Preserving Police Services In Tough Fiscal Times

A Report of the Citizens Budget Commission

December 2002

Foreword

Founded in 1932, the Citizens Budget Commission (CBC) is a nonpartisan, nonprofit civic organization devoted to influencing constructive change in the finances and services of New York State and New York City governments. This report was prepared under the auspices of the CBC's Technology and Public Services Committee, which we co-chair. The other members of the Committee are: Paul F. Balser, Marc H. Bell, Alan M. Berman, Mark Brossman, Lawrence B. Buttenwieser, Morton Egol, Kenneth D. Gibbs, Peter C. Hein, Brian T. Horey, Jerome E. Hyman, David B. Kelso, Barbara Shattuck Kohn, Hugh R. Lamle, James L. Lipscomb, Stanley Litow, William F. McCarthy, Frank J. McLoughlin, David I. Moskovitz, Steven M. Polan, Jules Polonetsky, Carol Raphael, Edward L. Sadowsky, Lee S. Saltzman, Larry A. Silverstein, Joan Steinberg, Robert W. Strickler, Robert V. Tishman, W. James Tozer, Jr., Ronald G. Weiner, Howard Wilson, and Eugene J. Keilin, ex-officio.

The Technology and Public Services Committee has a mandate to review the delivery of public services and recommend ways that these services can be delivered more efficiently and effectively. Since 1997 the Committee has emphasized the use of information technology to change the way government operates and improve the productivity of State and City agencies. In 1998 it issued its first report pursuing this theme, *Opportunities to Improve Municipal Revenue Collection by Using Information Technology.* That report identified ways that revenue collection could be simplified in order to save the City administrative costs, and provide even greater savings to private firms and households in reduced time required to file tax forms and other paperwork.

In 2000 the Committee released a review of the New York State Department of Correctional Services, *Making More Effective Use of New York State's Prisons,* which considered alternative sentencing policies as well as technological innovations in prison management. The annual savings from the recommendations in that report were estimated at nearly $100 million.

Also in 2000 this Committee joined forces with the CBC's Budget Policy Committee to issue two reports focusing on the then-current round of collective bargaining between the City and its unions—*Using Collective Bargaining to Improve Public Education* and *The Citizens' Stakes in Collective Bargaining.* While examining a wide range of measures to improve productivity, these reports recommended bargaining strategies that would facilitate technological changes to make possible the Commission's goal of a smaller and better-paid municipal workforce.

As the City's fiscal situation deteriorated in 2001 and 2002, the need for a more efficiently managed municipal budget became more urgent. In response, the Committee embarked on a research plan to identify significant opportunities to increase productivity and efficiency in the City's operations.

This research plan has led to five projects in 2002 to assist the City to develop a plan to improve productivity in all City agencies. First, the Committee released a report outlining how better use of information technology and other changes could save the City $200 million per year by streamlining the procurement process. That report, *No Small Change: Opportunities for Streamlining Procurement in New York City*, appears to have helped spawn a Mayoral procurement reform initiative in fiscal year 2003.

This report addresses the opportunity to preserve police services in the face of New York City's difficult fiscal situation. Addressing staffing inefficiencies at the New York City Police Department would enable the Department to maintain the level of enforcement that has helped reduce crime and improve New York City's quality of life, while contributing to the City's gap-closing program.

The remaining three projects on the Committee's agenda address reform of the City's special education programs, extension of the workweek for civilian employees, and energy conservation among municipal agencies. These reports have been prepared in conjunction with a December 2002 conference organized by the Citizens Budget Commission to help the City of New York develop policies to balance its budget. The conference and related material were made possible by generous support from the Charles H. Revson Foundation, the Rockefeller Foundation, and the Nathan Cummings Foundation. The views expressed are solely the responsibility of the Commission.

Douglas Offerman, Senior Research Associate, prepared this report. Charles Brecher, Director of Research, provided editorial assistance. Nikki Macdonald, Publications Coordinator, prepared the report for publication. An electronic version of the report is available on the CBC's website at www.cbcny.org.

The Commission thanks the following, who reviewed drafts of this report, for their helpful comments: Preston Niblack, Bernard O'Brien, and Thomas Reppetto. Their willingness to review the report does not necessarily represent endorsement of the recommendations. The Office of Payroll Administration was helpful in providing data on staff and salary at the Department.

Bud H. Gibbs
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December 2, 2002

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Executive Summary

The City of New York is facing hard times. Its budget is precariously balanced in this fiscal year following a substantial mid-year revision to close a $1 billion gap, and the Mayor and City Council must close unprecedented gaps in each of the next three fiscal years.

In these difficult times, the uniformed services will be under fiscal scrutiny. The four uniformed departments—Police, Fire, Correction and Sanitation—were allocated more than 14 percent of the City's current budget. Moreover, these agencies receive relatively little intergovernmental aid. As a consequence, they represent more than one-fifth of all locally funded expenditures.

For the uniformed services, expenditure cuts typically are personnel cuts. Fully 88 percent of their budgets are for personnel, and in the Police Department, the figure is 94 percent. However, less spending need not mean reduced services. Improved productivity can protect services in times of budget cuts. This report focuses on ways the Police Department can maintain services while contributing to gap-closing programs. Three measures are recommended to save a total of $251 million annually.

Background

The background for productivity initiatives in the New York City Police Department (NYPD) has four aspects—the dramatic reduction in crime in recent years, the pattern of management in the Department, the significant increase in resources in the years before the current budget crisis, and other recent developments.

Reductions in Crime. In less than a decade, New York City has become a much safer place. Between 1995 and 2001, murder fell 53 percent, robbery 59 percent and burglary 60 percent. Every category of major crime fell at least 37 percent. In fact, the drop has continued despite the onset of recession and the redeployment of officers to anti-terrorism patrols following the World Trade Center attacks. A full analysis of the causes for this decline is beyond the scope of this report, but virtually all observers agree that local law enforcement leadership and policies deserve a significant share of the credit.

Pattern of Management. Policing New York City is a complex undertaking. At the top of the organization is a Police Commissioner appointed by the Mayor. The NYPD is then divided between "field" bureaus under a Chief of Department, and support and administrative units under a First Deputy Commissioner. A combination of uniformed and civilian employees staff each organizational unit, with law enforcement functions performed exclusively by uniformed officers and administrative functions performed by civilian and uniformed officers. As of June 2002, the NYPD employed 37,055 uniformed officers, 9,213 civilians on full-time schedules, and part-time employees equivalent to 5,372 full-time staff. The NYPD is New York City's second largest agency in terms of employment.

Increased Resources. Through two mayoral administrations—those of David N. Dinkins and Rudolph W. Giuliani—the NYPD enjoyed a favored position. The expense budget for the Police Department increased from an inflation-adjusted $2.7 billion in fiscal year 1993 to $3.7 billion in fiscal year 2002, a growth of 3.4 percent annually.

Much of the new funding was used to increase hiring. The Safe Streets, Safe City initiative raised $1.3 billion for criminal justice beginning in 1990, and helped increase the NYPD's uniformed force from 25,909 in fiscal year 1990 to 30,927 in fiscal year 1994. Funds made available by the 1994 federal Crime Bill allowed the Department to hire 4,000 officers by providing three-year grants of $25,000 annually to offset salary and benefits expenses of each new officer.

The Department also expanded by absorbing law enforcement functions from other agencies. In 1995, the Housing Authority Police Department and the Transit Authority Police Department merged with the NYPD, bringing 7,300 uniformed officers and 460 civilians. In 1996, approximately 1,700 traffic enforcement personnel from the Department of Transportation merged into the NYPD, and in 1998 personnel from the Board of Education's School Safety Division followed.

The Department invested heavily in technology during the 1990s. The best-known NYPD technological innovation is computerized statistics (Compstat), a crime-tracking system instituted in 1994. Compstat is widely credited with enabling police managers to respond to crime in their precincts, and holding them accountable for doing so.

Recent Developments. Recent developments are changing the way the NYPD manages its resources. First, citywide fiscal pressures are reducing the Department's resources. As part of Mayor Bloomberg's financial plan, the NYPD has been asked to cut $231 million in fiscal year 2003 from its budget of $3.5 billion.

Second, hiring is reduced even as the Department experiences a sharp increase in retirements. The NYPD is experiencing a generational shift, as officers hired at the end of the 1970's fiscal crisis have begun reaching the 20-year employment threshold for full pension benefits. In addition, high overtime earning in recent years, particularly as a result of the World Trade Center disaster, are inflating the salary levels—and thus the pension benefits—of retirement-eligible officers, increasing attrition.

Third, staffing levels have also been influenced by the federal Crime Bill, which required the Department to have a staff level of 40,710. Due to its fiscal difficulties, the City received a waiver, which allowed headcount to fall to 39,110. The Mayor's most recent plan calls for further reductions.

