of guilt, the DCT recommends an appropriate penalty. All parties review the trial commissioner's report and are given an opportunity to submit written comments. The trial commissioner's report and the written comments of the parties are then submitted to the Police Commissioner for review.

Ultimately, cases reach their conclusion when the Police Commissioner grants final approval and discipline is imposed. Regardless of the manner in which a Department disciplinary case is resolved, be it by settlement agreement or Department trial, the Police Commissioner, by law, makes the final disciplinary determination and penalty finding.

⁷An evidentiary standard used in burden of proof analysis. The party with the burden must convince the fact finder that there is a greater than 50% chance that the claim is true. This is less than the common burden in criminal trials of beyond a reasonable doubt.

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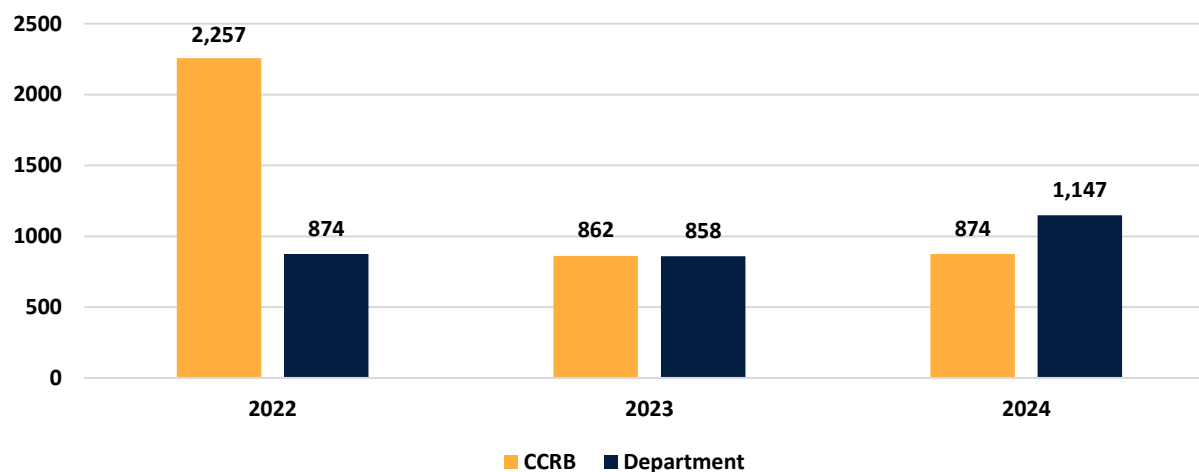
Disciplinary Case Origins

Calendar Year Intake

Only the Department and the CCRB can generate disciplinary cases against MOS. An entry is created in the disciplinary case management system when the DAO receives a disciplinary matter with a penalty recommendation for review from another Department unit or the CCRB. In 2024, the DAO only reviewed cases received from the CCRB with a recommendation of less than charges that had sufficient time for review and filing before the expiration of the statute of limitations (known as short-SOL). In all cases of substantiated misconduct, the final outcomes may range from recommendations for officer re-training on a specific law enforcement topic to termination.

In 2022, the CCRB initiated nearly three times as many cases as the Department, including cases that had the statute of limitations extended by executive order in response to the Covid-19 pandemic. In 2023, however, cases initiated by the CCRB dropped to more historical numbers. For 2024, CCRB cases have increased slightly (874 vs. 862) while the Department initiated 33.6% more cases (1,147 vs. 858). Combined, the CCRB and the Department initiated 2,021 total cases for investigation. The following chart illustrates the intake of individual entries, less short-SOL, into the Department's disciplinary case management system.

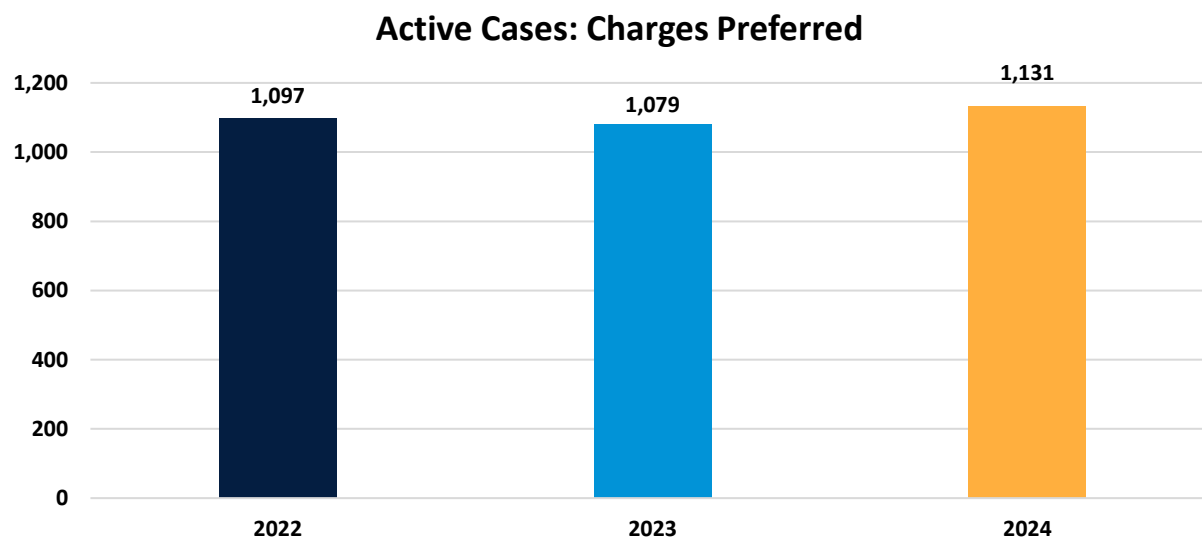
Disciplinary Intake by Calendar Year



In 2024, the CCRB forwarded 874 cases to the DAO for review, including violations noted in their investigation that lie outside of their chartered purview.⁸ However, not every case reviewed necessitated charges and specifications. In 38.1% (333) of these cases, charges and specifications were preferred. The remaining 61.9% (541) of CCRB referrals did not have charges preferred.

