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**\*\*\*FOR IMMEDIATE RELEASE\*\*\***

## ***Legal Aid Releases Letter on NYPD Commissioner Sewell's Misrepresentations of Department Discipline at Recent City Council Hearing***

(NEW YORK, NY) - The Legal Aid Society released a [letter](#) today in response to multiple misrepresentations made by New York City Police Department (NYPD) Commissioner Keechant Sewell and Deputy Commissioner Amy Litwin at a March City Council hearing regarding the Commissioner's [deviations](#) from New York City Civilian Complaint Review Board (CCRB) discipline recommendations.

The misleading statements Legal Aid addresses include:

- the NYPD's spurious claim that decisions to depart from CCRB discipline recommendations based on statute of limitations concerns are not "departures";
- the NYPD's claim that the CCRB failed to meet a "cutoff" time in many cases when, in fact, the NYPD appears to have unilaterally created the notion of a "cutoff" as a post-hoc justification;
- the NYPD misleading the City Council by failing to acknowledge that it can impose some discipline in every case, regardless of the statute of limitations;
- the NYPD's failure to acknowledge its own culpability for delayed investigatory timelines.

"The NYPD's attempt to deflect from its failure to impose meaningful discipline in hundreds of instances of substantiated officer misconduct by relying on misleading statements underscores the urgent need for fundamental change to the NYPD disciplinary process. It also demonstrates a lack of respect for both the City Council and the role of the CCRB in the discipline process," said **Maggie Hadley, legal fellow in the Criminal Defense Practice's Special Litigation Unit at The Legal Aid Society.**

### **Background**

The past March, Legal Aid released an [analysis](#) of New York City Civilian Complaint Review Board (CCRB) data and reports and documents obtained via Freedom of Information Law request, which revealed that New York City Police Department (NYPD) Commissioner Keechant Sewell set aside or modified CCRB discipline recommendations on at least 425 civilian complaints in 2022, hundreds higher - 346 - [than previously disclosed](#) by the NYPD last December.

The analysis revealed that Commissioner Sewell allowed the statute of limitations to expire for hundreds of cases where the CCRB recommended discipline without providing a publicly available “departure letter” explaining her decision to not discipline officers. For the small subset of cases where Commissioner Sewell did explain her reasons for departing from the CCRB’s disciplinary recommendation, she displayed a disregard for civilian oversight, independent factual findings, and the stated goals of the NYPD’s Disciplinary Matrix.

Following Commissioner Sewell’s December 2022 [announcement](#) to NYPD members of service that she departed from CCRB recommendations “over 70 times” that year, Legal Aid began a review of the [departure letters published on the CCRB’s website](#). Departure letters are required explanations of the Commissioner’s decision to depart from the disciplinary recommendation of the CCRB or the mitigated penalty prescribed in the NYPD’s Disciplinary Matrix.

Legal Aid’s review of the Commissioner’s departure letters for these cases revealed a tendency to reject independent findings of fact reached after thorough investigation and a clear disregard for principles set out in the NYPD’s disciplinary matrix, including the principle of progressive discipline, where officers are disciplined more severely for repeated misconduct.

An analysis of other publicly available CCRB data revealed an additional 346 instances in which Commissioner Sewell refused to discipline officers found guilty of misconduct by the CCRB and did not write a departure letter explaining why.

More information: <https://tinyurl.com/bdd3c8hv>.

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*The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 145 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. [www.legalaidnyc.org](http://www.legalaidnyc.org)*