Fourth, the responsibilities of the NYPD have grown since the World Trade Center disaster to include enhanced anti-terrorism functions.

Recommendations

As the City weathers more difficult fiscal times, limited resources could make the Police Department less effective. However, the Department can follow three strategies to protect public safety in a time of declining resources.

1. Reschedule police officers' workday to increase time in law enforcement and decrease time for changing uniforms.

One way of improving productivity is to increase the availability of officers to perform their work. In NYPD jargon, an officer who works a tour of duty is making an "appearance." Current collective bargaining agreements, which govern police officers' schedules, reduce the availability of officers by limiting their number of appearances.

Police officers work in shifts of 8 hours and 35 minutes. The 8 hours typically are spent in law enforcement, the 35 minutes overlap their colleagues' shifts and are for briefings and changing clothes. Reducing the overlapping time to 15 minutes for briefings and making the changing time available for law enforcement would create the equivalent of 10 more working days for each officer without increasing the total time worked in a year.

At current staff levels, ten additional appearances per year would be the equivalent of making available 1,083 additional officers. At current salary and fringe benefit rates, the Department could save $67.3 million annually by using this time to offset new hires.

2. Reassign police officers from jobs better done by civilians to law enforcement duties.

When a police officer does a job that a civilian can perform, the cost is higher because civilians' wages are less. Hiring civilians to fill positions needlessly held by uniformed officers, and shifting these uniformed officers into enforcement positions, called "civilianization," would save money. Numerous reports during the last ten years have identified opportunities for civilianization at the NYPD, including the Department's own 1990 study showing that 1,626 positions could be civilianized. Mayor Bloomberg's 2003 adopted budget contained a plan to civilianize 800 positions, but the likelihood of the plan's fulfillment appears slim.

Efforts at civilianization often have failed because police leaders want to keep a substantial number of assignments with limited risk available to officers as a type of reward or as a temporary assignment. In addition, calls for civilianization are often loudest during times of financial distress, but political leaders have difficulty explaining to the public why more is being spent on civilians at the same time that less is being spent to hire police officers.

Currently, more than 4,700 uniformed officers are assigned to non-enforcement positions. If one-third of these positions were civilianized, the Department could save $46 million annually. In addition the number of officers needed to maintain the City's "operational strength," a measure of law enforcement-related assignments, is smaller than the number of officers in that pool. About 2,300 officers may represent additional civilianization opportunities. If one-third of these positions were civilianized, the Department could save another $21 million annually.

3. Stop using officers on overtime to perform duties that are predictable and could be scheduled in advance.

The Police Department's overtime expenses rose from an inflation-adjusted $114 million in fiscal year 1995 to $353 million in fiscal year 2001. In fiscal year 2002, overtime rose to $610 million, with $347 million not related to the attacks on September 11, 2001.

Overtime spending raises the unit cost of services, wasting funds that would otherwise be available for other priorities. Moreover, paying overtime raises the cost of fringe benefit expenses that are calculated as a proportion of salary. The added fringe benefit costs due to overtime were $91 million in fiscal year 2001 and $162 million in 2002. Moreover, overtime earnings inflate the future cost of providing pension benefits for retiring workers.

Overtime should be avoided as a means of staffing work that can be anticipated and planned. Rather than using overtime to staff only unforeseen needs, the Department relies on overtime for routine police work. In three major categories the Department could reduce overtime spending significantly.

In fiscal year 2002, the NYPD spent $125 million on "events," a category of overtime that includes providing security for parades, demonstrations, movie shoots and visiting dignitaries. Many of these events are known in advance, but are staffed using overtime. How can the Department more economically match its personnel with events needs? One way is to establish a "bank" of flexible hours in each uniformed officer's schedule. If approximately ten tours per year were reserved for events, to be scheduled at the discretion of management, the Department would have sufficient flexibility to cover most events. To maintain uniformed staff levels in regular posts during events, additional officers would need to be hired. However, the salary and fringe benefits of newly hired officers would be offset by reduced overtime and associated fringe benefit costs, saving $64 million annually.

"Special programs" consists largely of Operation Condor, an initiative that focuses on misdemeanor drug offenses and quality of life violations. Operation Condor and other special programs can and should be staffed by officers on straight time. Scheduling Condor officers on straight time would save $64 million in overtime wages plus $17 million in fringe benefit expenses. To cover for officers diverted to Condor assignments, the Department would need to hire about 996 officers. Salary and fringe benefits for these new officers would be $48 million, resulting in a net savings of $33 million.

Police officers generated about $50 million in "new arrests" overtime in fiscal year 2002 because the processing of arrests made during their scheduled tour of duty extended beyond the end of that tour. Partly through new technologies introduced during the 1990s, the average time between arrest and complaint sworn fell from 14 hours in fiscal year 1995 to 7.5 hours in 1998. Since then it has risen from 8.2 in 1999 to 9.4 in 2002. The Department should redouble its efforts to reduce new arrests overtime through productivity-enhancing technologies. If the Department reduced new arrests overtime by one-third, it would save nearly $21 million.

Introduction

The City of New York is facing hard times. Its budget is precariously balanced in this fiscal year following a substantial mid-year revision to close a $1 billion gap, and the Mayor and City Council must close unprecedented gaps in each of the next three fiscal years.

In these difficult times, the uniformed services will surely be under fiscal scrutiny. As shown in Table 1, the four uniformed departments were allocated over $6.3 billion in fiscal year 2003, more than 14 percent of the City's total budget. Moreover, these agencies receive relatively little intergovernmental aid. As a consequence, they represent more than one-fifth of all locally funded expenditures.

Table 1
City of New York
Uniformed Services Expenditures and Employees
Fiscal Year 2003 Adopted Budget
(dollars in thousands)

	Total Expenditures	City-Funded Expenditures	Percentage City Funded	Full Time Employees	Personnel Expenditures	Personnel Expenditures as Percentage of Total
Uniformed Services - Total	**$6,338,287**	**$5,913,809**	**93.3%**	**83,920**	**$5,573,680**	**87.9%**
Police Department	3,358,563	3,108,706	92.6%	46,039	3,157,063	94.0%
Fire Department	1,075,019	986,755	91.8%	15,632	990,153	92.1%
Correction Department	924,076	870,662	94.2%	12,491	811,496	87.8%
Sanitation Department	980,629	947,686	96.6%	9,758	614,968	62.7%
New York City Total	**$43,918,171**	**$29,256,617**	**66.6%**	**249,466**	**$22,954,857**	**52.3%**
Uniformed Services as Percent of Total	**14.4%**	**20.2%**		**33.6%**	**24.3%**	

Source: City of New York, Office of Management and Budget, *Adopted Budget and Financial Plan, Fiscal Year 2003* (NY: Office of Management and Budget, June 26, 2002).
Note: City totals adjusted to include Transitional Finance Authority debt service.

Discussion about closing the budget gaps typically focuses on two alternatives: raising taxes and cutting expenditures. For the uniformed services, expenditure cuts inevitably are personnel cuts. Fully 88 percent of their budgets are for personnel, and in the Police Department, the figure is 94 percent. However, less spending need not mean reduced services. Improved productivity can protect services in times of budget cuts. This report focuses on ways the Police Department can maintain services while contributing to gap-closing programs.

Suggestive evidence of the potential for greater productivity is comparative data on spending and employment for police and fire services in New York City and other large U.S. cities. (See Table 2.) Among the 13 cities selected for comparison, New York City ranks fourth in spending per capita for both police and fire services.[1] Its per capita spending for police is 29 percent above the average for these cities, and for fire is 11 percent above that average. In terms

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[1] The 13 cities are an unduplicated list of (a) the ten largest cities in the United States, and (b) the central city of the ten largest metropolitan areas of the United States. Citizens Budget Commission, *New York's Competitiveness: A Scorecard for 13 U.S. Metropolitan Areas* (NY: Citizens Budget Commission, July 2001).

of employment relative to population, policing in New York City ranks second, with 625 employees per 100,000 residents, 46 percent above the big-city average. Fire protection services in New York City rank fourth in employment, 14 percent above that average. Relatively high spending and staffing may produce better services in New York, but it also suggests New York may be less efficient than other big cities.