⁸ See Appendix: CCRB

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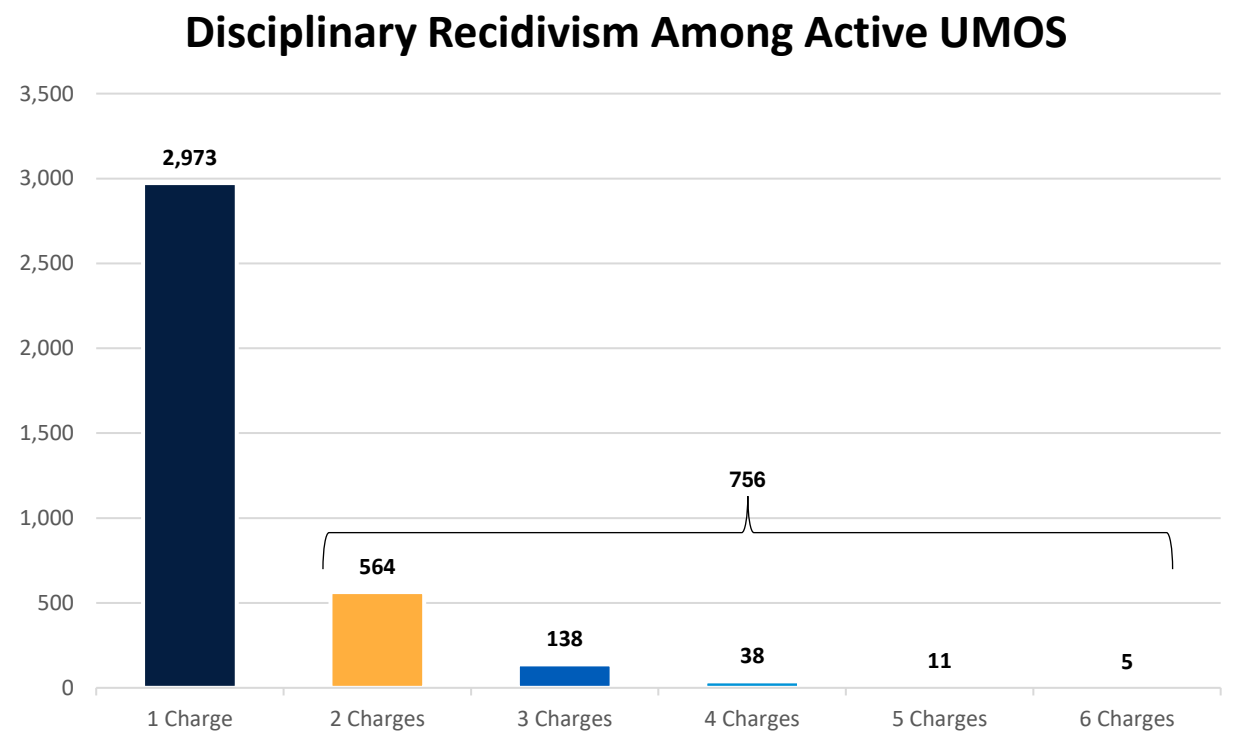


Case resolution is not immediate due to the process of review, filing, adjudication, and finalization. The investigation of cases may transcend calendar years. The above chart illustrates the inventory of cases with charges preferred, inclusive of CCRB cases and Department cases, from the disciplinary case management system that were still active on December 31st of that year. A case opened in one year may be counted as active in successive end-of-year counts until it is closed.

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Recidivism

Discipline is intended to correct and prevent employee misconduct. Out of the 33,705 active UMOS, 3,729 (11.1% of all active UMOS) have received charges at some point in their career. Of these, 756 (2.2% of all active UMOS) have received charges more than once. The following chart illustrates active UMOS who have had charges preferred at any point in their career and how many distinct times these active uniformed members have been served with charges.



The following table depicts UMOS with charges, the number of times the member received charges, and the percentage this group makes up of the overall uniformed headcount.

Disciplinary Recidivism among Active UMOS		
Frequency of Charges	Active UMOS Who Have Received Charges	% of Total UMOS
1	2,973	8.8%
2	564	1.7%
3	138	0.4%
4	38	0.1%
5	11	0.0%
6	5	0.0%
Total	3,729	11.1%

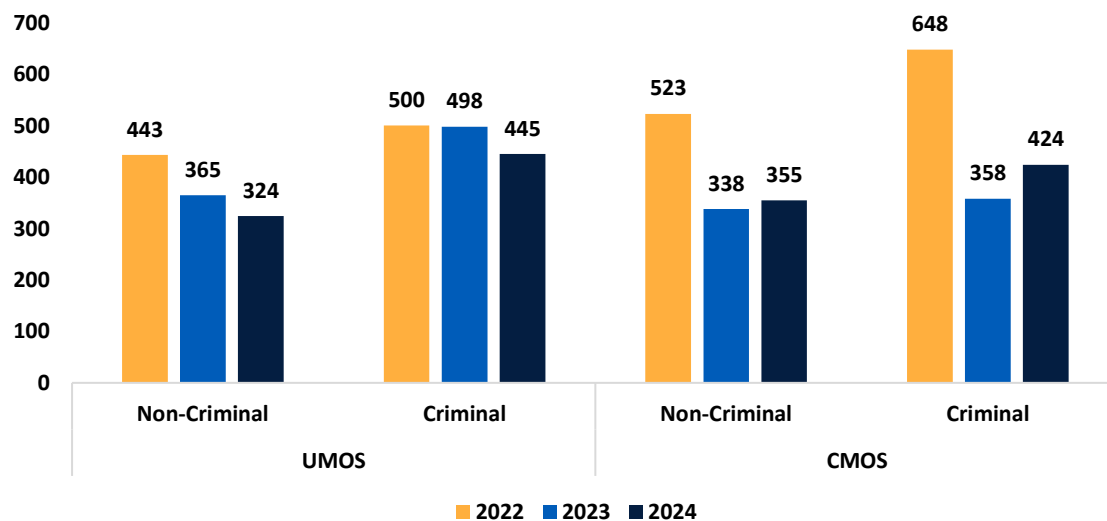
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Timely Prosecutions

Historically, disciplinary cases involving a parallel criminal prosecution take longer to resolve because the Department, at times, holds the administrative cases in abeyance until the conclusion of the criminal prosecution. When an MOS is charged with a crime, the Department also files internal disciplinary charges against the member because criminal conduct always constitutes a violation of Department policy. Under the appropriate circumstances, the Department's internal disciplinary case may proceed on a parallel track to the criminal case. The determination to move ahead with a disciplinary proceeding is fact-specific and will be undertaken if the disciplinary proceeding can be accomplished without compromising the criminal prosecution. In making the decision, the Department will always consult with, but not necessarily defer to, the appropriate prosecutorial authority and will consider any issues or concerns presented.

From 2022 to 2024, on average, cases prosecuted by the DAO involving UMOS were resolved in 377 days for disciplinary matters that did not have a parallel criminal investigation against the subject. For cases that did have parallel criminal investigations against the subject, resolution was achieved in 481 days, on average. Over the same period, cases involving CMOS were resolved in an average of 405 days for disciplinary matters that did not have parallel criminal investigations and 477 days for disciplinary matters that did involve a parallel criminal investigation. The following chart disaggregates the average number of days from when charges were preferred to when the Police Commissioner endorsed the final decision, for UMOS and CMOS in criminal and non-criminal cases in 2022, 2023, and 2024.

Average Days from Charges Preferred to Police Commissioner's Endorsement

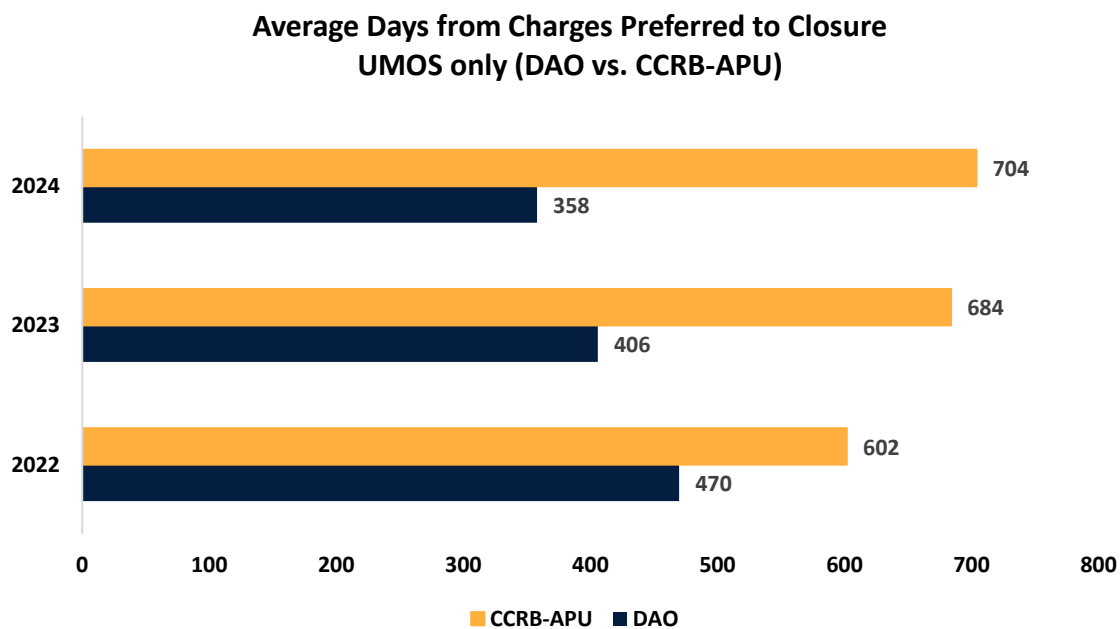


The decrease in resolution time for cases prosecuted by the DAO is somewhat attributed to the expanded use of the Schedule "C" Command Discipline,⁹ which the DAO may administer in lieu of charges and specifications, ultimately reducing the caseload. Cases adjudicated in this manner have been removed, as well as cases where charges and specifications were dismissed, as these no longer fit the criteria.

⁹Examples: Criminal association, accidental firearm discharge, failure to safeguard firearm resulting in loss.

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Case resolution times for UMOS can be further disaggregated by prosecuting agency. The following chart shows the average number of days from the date charges were served on a UMOS to the date the case was closed via the Police Commissioner's endorsement. As CCRB-APU can only prosecute UMOS, CMOS have been removed from the DAO data. The data includes the administrative time DAO requires to review CCRB charges—typically five to seven calendar days after receipt of the specifications and charges.