Table 2
Large City Spending on Police and Fire Services
New York City vs. Other Major Cities
Fiscal Year 1999

| | Police Protection | | | | Fire Protection | | | |
| | Spending per Capita | | Employees per 100,000 Residents | | Spending per Capita | | Employees per 100,000 Residents | |
	Amount	Rank	Number	Rank	Amount	Rank	Number	Rank
Boston	$375	3	493	5	$198	1	297	1
Chicago	$336	5	598	3	$94	7	177	7
Dallas	$178	11	305	10	$86	10	155	9
Detroit	$294	6	480	6	$100	6	183	6
Houston	$191	9	382	7	$102	5	188	5
Los Angeles	$245	8	339	9	$85	11	87	12
New York City	**$364**	**4**	**625**	**2**	**$128**	**4**	**199**	**4**
Philadelphia	$273	7	538	4	$90	8	165	8
Phoenix	$168	12	280	11	$88	9	111	11
San Antonio	$137	13	216	13	$79	12	123	10
San Diego	$184	10	227	12	$78	13	82	13
San Francisco	$387	2	351	8	$195	2	210	3
Washington	$527	1	728	1	$177	3	279	2
Mean	**$282**		**428**		**$115**		**174**	

Sources: U.S. Census Bureau, Local Government Finances, Individual Unit File, 1999 data, <http://www.census.gov/govs/www/estimate99.html>; U.S. Census Bureau, Local Government Employment and Payroll, Individual Unit File, 1999 data, <http://www.census.gov/govs/www/apesloc.html>; U.S. Census Bureau, Metropolitan Area Population Estimates, 2000 data, <http://factfinder.census.gov/ servlet/BasicFactsServlet>.

The remainder of this report focuses on ways to make New York City's police services more efficient. In a 2000 report, the Citizens Budget Commission identified five ways to save a total of more than $170 million in the New York City Fire Department.[2] The following sections describe the New York City Police Department's (NYPD's) operations and present three recommendations to save an estimated $251 million annually.

Background

The NYPD's mission is to "reduce crime, disorder and the fear that these problems generate."[3] This involves providing a range of services. It responds to crimes that have been committed, assists the victims and pursues the perpetrators. The Department also patrols neighborhoods to prevent crime, supervises public events to ensure order, and enforces traffic safety rules.

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[2] Citizens Budget Commission, *The Citizens' Stakes in Collective Bargaining* (NY: Citizens Budget Commission, December 2000), pages 34 – 39.

[3] City of New York, Mayor's Office of Operations, *Mayor's Management Report, Fiscal 2001*, Volume 1, Agency Narratives (NY: Mayor's Office of Operations, September 13, 2001).

The current context for productivity initiatives has four important aspects. First is the dramatic reduction in crime in recent years. Second is the pattern of management in the Department, particularly its allocation of uniformed staff. Third is the significant and sustained increase in resources in the years before the current budget crisis. Fourth are some recent developments in staffing, federal funding and operational requirements.

Dramatic Fall In Crime

In less than a decade, New York City has become a much safer place. There is no accurate means of identifying all crimes within a jurisdiction. Total crime consists of both reported and unreported crimes, but substantial evidence indicates that local crimes have fallen sharply.

The most important category of crime is serious felonies. These are violations of State law that require sentencing to terms of imprisonment in a State prison in excess of one year. The State tracks seven felonies that comprise the Federal Bureau of Investigation's crime "index." Four are violent crimes, and three are property-related. In New York City these index crimes have fallen rapidly. (See Table 3.) Between 1995 and 2001, murder fell 53 percent, robbery 59 percent and burglary 60 percent. Every category of index crime fell by at least 37 percent.

Table 3
New York City Police Department
Reported Major Felony Crimes
Fiscal Years 1995 to 2002

	1995	1996	1997	1998	1999	2000	2001	2002
Major Felony Crime	343,867	293,874	246,117	227,773	202,106	187,181	172,731	156,559
Violent Crime	106,301	93,127	78,198	74,010	67,504	61,834	56,610	50,240
Murder	1,304	1,105	829	673	661	671	626	607
Forcible Rape	2,625	2,330	1,993	1,996	1,653	1,462	1,398	1,288
Robbery	64,513	56,768	45,162	41,792	37,514	34,045	29,787	26,783
Felonious Assault	37,859	32,924	30,214	29,549	27,676	25,656	24,799	21,562
Property Crime	237,566	200,747	167,919	153,763	134,602	125,347	116,121	106,319
Burglary	81,674	69,956	57,181	52,053	43,751	39,176	34,968	32,310
Grand Larceny	72,375	63,152	56,619	53,500	50,812	48,818	48,747	45,362
Grand Larceny Auto	83,517	67,639	54,119	48,210	40,039	37,353	32,406	28,647

Source: City of New York, Mayor's Office of Operations, *Mayor's Management Report* (NY: Mayor's Office of Operations, 1995 to 2002 editions).
Notes: Major felony crime reported in the Mayor's Management Report reflects New York State definitions of major index crimes, rather than FBI index crime definitions.

The latest data show that index crimes fell 9.4 percent between fiscal year 2001 and 2002.[4] The fall in major felonies has continued despite the onset of recession and the redeployment of officers to anti-terrorism patrols following the World Trade Center attacks.

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[4] City of New York, Mayor's Office of Operations, *Mayor's Management Report, Fiscal 2002* (NY: Mayor's Office of Operations, September 24, 2002).

The reduction in crime and concomitant reduction in fear constitute perhaps the most important quality of life improvement in New York City in decades. A full analysis of the causes for this decline is beyond the scope of this report, but virtually all observers agree that local law enforcement leadership and policies deserve a significant share of the credit.

Managing Police Services

Policing New York City is a complex undertaking. At the top of the organization is a Police Commissioner appointed by the Mayor. The NYPD is then divided between "field" bureaus under a Chief of Department, and support and administrative units under a First Deputy Commissioner. A combination of uniformed and civilian employees staff each organizational unit, with law enforcement functions performed exclusively by uniformed officers and administrative functions performed by civilian and uniformed officers.

As of June 2002, the NYPD employed 37,055 uniformed officers, 9,213 civilians on full-time schedules, and part-time employees equivalent to 5,372 full-time staff. (See Table 4.) The NYPD is New York City's second largest agency in terms of employment.

Table 4
New York City Police Department
Employees by Type
June 2002

	Number	Mean Salary
Uniformed Officers	**37,055**	**$51,240**
Police Officers	23,077	$44,552
Detectives	6,539	$55,113
Sergeants	4,974	$60,819
Lieutenants	1,705	$76,245
Captains	452	$95,222
Inspectors	266	$114,056
Chiefs and Other Senior Ranks	9	$147,121
Surgeons	33	$90,829
Civilian Employees	**14,585**	**$36,380**
Full-Time Employees	9,213	$36,380
Full-Time Equivalent Employees	5,372	NA
Total Employees	**51,640**	NA

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Source: Salary data and uniformed headcount from City of New York, Office of Payroll Administration, as of June 12, 2002; full-time civilian headcount from City of New York, Office of Management and Budget, monthly headcount data as of June 30, 2002; full-time equivalent headcount from City of New York, Office of Management and Budget, *Fiscal Year 2003 Adopted Budget, Full Time Equivalent Staffing Levels* (NY: Office of Management and Budget, June 2002).
NA - not available.

Uniformed and civilian employees are governed by different work rules, pay scales, and career ladders. Uniformed employees are organized in a military command structure. Police officers, the lowest rank, are 62 percent of the uniformed force. Police officers are hired following a civil service test and physical exam and receive specialized training at the Police Academy. The majority of police officers work in patrol activities. Those who work in investigative tasks for 18 months may be promoted to detective rank. Detectives make up 18 percent of uniformed officers and provide specialized investigative skill in following up felony complaints or particular types of violations, such as narcotics or auto crime.

Sergeants, lieutenants, captains and inspectors are supervisory officers and together account for 20 percent of uniformed staff. Civil service examinations determine promotion from police officer or detective into the supervisory ranks of sergeant, lieutenant and captain. Captains who excel may be promoted further to the rank of inspector. Five separate labor unions represent uniformed workers at different ranks: police officers by the Patrolmen's Benevolent Association, detectives by the Detectives' Endowment Association, sergeants by the Sergeants Benevolent Association, lieutenants by the Lieutenants Benevolent Association and captains and inspectors by the Captains Endowment Association. Each of these unions represents only uniformed workers in the NYPD.

The NYPD's 9,213 full-time civilian employees perform administrative and support duties. Civilian workers are represented by several unions, each of which also represents workers in multiple City departments. District Council 37 is the largest such union, representing 8,495 employees, including 4,400 police administrative aides, 1,200 operators for the 911 system, and hundreds of engineers, secretaries, laborers, and computer specialists. Other unions represent smaller civilian titles, including the International Brotherhood of Teamsters, which represents NYPD civilian lawyers, and construction trade unions representing plumbers, carpenters and electricians.

Organizationally, the five field bureaus carry out law enforcement duties under the highest ranking uniformed officer, the Chief of Department. The largest field bureau is Patrol Services, which deploys police officers in 76 precincts largely for patrol duty. Many of these officers staff radio motor patrols, police cars that provide local police presence and respond to emergency calls from the 911 network. Others walk "beats," work in anticrime units or staff fixed posts.