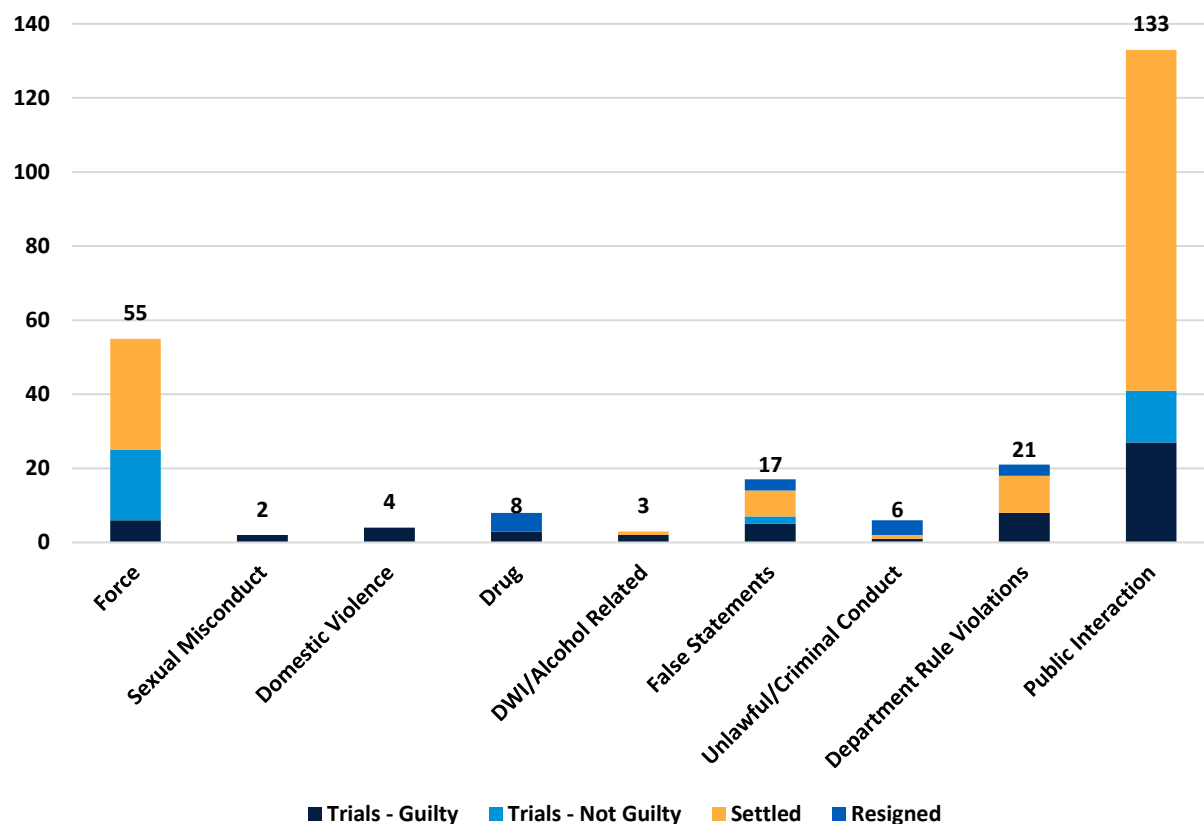


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Trial Dispositions

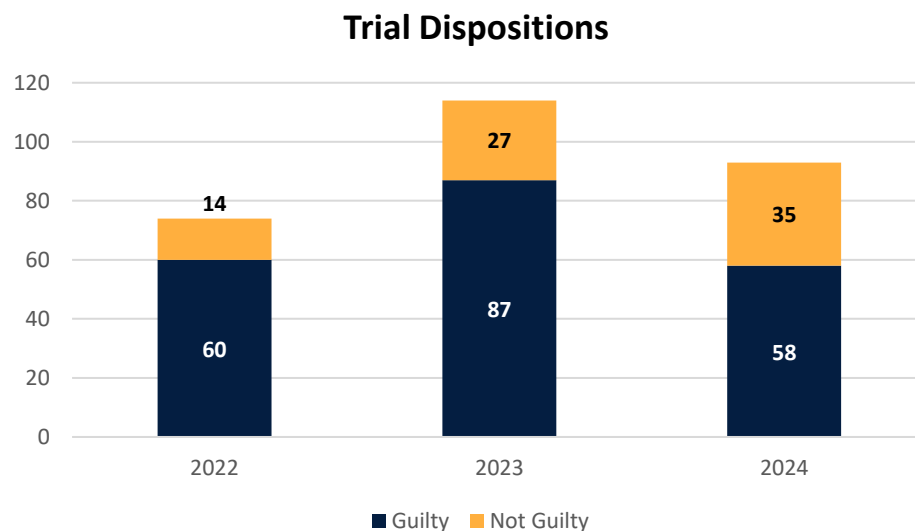
If an MOS elects to have a Department trial, the DCT is responsible for administering the Department trial in accordance with applicable laws, regulations, and policies. The prosecuting entity is either the CCRB-APU or the DAO. In 2024, 231 new disciplinary matters were filed with the DCT; 234 disciplinary matters were closed by DCT. As noted before, the closing of disciplinary matters may transcend calendar years. On average, these disciplinary matters were on the DCT's docket for 92 days. The average length of time it took trial judges to issue a written report and recommendation to the Police Commissioner following the conclusion of a trial was 29 days. For all disciplinary matters submitted by the DCT to the Police Commissioner in 2024, there were 93 trial dispositions and 141 settlements. There were a further 15 cases where an officer resigned while the case was still active.

2024 Trial Outcomes



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In 2024, the number of disciplinary matters concluded at trial decreased by 18.4% from 2023 (93 vs. 114).¹⁰ Trial dispositions are counted in the year the trial concluded as opposed to the year when the misconduct occurred. The 58 cases with a guilty conviction are in line with historic values reported in other years, except in 2023 which followed the large disciplinary intake from 2022. For all 2024 trials, there was an overall conviction rate of 62.4%, which includes findings and mitigated pleas.



¹⁰ Trial events may encompass more than one disciplinary case.

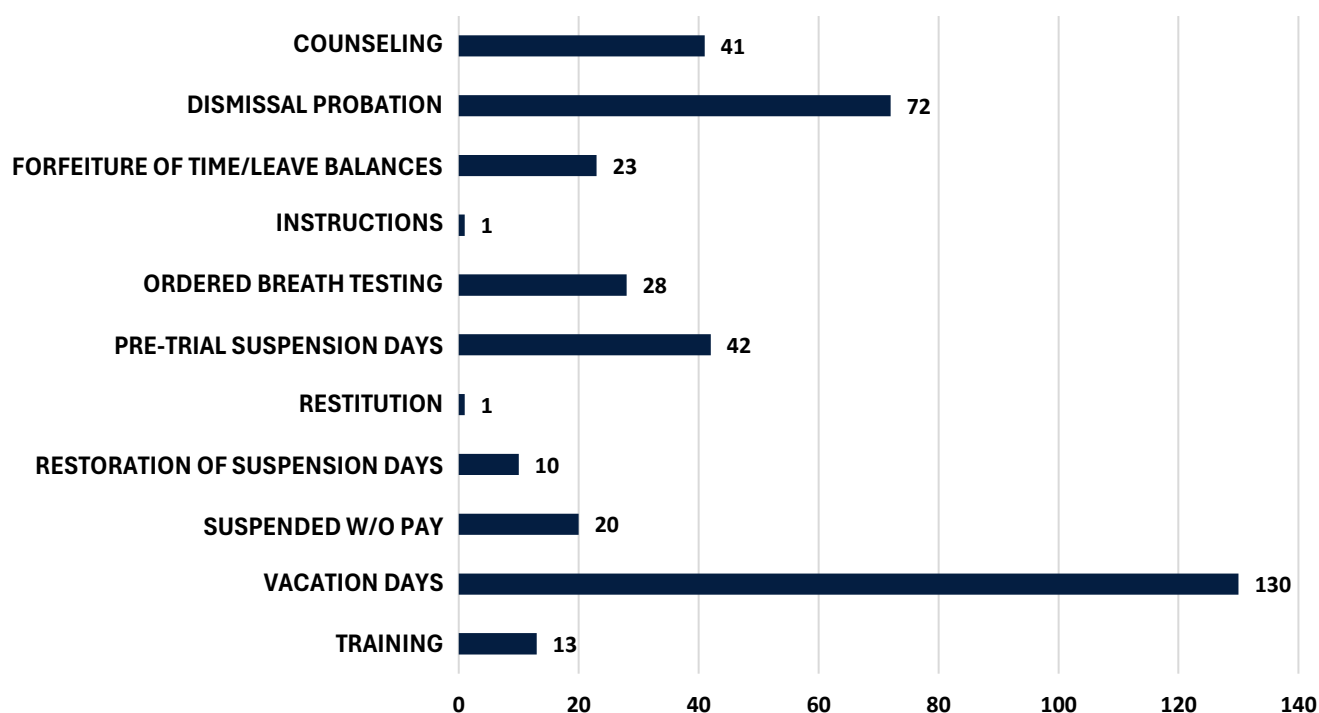
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Penalties

2024 Closed Cases

In 2024, 380 cases with charges preferred against UMOS were adjudicated with an actionable outcome. Each of these cases potentially had more than one set of charges. It should be noted that although the cases were closed in 2024, it does not necessarily mean the cases originated in 2024. The following chart illustrates categories of outcomes, including penalties, associated with these closed cases (less separations). The chart does not include cases where charges were ultimately dismissed regardless if any penalty was imposed as part of a plea.

**2024 UMOS Closed Case Outcomes
(less Separations)**



The above chart shows a count of how many times each type of outcome was imposed. It should be noted that often more than one type of outcome may be associated with a single case. A case may have a penalty such as a suspension followed by another non-punitive outcome such as counseling. As such, the outcomes count is higher than the cases count.

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Penalty Days in Disciplinary Cases

In 2024, suspension days¹¹ decreased by 30.3% from 2023 while vacation days taken increased by 5.6%. The significant reduction in suspension days led to an overall penalty days taken decrease of 5.4% from 2023. The following graph is an aggregate of all penalty days (i.e., suspension, pre-trial suspension, and vacation days) that were taken by year.



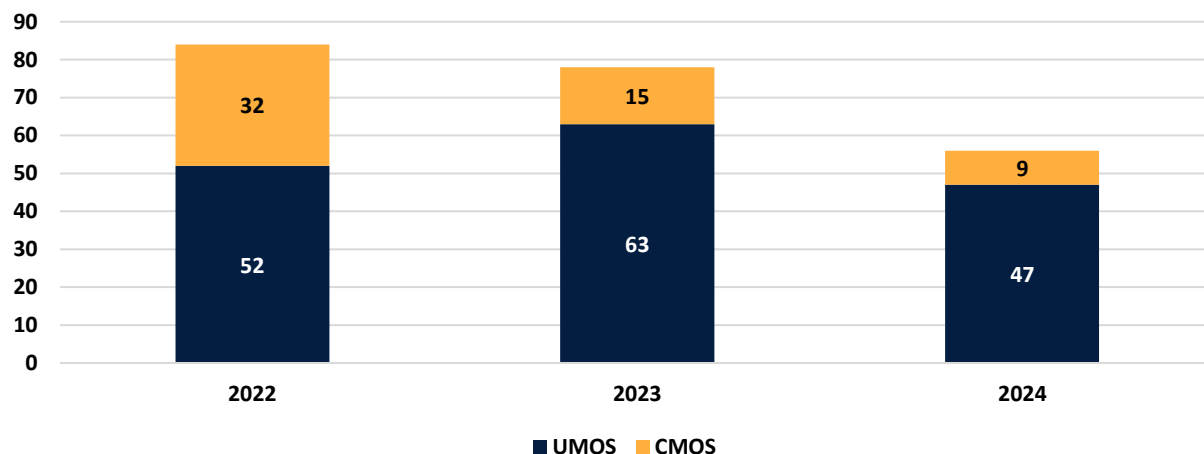
¹¹ This includes days on suspension without pay and pre-trial suspension days for all MOS.

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Separations

The Department forcefully separated 56 MOS in 2024, a decrease of 29.5% compared to the 78 separated in 2023. Fewer UMOs and fewer CMOS were forcefully separated. Separations include termination after a Department trial, final order of dismissal (e.g. felony conviction), dismissal while on probationary status, dismissal while on dismissal probation upon a new disciplinary matter, and forced separation as part of a disciplinary plea.