The Detective Bureau consists of detectives, who are distinguished from police officers by their investigative expertise. Detectives are deployed in each precinct, and centralized detective units pursue crimes such as homicide, arson, fraud, or bias incidents that require forensic, technological or other specialized skills. Detectives staff the Department's police laboratory, pursue arrest warrants or missing persons, and oversee terrorism responses. While they are uniformed officers, they typically do not work in uniform.

The Organized Crime Control Bureau employs police officers and detectives in geographic and citywide units that focus on narcotics, firearms and auto crime. Finally, the Transit Bureau and Housing Bureau provide uniformed staffing in the city's subway system and the New York City Housing Authority, respectively.

Support and administrative units report to the First Deputy Commissioner, a civilian. These units provide functions such as personnel, communications, financial management, resource allocation and technology. Each of these units is staffed by a combination of civilian and uniformed employees.

Resources for Public Safety

Through two mayoral administrations—those of David N. Dinkins and Rudolph W. Giuliani—the NYPD enjoyed a favored position among City services. The expense budget for the Police Department increased from an inflation-adjusted $2.7 billion in fiscal year 1993 to $3.7 billion in fiscal year 2002, a growth rate of 3.4 percent annually. (See Table 5.) Only one other municipal service—education—experienced similar budget expansion over the same period, while many other services had their budgets cut. Most of this new funding supported wages and benefits. Personnel spending (inflation-adjusted) grew from $2.6 billion in fiscal year 1993 to $3.6 billion in fiscal year 2002.

The increase in police funding began in 1990, when Mayor Dinkins secured approval of the "Safe Streets, Safe City" initiative. It dedicated a portion of revenues raised from a supplemental property tax levy and a new, 12.5 percent personal income tax surcharge to policing. The program was initiated in response to a series of high profile violent murders that underscored New Yorkers' perceptions of runaway crime. Though the City struggled with a deepening recession, the new taxes raised $1.3 billion for criminal justice between fiscal years 1991 and 1996, and helped increase the NYPD's uniformed force from 25,909 in fiscal year 1990 to 30,927 in fiscal year 1994.

Table 5
New York City Police Department
Operating Expenses, Fiscal Years 1993 to 2002
(constant 2002 dollars in thousands)

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
Operating Budget[a]	$2,723	$2,646	$2,802	$2,671	$2,745	$2,850	$3,074	$3,250	$3,393	$3,682
Annual Percentage Change		-2.8%	5.9%	-4.7%	2.8%	3.8%	7.8%	5.7%	4.4%	8.5%
Personal Service Spending[a]	$2,600	$2,528	$2,666	$2,535	$2,580	$2,692	$2,919	$3,150	$3,295	$3,571
Annual Percentage Change		-2.8%	5.4%	-4.9%	1.8%	4.4%	8.4%	7.9%	4.6%	8.4%
Overtime Spending[b]	$137	$135	$114	$124	$131	$160	$176	$250	$345	$610
Annual Percentage Change		-1.4%	-15.6%	9.2%	5.4%	22.5%	9.5%	42.4%	38.0%	76.9%

Source: City of New York, Office of the Comptroller, *Comprehensive Annual Financial Report* (NY: Office of the Comptroller, 1993 to 2002 editions). Overtime data from City of New York, Mayor's Office of Operations, *Mayor's Management Report* (NY: Mayor's Office of Operations, 1993 to 2002 editions); constant dollar adjustment based on consumer price index series from U.S. Department of Labor, Bureau of Labor Statistics, CPI for All Urban Consumers (CPI-U), NY-Northeastern NJ; All items.

Notes: [a] Operating budget data prior to 1995 include spending related to the Housing Authority and Transit Authority Police Departments; data on traffic enforcement and school safety functions included only from date of merger; data for 2001 and 2002 include added costs of recently announced wage settlement with Patrolmen's Benevolent Association covering July 31, 2000 to July 31, 2002.
[b] Overtime spending for fiscal year 2002 includes $263 million in overtime associated with the World Trade Center disaster.

Like Mayor Dinkins, Mayor Giuliani vowed to reduce crime and made police funding a priority. In addition to Safe Streets, Safe City funding, he tapped federal funds made available by the Violent Crime Control and Law Enforcement Act ("Crime Bill") of 1994. Among other

things, the Crime Bill funds enabled the Department to hire 4,000 officers by providing three-year grants of $25,000 annually to offset salary and benefits expenses of each new officer. New York City in turn committed to maintain funding for new officers for one year after expiration of the federal grants.[5] Another Crime Bill program paid the Department to hire civilians to fill administrative jobs previously held by uniformed officers.

The Department also expanded by absorbing law enforcement functions from other agencies. In 1995 the previously separate police departments of the Transit Authority and Housing Authority merged with the NYPD. The merger brought 7,300 uniformed officers and 460 civilians into the Department. Police managers believed this would result in better coordination of resources, eliminate jurisdictional conflicts, and save funds that previously had supported identical administrative functions.[6] Two additional mergers brought civilian enforcement personnel under NYPD command. In 1996, approximately 1,700 traffic enforcement personnel from the Department of Transportation merged into the NYPD, and in 1998 personnel from the Board of Education's School Safety Division followed.

The number of uniformed officers peaked at 40,285 in fiscal year 2000. (See Table 6.) By the end of fiscal year 2002, uniformed headcount had fallen 9 percent to 36,790. NYPD full-time civilian employment rose from 7,734 in fiscal year 1994 to a peak of 9,374 in fiscal year 2001, a 21 percent increase. The increase reflected the impact of merging traffic enforcement officers and administrative staff from the Transit and Housing Authority Police Departments.

Table 6
New York City Police Department
Full-Time and Full-Time Equivalent Employment
Fiscal Years 1993 to 2002

	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002[a]
Full-Time Employees	42,649	45,652	43,040	43,589	46,830	46,864	48,092	49,269	48,004	46,003
Uniformed Employees	34,641	37,918	36,429	36,728	38,201	38,144	39,035	40,285	38,630	36,790
New York City Police Dept.	28,117	30,927	29,422	36,728	38,201	38,144	39,035	40,285	38,630	36,790
Transit Authority Police Dept.	4,156	4,469	4,248	NA	NA	NA	NA	NA	NA	NA
Housing Authority Police Dept.	2,368	2,522	2,759	NA	NA	NA	NA	NA	NA	NA
Civilian Employees [b]	8,008	7,734	6,611	6,861	8,629	8,720	9,057	8,984	9,374	9,213
New York City Police Dept.	7,414	7,081	6,135	6,861	8,629	8,720	9,057	8,984	9,374	9,213
Transit Authority Police Dept.	366	372	293	NA	NA	NA	NA	NA	NA	NA
Housing Authority Police Dept.	228	281	183	NA	NA	NA	NA	NA	NA	NA
Total Employees	NA	NA	NA	NA	NA	NA	NA	NA	NA	51,375
Full-Time Equivalent Civilians [c]	NA	NA	NA	NA	NA	NA	NA	NA	NA	5,372

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Source: Headcount data from City of New York, Office of Management and Budget, monthly employment data; full-time equivalent data from City of New York, Office of Management and Budget, *Adopted Budget and Financial Plan*, fiscal year 2003 (NY: Office of Management and Budget, June 26, 2002).

Notes: [a] Totals differ slightly from Table 4 due to timing of headcount; Table 6 data as of June 30th.

[b] Civilian employees as reported. Additional full time traffic enforcement personnel included in figures beginning in fiscal year 1997.

[c] The City began reporting full-time equivalent employment beginning with the fiscal year 2003 budget. Full-time equivalent civilians show the full-time employee strength of part-time civilians working at the Department.

NA - Not applicable.

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[5] The local government must fund additional officers for one full budget year of the local agency, in addition to the remainder of any budget year in which the grant expires.

[6] City of New York, Mayor's Office of Operations, *Reengineering Municipal Services, 1994 – 2001* (NY: Mayor's Office of Operations, September 13, 2001), p. 12.

In addition to new personnel, police managers were able to use substantial overtime resources. (Refer to Table 5.) Overtime spending grew from an inflation-adjusted $137 million in fiscal year 1993 to $345 million in fiscal year 2001. In fiscal year 2002, overtime was greatly increased by recovery efforts at the World Trade Center site and other anti-terrorism activities.

Management of the expanded resources was enhanced by technological improvements. Investing in technology is critical to improving productivity. To the extent that technology automates processes that were previously paper-driven, managers have access to real-time information, service delivery improves and the need for administrative personnel diminishes, saving money. The Department invested heavily in technology during the 1990s, in part with the help of Crime Bill money.