Forced Separations by Calendar Year

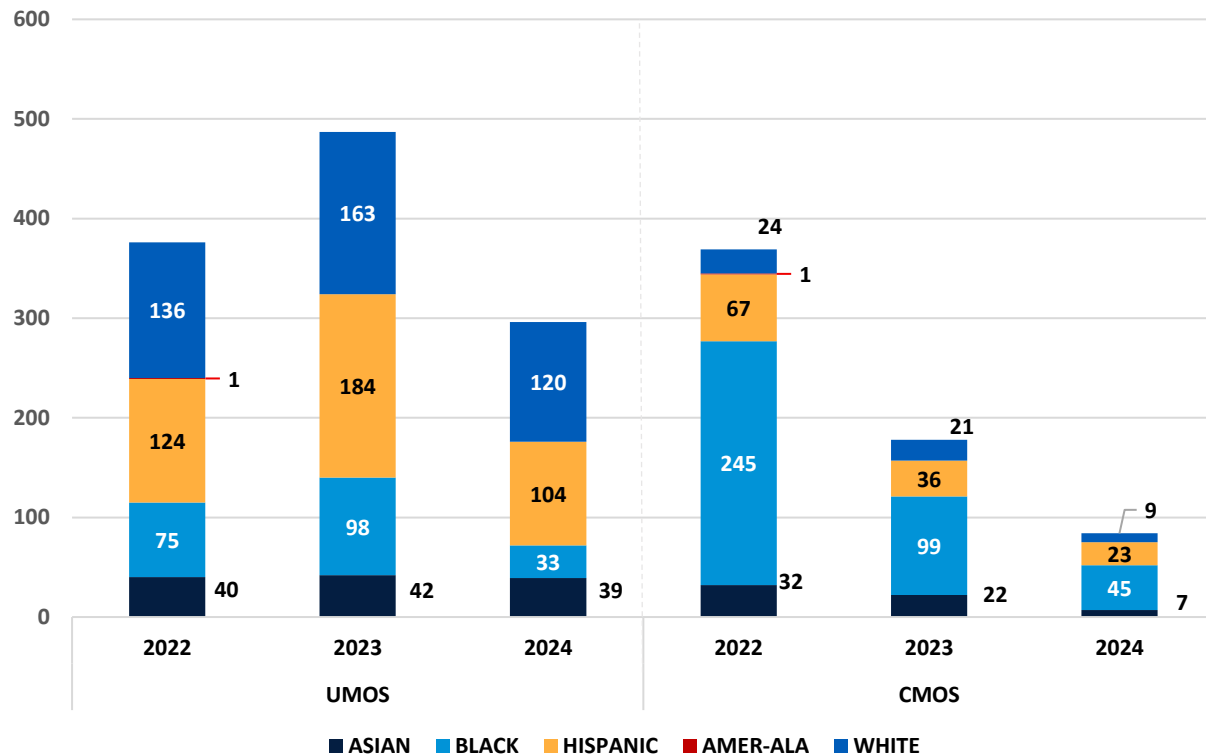


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Personnel Demographics

The following data illustrates disciplinary cases with charges preferred that resulted in a formal outcome, separated by personnel demographics. A case may have more than one charge associated with it and is counted in the year in which the case is closed, as cases may span more than one calendar year. A respondent may have more than one case.

Demographics of MOS: Adjudicated Disciplinary Cases



The following table depicts the total number of UMOs in the Department by race, the percentage of UMOs that race represents within the Department, the number of individual closed cases with charges preferred associated with a member of that race, and the percentage that group makes up of total closed cases resulting in formal outcomes.

UMOS 2024 Adjudicated Disciplinary Cases by Race				
Race	# of UMOs	% of UMOs	# of Closed Cases	% of Closed Cases
White	13,499	40.0%	120	40.5%
Black	5,525	16.4%	33	11.1%
Hispanic	10,878	32.3%	104	35.1%
Asian-Amer/Pac-Isl	3,779	11.2%	39	13.2%
Amer-Ind/Alaskan	24	0.1%	0	0.0%
Total	33,705	100.0%	296	100.0%

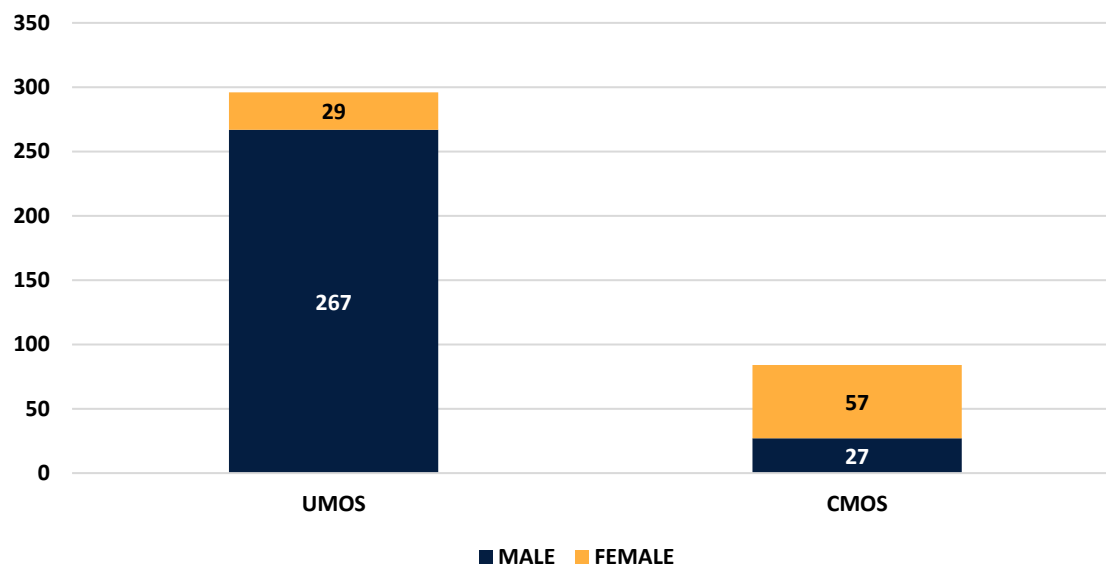
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The following table depicts the total number of CMOS in the Department by race, the percentage of CMOS that race represents within the Department, the number and percent of individual closed cases with charges preferred associated with a member of that race, and the percentage that group makes up of total closed cases resulting in a formal outcome.

CMOS 2024 Adjudicated Disciplinary Cases by Race				
Race	# of CMOS	% of CMOS	# of Closed Cases	% of Closed Cases
White	2,399	14.7%	9	10.7%
Black	7,497	46.1%	45	53.6%
Hispanic	3,700	22.7%	23	27.4%
Asian-Amer/Pac-Isl	2,638	16.2%	7	8.3%
Amer-Ind/Alaskan	46	0.3%	0	0.0%
Total	16,280	100.0%	84	100.0%

In 2024, male UMOs constituted 90.2% of the closed disciplinary cases with charges preferred that resulted in a formal outcome. Males comprise 78.9% of all UMOs. In juxtaposition to UMOs, females made up the majority, 67.9%, of disciplinary cases with charges preferred that resulted in a formal outcome involving CMOS. Females comprise 65.8% of all CMOS.

Gender of MOS: Adjudicated Disciplinary Cases



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The following table depicts the total number of UMOS in the Department by gender, the percentage of UMOS represented by that gender, the number of individual disciplinary cases with charges preferred that resulted in a formal outcome associated with a member of that gender, and the percentage each gender makes up of the closed cases.

UMOS 2024 Adjudicated Disciplinary Cases by Gender				
Gender	# of UMOS	% of UMOS	# of Closed Cases	% of Closed Cases
Male	26,595	78.9%	267	90.2%
Female	7,080	21.0%	29	9.8%
Non-Binary	14	0.05%	0	0.0%
Unspecified	16	0.05%	0	0.0%
Total	33,705	100.0%	296	100.0%

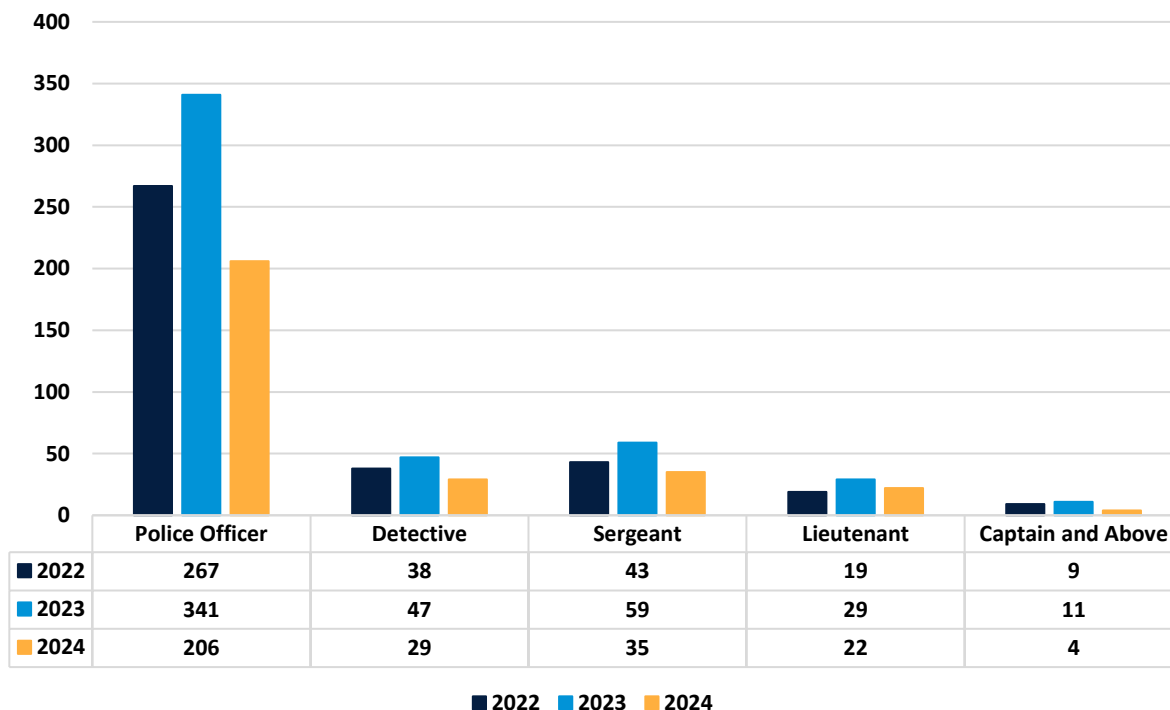
The following table depicts the total number of CMOS in the Department by gender, the percentage of CMOS represented by that gender within the Department, the number of individual disciplinary cases with charges preferred that resulted in a formal outcome associated with a member of that gender, and the percentage each gender makes up of the closed cases.

CMOS 2024 Adjudicated Disciplinary Cases by Gender				
Gender	# of CMOS	% of CMOS	# of Closed Cases	% of Closed Cases
Male	5,568	34.2%	27	32.1%
Female	10,709	65.8%	57	67.9%
Non-Binary	1	0.0%	0	0.0%
Unspecified	2	0.0%	0	0.0%
Total	16,280	100.0%	84	100.0%

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In 2024, UMOS in the rank of police officer comprised 71.3% of the UMOS who had disciplinary cases with charges preferred that resulted in a formal outcome. This is consistent with 2022 and 2023 (71.0% and 70.0%, respectively).

Rank of UMOS: Adjudicated Disciplinary Cases



The following table depicts the number of uniformed members by rank, the number of individual closed disciplinary cases with charges preferred that resulted in a formal outcome with a member of that rank, and percentage that group makes up of the closed cases.