The best-known NYPD technological innovation is computerized statistics (Compstat), a crime-tracking system instituted by Police Commissioner William Bratton in 1994. Compstat allows police commanders to identify and respond quickly to emerging crime trends in their precincts. The new technology was combined with weekly "Crime Control Strategy Meetings" between senior police officials and precinct commanders. By improving the flow of data between precincts and headquarters, Compstat is widely credited with enabling police managers to respond to crime in their precincts, and holding them accountable for doing so.

The Department began implementing other new technologies in the 1990s. The Enhanced 911-dispatch system was implemented in 1995 and helped improve response times to emergencies. Installation of "Livescan" fingerprinting system terminals began in May 1996. Livescan creates a digital fingerprint of an arrested person and transmits it to the State Division of Criminal Justice Services for comparison with a criminal history database, shortening the time necessary to identify the person and generates a "rap sheet," or criminal history, prior to arraignment.

Recent Developments

Four recent developments are changing the way the NYPD manages its resources. First, citywide fiscal pressures are reducing the Department's resources. The NYPD's adopted budget in fiscal year 2003 is $3.46 billion, lower than the $3.58 billion spent in fiscal year 2002.[7] As part of Mayor Bloomberg's financial plan, the NYPD has been asked to cut another $231 million in fiscal year 2003 and $282 million in fiscal year 2004.

Police officers are recruited in classes, which train at the Police Academy. One response to the fiscal pressures has been to delay hiring new classes or reduce the size of classes. A class of 1,978 recruits was sworn in on July 2, 2002.[8] The Mayor's most recent budget calls for reducing the size of the July 2003 class from 2,400 to 500 in order to save $73.6 million.[9]

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[7] City of New York, Office of Management and Budget, *Adopted Budget and Financial Plan*, Fiscal Year 2003 (NY: Office of Management and Budget, June 26, 2002).

[8] Richard Steier, "PBA Says City Got Cold Feet on a 17.5% Deal," *The Chief and Leader,* September 20, 2002.

[9] City of New York, Office of Management and Budget, *November 2002 Financial Plan, Fiscal Years 2003-2006: Summary* (NY: Office of Management and Budget, November 14, 2002).

Second, over the last two years the Department has experienced a sharp increase in retirements. Several factors have combined to increase retirements. The NYPD is experiencing a generational shift, as officers hired at the end of the 1970's fiscal crisis have exceeded the 20-year employment threshold for full pension benefits. Moreover, officers' pension benefits are based on a calculation of final average salary that includes earned overtime. Given the Department's policy of allowing almost unrestrained overtime in recent years and the high overtime attributable to the World Trade Center disaster, the final average salaries are at an unprecedented high, enticing many of those eligible to retire. During the first eight months of fiscal year 2002, 1,978 officers retired, an 82 percent increase over the same period in the previous year.[10]

Third, staffing levels have also been influenced by federal Crime Bill requirements. Crime Bill subsidies for uniformed staff require recipients to maintain funding for new hires for up to two years following expiration of federal assistance. Under this requirement, the NYPD must employ at least 40,710 officers at some point during each fiscal year. Due to its fiscal difficulties, the City requested and received a waiver of this requirement, which allowed the NYPD's headcount to fall to 39,110.[11] Actual headcount in fiscal year 2003 may not reach this target. It had not done so by the end of October, and the Mayor's most recent plan reduces uniformed headcount to 36,878 by June 30, 2003.[12] New waivers are likely to be necessary.

Fourth, the responsibilities of the NYPD have grown since the World Trade Center disaster to include enhanced anti-terrorism functions. The Department has established a Counterterrorism Bureau to identify areas requiring enhanced security, train emergency personnel and coordinate information with State and federal law enforcement agencies. Moreover, police deployment has been adjusted to account for heightened risks at some locations and events.

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[10] State of New York, Office of the State Deputy Comptroller for the City of New York, *Review of the Five-Year Financial Plan for Fiscal Years 2002 Through 2006*, Report 14-2002 (NY: OSDC, March 2002).

[11] Data from City of New York, Office of Management and Budget.

[12] City of New York, Office of Management and Budget, *November 2002 Financial Plan, Full Time Staffing Levels* (NY: Office of Management and Budget, November 2002).

Recommendations

Greater productivity could enable the NYPD to save money, maintain police presence, and reduce crime. Three specific strategies would help achieve these goals.

Higher Appearance Rates

One way of improving productivity is to increase the availability of officers to perform the work. In NYPD jargon, an officer who works a tour of duty is making an "appearance." Collective bargaining agreements, which govern police officers' schedules, reduce the availability of officers by limiting their number of appearances.

Police officers are compensated based on a 40-hour week, the equivalent of 2,088 hours per year. Because policing requires round-the-clock staffing, a complex system of scheduling—commonly called the "chart"—has arisen to match personnel with duty stations. Officers in enforcement positions typically work one of three daily 8-hour "tours," or shifts. To accommodate posts in which "face-to-face relief" or uninterrupted staffing is necessary, some overlap is built into the schedule by lengthening tours beyond 8 hours. (While most ranks work shifts longer than 8 hours, many posts do not require face-to-face relief.) The unions that represent each rank negotiate with the City to determine the length of a tour beyond the 8-hour minimum. This in turn determines the number of appearances per year needed to reach 2,088 hours—the longer the tour, the fewer appearances per year.

New York City's agreement with the Patrolmen's Benevolent Association (PBA), the labor union representing 23,000 police officers, sets a tour at 8 hours and 35 minutes. This means 243 appearances are needed to reach 2,088 hours in a year. However, paid leave benefits reduce the required number of appearances. Officers have 27 vacation days annually and receive unlimited sick leave. The Department has maintained average sick leave per officer within a range of 7.6 to 9.0 days per year between fiscal years 1996 and 2002.[13] Sick leave in fiscal year 2002 averaged 8.7 days. Other negotiated leave benefits, such as personal leave, bereavement time, military leave, veterans holidays for former service members and union organizing time, reduce appearances by an average of four tours per year. Taking all benefits into account, the average officer works 203 shifts per year.

The 243-appearance standard has not always applied. Prior to 1971, police officers worked 261 tours of 8 hours each. In 1971 the City and PBA reached an agreement to lengthen each tour by 30 minutes, reducing annual appearances by 18. The rationale was that law enforcement effectiveness would improve if officers had a 20-minute debriefing between tours. The additional 10 minutes could be used for officers to change clothes, so the provision came to

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[13] City of New York, Mayor's Office of Operations, *Mayor's Management Report* (NY: Mayor's Office of Operations, 1996 to 2002 editions).

be known as "wash up time."[14] The Department never fully instituted the proposed briefings, but the additional time remained.

In an arbitration in 1977 the City won the right to eliminate the provision and reduce tour length to 8 hours and 15 minutes, increasing annual appearances to 253. However, in 1978 negotiations the City agreed to an 8 hour and 35 minute tour length. In subsequent negotiations the City periodically has attempted to regain the 10 appearances by shortening tours.

The City should pursue an 8 hour and 15 minute tour for police officers. At current staff levels, ten additional appearances per year would be the equivalent of making available 1,083 additional officers. (See Table 7.) At an average annual salary of $44,552 per year, plus $17,665 in benefits, the Department could save $67.3 million annually by using this time to offset new hires.[15] This would represent a 4.7 percent savings in the number of staff necessary to sustain current services.

Table 7
New York City Police Department
Savings from Ten Additional Appearances

Police Officer Headcount	**23,077**
Officers Required to Cover 10 Appearances	
Additional Appearances per Officer	10
Total Additional Appearances	230,770
Annual Net Appearance per Officer [a]	203
Officer Equivalent	1,082
Average Salary plus Benefits	**$62,217**
Average Salary	$44,552
Fringe Benefits [b]	$17,665
Annual Savings	**$67,312,642**

Source: Police officer headcount and average salary from Office of Payroll Administration, June 2002.

Notes: [a] See text for calculation of annual net appearances per officer.

[b] Fringe benefits include payroll taxes, health, pension and other benefits.

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[14] Alternatively the provision has become known as "chart time," because it reduces appearances below the 261-day standard by adjusting the officers' shift length, thus change the scheduling chart. The resulting 18 extra days off for police officers are known as "chart days." Detectives, sergeants and lieutenants also have chart days based on collective bargaining agreements.

[15] Average salary for police officer from City of New York, Office of Payroll Administration, June 2002. Fringe benefits for average officer at police officer rank include $3,408 for payroll taxes, $5,043 for health insurance, $7,128 for pension contributions, and $2,085 for other benefits.

Operationally, such a change makes sense. The additional 15 minutes beyond the 8 hours of post coverage time would provide sufficient overlap between tours.

The City's negotiators recently came close to achieving the 8 hour and 15 minute tour. The most recent contract settlement for police officers covered the two-year period ending July 31, 2002. It was the result of an arbitration decision by New York State's Public Employee Relations Board announced in September 2002. Prior to the decision, a draft settlement was leaked that would have granted police officers a 16 percent wage increase—greater than other uniformed unions—in exchange for shortening tours by 20 minutes.[16] However, the Board ultimately rejected these provisions and maintained the preexisting schedule with a lower wage increase consistent with the pattern established by other uniformed workers' unions.

Civilianization

Any large law enforcement agency requires a variety of support and administrative functions that are not specific to law-enforcement but contribute to the organization's performance. These functions include personnel, budgeting, computer technology, and vehicle maintenance and repair. In most municipal agencies, civilian personnel perform these functions. In the NYPD, there is a history of using uniformed officers for many of these tasks.

Using uniformed officers to do jobs that can be performed by civilians is wasteful. The average compensation (salary plus benefits) of a uniformed officer in fiscal year 2002 was $78,204; the comparable figure for a civilian NYPD employee was $49,101.[17] Replacing officers with civilians, called "civilianization," can save money without diminishing services.

The logic of civilianization is that municipal workers' compensation should reflect the skills and experience necessary to perform their jobs. Average compensation for uniformed positions is higher than that of civilian positions due to the special skills required for law enforcement and the risks of sometimes life-threatening work. However, when a uniformed officer is assigned to a non-law enforcement position, the officer continues to be paid at the uniformed rate.

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[16] John Marzulli and Mike Claffey, "PBA May Win Just 5% Raise," *New York Daily News*, August 2, 2002.

[17] Average salary for NYPD uniformed and civilian personnel from data provided by City of New York, Office of Payroll Administration. Fringe benefits for all uniformed officers include $4,284 for payroll taxes, $5,043 for health benefits, $10,080 for pension benefits, and $2,797 for other benefits. Fringe benefits for civilians include $3,292 for payroll taxes, $5,043 for health benefits, $2,910 for pension benefits and $1,475 for union welfare fund contributions.

Civilization has been an issue since the time of Mayor Fiorello LaGuardia.[18] More recently, at least five reports have identified large-scale opportunities for civilianization. (See Table 8.) In 1990, as part of the preparation of the Safe Streets, Safe City proposal, then-Commissioner Lee Brown conducted a thorough examination of staffing needs. Before asking for tax increases to hire more officers, the Commissioner and the Mayor wanted to take all opportunities to achieve savings. The report identified 1,626 civilianizable positions, more than 6 percent of the Department's uniformed headcount at the time. Regrettably, while new taxes were eventually imposed, the civilianization savings never were fully implemented.

Table 8
New York City Police Department Civilianization Proposals
1990 to 2002

Report and Source	Date	Civilianizable Positions	Potential Savings (dollars in millions)
Report to the Mayor: Staffing Needs of the New York City Police Department New York Police Department	**October, 1990**	**1,626**	**NA**
An Unbeatable Combination: More Police Strength and Lower Cost Citizens Budget Commission	**April, 1994**	**1,481**	**$19.2**
Audit Report on Opportunities for Savings Through Civilianization in the New York City Police Department City of New York, Office of the Comptroller	**February, 1999**	**1,257**	**$36.2**
We Can Do The Work: How the City can Save over $600 Million without Cutting Services District Council 37	**May, 2002**	**3,500**	**$127.0**
Follow-up Audit Report on Opportunities for Savings Through Civilianization in the New York City Police Department City of New York, Office of the Comptroller	**May, 2002**	**1,631**	**$59.0**

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NA - Not available.

In 1994 the Citizens Budget Commission, using an approach that built on Commissioner Brown's analysis, concluded that 1,481 positions remained to be civilianized. In 2002, District Council 37, the union representing many NYPD civilians, argued that as many as 3,500 positions in the Department could be civilianized.

Audits by the City Comptroller in 1999 and 2002 found that 1,257 and 1,631 positions respectively, should be civilianized. The Comptroller's audits were limited to reviewing positions identified by the Department as administrative and support positions. As discussed below, it is possible that additional civilianization opportunities exist in what the NYPD classifies as "operational" positions.

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[18] Proposal from 1935 cited in City of New York, Legislative Office of Budget Review, *Police Department Civilianization* (NY: Legislative Office of Budget Review, May 1979).

The lack of sustained progress in civilianization is due to two factors. First, police leaders want to keep a substantial number of assignments with limited risk available to officers as a type of reward or as a temporary assignment when an officer is under unusual stress or disciplinary review. These positions are concentrated at headquarters, One Police Plaza (1PP). As of September 2002, approximately 8 percent of the uniformed force is assigned to headquarters.[19] Low ranking officers are least likely to be assigned to 1PP; only 3 percent of police officers work there. About 12 percent of sergeants and 16 percent of detectives work there. Higher-ranking officers are more likely to be assigned to 1PP, with 16 percent of lieutenants and 20 percent of captains and inspectors there.[20]

Second, civilianization is often thwarted by a combination of fiscal and political considerations. Pressure for civilianization typically arises when resources are tight. However, civilianization requires *adding* civilian staff while the reassigned officers only partly refill positions made vacant by attrition of other uniformed officers. In these hard times, it is difficult for political leaders to explain to the public why more is being spent on civilians at the same time that less is being spent to hire police officers. The lack of added funds for civilian hires has been cited as a key roadblock to civilianization.[21]

The federal Crime Bill provided a way around the fiscal roadblock, but only temporarily. It included a program to assist the local law enforcement agencies in hiring civilians to replace officers in desk jobs. Beginning in 1998, New York City received $2.4 million to subsidize 500 new civilian staff.[22] The Department then shifted 500 uniformed officers into enforcement positions. However, the Crime Bill funds were exhausted in fiscal year 2002. Recent civilian headcount has fallen, suggesting that fiscal pressures are undermining the gains.

The adopted budget for the current fiscal year includes a plan to civilianize 800 positions. During fiscal year 2003, the total number of uniformed officers will drop by 1,600, but the number of officers in law enforcement positions will drop by a lower 800 because 800 officers are being reassigned from non-enforcement positions. Funds are provided to hire 800 civilians to replace them. This plan is limited in scope because the officers being reassigned are all in administrative positions at police precincts. No positions at 1PP are identified for civilianization despite the City Comptroller's recommendation that 831 headquarter positions be civilianized.[23] It also is uncertain whether the latest civilianization plan will survive the rounds of budget cuts necessary during the fiscal year to adjust to deteriorating fiscal circumstances.

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[19] In February 2001 Commissioner Kerik moved 113 uniformed officers from 1PP into enforcement jobs at police precincts and citywide units, in spite of widespread grumbling at police headquarters. From John Marzulli, "113 Cops Lose Desk Jobs at HQ," *Daily News*, February 8, 2001.

[20] Workplace location from data provided by City of New York, Office of Payroll Administration, September 2002.

[21] Letter from Commissioner Lee Brown to Bud Gibbs, December 4, 1991.

[22] Data from City of New York, Office of Management and Budget.

[23] Deirdre McFadyen, "1 Police Plaza Cops Stay at Their Desks," *The Chief and Leader,* July 26, 2002.

Civilianizing Officers in Administrative Units

How many uniformed officers are in jobs that could be done by civilians? There are no data that answer this question directly. Conclusions must be drawn from limited data made available by the NYPD. This data divides officers between those in "operational strength" positions and others. (See Table 9.) Operational strength includes officers of all ranks functioning in a broadly defined law enforcement capacity. "Operational strength pool" is the number of uniformed officers assigned to operational positions; "average daily operational strength" is the average number of uniformed officers performing operational tasks on any given day. Average daily operational strength is less than the operational strength pool because the pool includes officers not scheduled to work, or on leave, on any given day. In the other category are uniformed personnel in administrative and clerical positions.

Table 9
New York Police Department
Operational Strength and Civilianizable Positions
Fiscal Years 1996 - 2002

	1996	1997	1998	1999	2000	2001	2002
Average Uniformed Headcount	37,510	37,946	38,225	39,441	40,078	40,045	38,740
Operational Strength Pool	33,230	33,719	34,269	34,893	35,409	35,321	33,995
Officers Outside Operational Strength Pool	**4,280**	**4,227**	**3,956**	**4,548**	**4,669**	**4,724**	**4,745**
Percentage Outside Operational Strength Pool	11.4%	11.1%	10.3%	11.5%	11.6%	11.8%	12.2%
Average Daily Operational Strength	17,375	17,670	17,685	17,863	18,369	18,273	17,748
Appearances per Year [a]	204	204	204	204	205	203	203
Pool Required to Achieve Reported Daily Strength [b]	31,170	31,662	31,611	31,898	32,827	32,807	31,864
Excess Officers in Operational Strength Pool	**2,060**	**2,057**	**2,658**	**2,995**	**2,582**	**2,514**	**2,131**

Source: Average uniformed headcount, operational strength pool, and average daily operational strength from City of New York, Mayor's Office of Operations, *Mayor's Management Report*, fiscal years 1996 through 2002. Operational strength data was not reported prior to 1996.