2024 UMOS Adjudicated Disciplinary Cases by Rank				
Rank	# of UMOS	% of Total UMOS	# of Closed Cases	% of Closed Cases
Captain and Above	781	2.3%	4	1.4%
Lieutenant	1,740	5.2%	22	7.4%
Sergeant	4,489	13.3%	35	11.8%
Detective	5,267	15.6%	29	9.8%
Police Officer	21,428	63.6%	206	69.6%
Total	33,705	100.0%	296	100.0%

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Appendix

Glossary of Terms

Charges and Specifications: Formal discipline. Outcomes range from additional training to termination. “Charges preferred” refers to a member of the service being served with charges and specifications in a disciplinary matter.

CCRB: The New York City Civilian Complaint Review Board (CCRB) is an independent oversight agency. It is empowered to receive, investigate, mediate, hear, make findings, and recommend action on complaints against New York City UMOS alleging the use of excessive or unnecessary force, abuse of authority (which includes bias-based policing and racial profiling), discourtesy, the use of offensive language, or untruthful statements. The Board’s investigative staff, composed entirely of civilian employees, conducts investigations in an impartial fashion. The Board forwards its findings to the Police Commissioner.

CCRB-APU: On April 2, 2012, the Department and the CCRB signed a memorandum of understanding (MOU) which conferred on the CCRB the power to prosecute substantiated cases where the board recommended charges and specifications. As a result, the CCRB’s Administrative Prosecution Unit (APU) now prosecutes nearly all these cases, with limited exceptions.

Department Advocate’s Office: The Department’s bureau composed of attorneys and UMOS responsible for analyzing and prosecuting disciplinary matters involving members of the service.

Disciplinary System Penalty Guidelines/Discipline Matrix: An array of disciplinary charges correlated with defined penalties utilized by the Department and the CCRB.

Dismissal: A penalty (ordered by the Police Commissioner) of forced separation without a trial (i.e., a member is convicted of a felony, commits certain infractions or is arrested while on probation/dismissal probation).

Forced Separation: The Police Commissioner, upon a finding or admission of wrongdoing in a disciplinary matter, may require that a member of the service separate (resignation, service retirement, or vested interest retirement) from the Department, in lieu of termination, as part of a negotiated settlement agreement. Forced separation may also include the forfeiture of penalty days, all time and leave balances, and any terminal leave to which the member of the service may be entitled. In certain circumstances, a member of the service who is forcefully separated may be entitled to all or part of their accrued pension benefits in accordance with local law and New York State pension laws.

Penalty Days: The term penalty days refers to the forfeiture of vacation days and/or the imposition of suspension without pay for a specified time period. The decision to suspend, deduct vacation days, or impose a combination of both, is based upon the severity of the misconduct along with any relevant aggravating and mitigating factors. For some of the most serious categories of misconduct in the Discipline Matrix, suspension has been identified, in whole or in part, as the presumptive penalty. A member of the service who is found guilty after an administrative hearing may be suspended without pay for a period

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not exceeding 30 days for any offense. A member of the service may agree to a longer term of suspension as part of a negotiated settlement agreement. If a member of the service was immediately suspended from duty during the pendency of an investigation, the forfeiture of suspension days, imposed prior to the disposition of the case, may be applied as part of the final disciplinary penalty. When the deduction of vacation days is the imposed penalty, a member of the service may elect suspension in lieu of vacation days if consistent with the needs of the Department.

Separations: Includes both “Forced Separations” and “Terminations” as defined in this glossary.

Termination: The Police Commissioner, upon a finding or admission of wrongdoing in a disciplinary matter, has the authority to dismiss a member of the service from their employment with the Department. Additionally, upon criminal conviction of a felony, or a misdemeanor that constitutes a violation of a member’s oath of office, the member vacates their civil service title and is terminated as a matter of law. A member of the service who is terminated may be entitled to all or part of their accrued pension benefits in accordance with local law and New York State pension laws.

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Deviation Letters

THE POLICE COMMISSIONER
CITY OF NEW YORK**MEMORANDUM IN SUPPORT OF NYPD'S DEVIATION FROM THE
DISCIPLINARY SYSTEM PENALTY GUIDELINES**

Re: Disciplinary Case No. 2022-27279 regarding Police Officer Kimberly Lucas

Date: May 10, 2024

The facts and circumstances presented in the Report and Recommendation from Assistant Deputy Commissioner of Trials, Anne E. Stone, have been carefully considered. In this matter, while I agree with the findings, I do not agree with the proposed penalty recommendation of separation from the Department.

Police Officer Kimberly Lucas pled guilty to possessing and submitting fraudulent COVID vaccine cards to the Department, and providing a false statement regarding her vaccine status during an official department investigation, thereby impeding an investigation.

I measured several factors against the proposed penalty recommendation. At the time of the incident, Police Officer Lucas had fulfilled nine years of exemplary service in the rank of police officer, with favorable performance evaluations and no formal disciplinary history. In addition, I considered Police Officer Lucas' accomplishments, which consisted of receiving several medals for meritorious police duty and for excellent police duty.

While I am aware that Police Officer Lucas' length of service and excellent career history does not excuse the above misconduct, it may be utilized to mitigate the penalty. As part of the mitigated penalty, I will impose a period of dismissal probation, in addition to penalty days, to ensure that Police Officer Lucas is properly monitored and evaluated. In summary, under these circumstances, a significant loss of penalty days, as well as a period of monitoring, would appropriately penalize Police Officer Lucas for her misconduct while recognizing the mitigating information presented at the hearing.

Therefore, Police Officer Lucas shall forfeit eight-five (85) vacation days and be placed on one (1) year dismissal probation, as a disciplinary penalty.

A handwritten signature in dark ink, reading "Edward A. Caban".

Edward A. Caban
Police Commissioner