Notes: [a] See text for calculations. Rate fluctuates due to changes in paid sick leave, as reported in Mayor's Management Report.

[b] Figure calculated by dividing average daily operational strength by appearance rate.

The group of officers in administrative and clerical positions (and not part of operational strength) has been the primary target for identifying civilianization opportunities. In fiscal year 2002, a daily average of 4,745 officers, or 12 percent of the uniformed force, worked in administrative and support positions. They are assigned to a variety of functions such as Communications, Applicant Processing, and Motor Transport.

In many administrative units, the number of uniformed officers has grown in recent years. In the Motor Transport Division, the number of uniformed officers grew from 75 to 102 between 1997 and 2002, while civilians fell from 339 to 328. In the Quartermaster Section, uniformed officers grew from 27 to 37 in the same period, while civilians dropped from 30 to 29. In Management Information Systems, the number of uniformed officers grew from 87 to 121 over

the same period, while civilians fell from 219 to 209.[24] Moreover, the City Comptroller's recent audit found that some of the officers civilianized using Crime Bill funds had, in fact, not been transferred to enforcement positions.[25]

In the absence of detailed and up-to-date data, the number of civilianizable positions in administrative and support units can only be approximated. A reasonable estimate is one-third. Based on the fiscal year 2002 data in Table 9, this target would be 1,582 positions. Based on the difference in average compensation between uniformed and civilian personnel presented earlier ($78,204 versus $49,101), the average savings per position is $29,103. Accordingly, total annual savings would be $46 million.[26] In addition, the 1,582 officers would be available to help offset attrition in the operational strength pool and help maintain police presence.

Civilianizing Operational Strength Officers

The second type of opportunity for civilianization relates to officers in the operational strength pool. There appears to be some "slack" in the operational strength pool, suggesting not all the officers assigned to it are required for law enforcement activities.

The evidence of slack is the difference between the number of officers in the operational strength pool and the number of officers required to sustain the actual average daily operational strength. In fiscal year 2002, the pool averaged 33,995 officers, and the daily strength averaged 17,748 officers. (Refer to Table 9.) However, given an average appearance rate of 203 tours annually, only 31,864 officers were required in the pool to achieve the actual strength. This suggests that 2,131 officers represent organizational slack.

Caution should be exercised when interpreting these facts. Without access to more detailed data, identifying whether these officers represent possible civilianization savings is difficult. In some personnel systems, building slack into deployment enables a better response to unforeseen circumstances. However, the NYPD's significant overtime spending argues against this. Overtime assignments are not counted in operational strength. The availability of overtime suggests that the Department requires little slack in its operational pool.

Absent more detailed data, a reasonable recommendation is that one-third of the excess operational officers (or 710 positions) be replaced with civilians. At the previously noted savings of $29,103 per position, this would yield annual savings of about $20.7 million.

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[24] City of New York, Independent Budget Office, *Testimony of Ronnie Lowenstein before the New York City Council's Civil Service and Labor Committee Hearing on NYPD Civilianization*, April 19, 2002.

[25] City of New York, Office of the Comptroller, *Follow-up Audit Report on the Opportunities for Savings in Administrative Units through Civilianization in the New York City Police Department*, MG02-164F, May 31, 2002.

[26] The savings may be understated. Civilian employees of the NYPD appear 216 days per year, compared to 203 days per year for uniformed officers. As a result, fewer civilians would need to be hired to replace officers reassigned to enforcement positions.

Reduced Overtime

When uniformed officers work more than a 40-hour week (or in excess of the equivalent under other scheduling patterns), they are paid at a time-and-a-half rate. This is a reasonable practice because it rewards workers for sacrificing other, non-work commitments, and for performing in spite of the fatigue and stress following a regular shift. The higher overtime rate also creates an incentive for managers to use their workers more efficiently during straight-time hours as a way of controlling unit costs.

However, excessive overtime spending is problematic. It raises the unit cost of services, wasting funds that would otherwise be available for other priorities. Moreover, employees who repeatedly work long hours may perform less efficiently.

Overtime spending at the Police Department has reached excessive levels. It grew from $114 million (in constant dollars) in fiscal year 1995 to $353 million in fiscal year 2001. (See Table 10.) In 1995, overtime constituted 4 percent of the Department's personnel budget; by 2001 the figure approached 11 percent. In fiscal year 2002, after adjusting for the $263 million in overtime associated with the World Trade Center disaster, net overtime was $347 million.

Table 10
New York City Police Department
Earned Overtime, Fiscal Years 1995 - 2002
(constant 2002 dollars in thousands)

	1995	1996	1997	1998	1999	2000	2001	2002
Earned Overtime	$113,699	$142,708	$146,599	$176,208	$189,835	$263,440	$352,551	$610,332
World Trade Center Overtime	NA	NA	NA	NA	NA	NA	NA	$262,900
Annual Percentage Change		25.5%	2.7%	20.2%	7.7%	38.8%	33.8%	73.1%

Source: Overtime from City of New York, Mayor's Office of Operations, *Mayor's Management Report,* (NY: Mayor's Office of Operations, fiscal years 1995 through 2002 editions). Constant dollar adjustment based on consumer price index series from U.S. Department of Labor, Bureau of Labor Statistics, CPI for All Urban Consumers (CPI-U), NY-Northeastern NJ; All items. World Trade Center-related overtime from New York City Police Department.
NA - Not applicable.

During the late 1990s, high overtime spending represented a tacit pay raise for uniformed officers. Although the Department does not separate overtime spending data strictly into uniformed versus civilian categories, the vast majority went to police officers. In fiscal year 2001, overtime averaged $7,886 per officer, the equivalent of a 16 percent increase to their average base salary of $49,023.[27]

Paying overtime raises the cost of fringe benefit expenses that are calculated as a proportion of salary. Employer payroll taxes include Social Security, Medicare, and unemployment insurance, and total about 8 percent of salary. Pension contributions also change with salary level, averaging about 18 percent for uniformed employees.[28] Based on these percentages, the added fringe benefit costs due to overtime were $91 million in fiscal year 2001

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[27] Uniformed officers earned approximately $315 million in overtime in fiscal year 2001. Base salary of $49,023 is for police officer first grade, from "Patrolmen's Benevolent Association 1995-2000 Agreement." See Table 11 for breakdown of overtime categories.

[28] Citizens Budget Commission, *The Citizens' Stakes in Collective Bargaining: Recommendations for the Current Negotiations with the Municipal Employee Unions* (NY: Citizens Budget Commission, December 13, 2000).

and $162 million in 2002. Moreover, overtime earnings count toward the calculation of a retiring worker's final average salary, from which subsequent pension earnings are calculated. As a result, future City pension contributions will rise in order to support higher pension payments.

The Department divides overtime into 12 categories. (See Table 11.) The largest is "events," providing security for parades, demonstrations, movie shoots and visiting dignitaries. "Special programs," the second-largest category, consists largely of "Operation Condor," an initiative that focuses on misdemeanor drug offenses and quality of life violations.

Table 11
New York City Police Department
Overtime by Category, Fiscal Years 2001 and 2002
(dollars in millions)

	2001		2002	
Standard Overtime Categories	**$347.4**	**100.0%**	**$359.5**	**57.8%**
Events	90.5	26.1%	127.8	20.5%
Special Programs	93.2	26.8%	64.0	10.3%
New Arrests	50.3	14.5%	49.6	8.0%
Investigations	28.2	8.1%	29.7	4.8%
Operational	18.9	5.4%	21.4	3.4%
DOT Traffic Enforcement (Civilians)	10.5	3.0%	14.4	2.3%
Civilian - NYPD [a]	10.3	3.0%	13.4	2.2%
Reimbursable Programs	17.3	5.0%	12.4	2.0%
School Safety (Civilians)	10.8	3.1%	11.4	1.8%
Adjourned Cases	11.4	3.3%	9.3	1.5%
Revenue Programs	3.8	1.1%	3.9	0.6%
Other Programs	2.2	0.6%	2.2	0.4%
World Trade Center Disaster Overtime [a]	**NA**	**NA**	**262.9**	**42.2%**
Total [b]	**$347.4**	**100.0%**	**$622.4**	**100.0%**

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Source: New York City Police Department.

Notes: Totals may differ from data reported in Mayor's Management Report due to differences in overtime tracking.

[a] World Trade Center disaster-related overtime includes uniformed and civilian overtime. The "Civilian - NYPD" category may also contain some disaster-related overtime.

[b] Overtime totals do not match data from Mayor's Management Report (MMR), because MMR data are estimated, not final.

NA - Not applicable.

"New arrests" overtime is generated when officers must extend their tour to assist the District Attorney's office in arrest processing. Other overtime is for traffic control at road work or construction sites ("DOT traffic enforcement"), policing at City schools ("school safety"), and work with the Transit Authority, Port Authority and other agencies ("reimbursable programs").

The Department created a separate overtime category in fiscal year 2002 for spending related to the World Trade Center disaster. This one-time change is meant to facilitate reimbursement of overtime expenses from the federal government.

Because it is relatively expensive, overtime should be avoided as a means of staffing work that can be anticipated and planned. Rather than using overtime to staff only unforeseen needs, the Department relies on overtime for routine police work. In the three largest categories—events, special programs and new arrests—the Department could reduce overtime spending significantly. Similar strategies applied to other categories of overtime could generate additional savings.

Staff Events with Straight Time

Events is the largest category of overtime. From fiscal years 1998 to 2002 it grew 36 percent annually to reach $125 million. In fiscal year 2002, events overtime averaged 92 hours per uniformed officer, the equivalent of about 11 additional shifts.

The Department tracks four types of events overtime. (See Table 12.) Planned events include parades, athletic activities, fundraisers and street fairs. By their nature, planned events are not unanticipated, and can be staffed on straight time by planning ahead. Organizers of parades, for instance, must apply for a permit in advance from the Police Department. As a result, the time, location, and crowd size of planned events are, in most cases, known to police managers well in advance.

Table 12
New York City Police Department
Events Overtime Expenditures, Fiscal Years 1998 to 2002

	1998	1999	2000	2001	2002	Annual Growth Rate
Planned Events	11,022,124	17,494,681	22,193,860	30,694,332	34,928,447	33.4%
Major Unplanned Events [a]	15,791,699	12,935,418	27,022,198	36,685,172	60,556,770	39.9%
Minor Unplanned Events [a]	7,735,063	6,324,030	6,757,853	15,995,257	21,276,500	28.8%
Details	1,679,351	2,163,320	3,488,284	5,101,602	8,191,218	48.6%
Total [b]	**$36,228,237**	**$38,917,449**	**$59,462,195**	**$88,476,363**	**$124,952,935**	**36.3%**

Source: New York City Police Department.
Notes: [a] Major unplanned events are those that result in costs greater than $100,000; minor unplanned events result in costs less than $100,000.
[b] Event totals may differ slightly from data in previous table due to administrative differences in tracking event overtime versus total overtime.

Two other categories of events overtime are "major" and "minor" unplanned events, with the distinction based on their scale. While some of these activities are spontaneous and unpredictable, the vast majority are not literally unplanned. They include presidential visits and gatherings such as the World Economic Forum, held in 2002. The majority of "unplanned" events can be anticipated by at least a few weeks. The last category, "details," refers to time spent protecting movie shoots, escorting senior officers and providing headquarters security. These needs also are usually known in advance.

How can the Department more economically match its personnel with "events" needs, whether anticipated or not? One way is to schedule a "bank" of flexible hours into each uniformed officer's schedule. If approximately ten tours per year were reserved for events, to be scheduled at the discretion of management, then the Department would have sufficient staff to cover events with straight time. The banked shifts could be taken when most suitable for precinct

commanders' needs. Only if truly unplanned events required staff that exceeded the tours in the bank would overtime be necessary. In order to assure adequate coverage in each precinct, the Department would need to hire enough additional officers to make up for shifts diverted to events staffing. However, there would be savings because the new officers are paid base salaries, rather than overtime.

Data from fiscal year 2002 can be used to illustrate how the new system might work. In that year uniformed officers worked approximately 3.4 million hours (or 395,000 tours) of overtime staffing events, at a cost of $124.9 million in salaries, plus the associated fringe benefits costing an estimated $32.6 million. If every officer had banked ten shifts in that year, the Department would have had approximately 3.4 million hours of flexible staff time to cover events. However, partly offsetting the saved $157.5 million would be the cost of hiring new officers to work at straight time rates in order to cover the 395,000 tours. At the current appearance rate of 203 tours annually, this is the equivalent of 1,945 officers. The total cost of salary and fringe benefits for these new officers would be $93.8 million, for a net savings of $63.7 million.[29]

Staff Special Projects on Straight Time

The bulk of "special programs" overtime is attributable to the Operation Condor/Quality of Life initiative. It began in January 2000 in response to an increase in the murder rate. The program is staffed with teams of eight officers who work overtime shifts. Officers on Condor assignments work in their own precincts, because their familiarity with neighborhood conditions enables them to perform more effectively. Though the program originally targeted misdemeanor drug violations through strategies such as buy-and-bust operations, it was later expanded to target quality of life crimes. The program has substantially increased arrests for misdemeanor violations.

Funding for the program hit a high of $100 million in fiscal year 2001. Funding fell to $61.7 million in fiscal year 2002, having been temporarily suspended after September 11. The program is budgeted at $40 million in fiscal year 2003, but the past pattern has been for actual overtime expenditures to exceed the budgeted amount significantly.[30]

Operation Condor and other special programs can and should be staffed by officers on straight time. Scheduling Condor officers on straight time would save the $64 million in overtime wages, plus $16.7 million in fringe benefit expenses. To cover for officers diverted to Condor assignments, the Department would need to hire officers for about 203,000 tours, or 996 officers. Salary and fringe benefits for these new officers would be $48 million, resulting in a net savings of $32.6 million.

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[29] This savings would diminish over the first six years as newly hired police officers are promoted from sixth grade to first grade salary rates.

[30] City of New York, Office of Management and Budget, *Message of the Mayor, Executive Budget, Fiscal Year 2003* (NY: Office of Management and Budget, April 17, 2002).

Reduce New Arrests Overtime

Police officers generated $49.6 million in overtime in fiscal year 2002 because the processing of arrests made during their scheduled tour of duty extended beyond the end of that tour. Arrest processing is undertaken jointly with the City's District Attorneys. When an officer makes an arrest, several subsequent activities must be completed before he or she can go home. Fingerprints are taken and sent to the State Division of Criminal Justice Services (DCJS) to generate a rap sheet, evidence is catalogued, witness accounts are tracked, and a completed "on line booking sheet" is forwarded to the District Attorney's office. The District Attorney's staff prepares a criminal court case against the offender, a process that frequently requires corroboration of information from the arresting officer. The District Attorney's office permits the arresting officer to leave work only after all case information is suitably corroborated in a sworn complaint.

In the mid-1990s, the Department worked to lower significantly the time needed to process arrests. The average time between arrest and complaint sworn fell from 14 hours in fiscal year 1995 to 7.5 hours in 1998.[31] Since then it has risen from 8.2 in 1999 to 9.4 in 2002. Part of the initial reduction was made possible by technological advances. The introduction of Livescan terminals in May 1996 enabled arresting officers to make digital fingerprints, which can be transmitted electronically to DCJS for comparison with criminal record databases. In addition, the District Attorneys use video technology installed in some precincts to allow arresting officers to make sworn statements without traveling to the courthouse.

The Department should redouble its efforts to reduce new arrests overtime through productivity-enhancing technologies. Although the arrest process differs somewhat from one District Attorney to another, it is often paper-intensive and cumbersome. Arrest processing forms are not computerized at the time of arrest. Linking precincts with District Attorneys electronically would enable faster transport of information and assist in coordinating supplemental data, such as rap sheet, witness and evidence information. Precedent for a technology that links NYPD with another agency to control costs exists in the form of the "court appearance control system," which allows officers' court appearances to be scheduled in a way that reduces overtime. Similar efforts should be made with new arrests overtime. If the Department reduced new arrests overtime by one-third, it would save $16.4 million in overtime wages and $4.3 million in fringe benefit costs for a total of nearly $21 million.

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[31] City of New York, Mayor's Office of Operations, *Mayor's Management Report*, Fiscal Years 1995 to 2002 editions (NY: Mayor's Office of Operations).

Summary

New York City has become much safer over the last ten years. Reported crime is down significantly, contributing to an improved quality of life. This drop in crime coincided with a large increase in police staffing. With a looming budget crisis greater than any since the mid-1970s, the City faces the challenge of cutting expenditures without jeopardizing the gains against crime.

Improving productivity at the NYPD could help balance the City's budget without reducing police services. Three strategies for accomplishing this are raising appearance rates, civilizing positions needlessly filled by uniformed staff, and reducing overtime. As shown in Table 13, the aggregate savings would be more than $250 million.

Table 13
Fiscal Implications of Staffing Efficiencies
New York City Police Department
(dollars in millions)

	Savings	Change in Uniformed Employees	Change in Civilian Employees
Higher Appearance Rates	**$67.3**	**(1,082)**	**NA**
Civilianization	**$66.7**	**(2,292)**	**2,292**
Administrative Officers	$46.0	(1,582)	1,582
Operational Officers	$20.7	(710)	710
Reduced Overtime	**$116.9**	**2,941**	**NA**
Events	$63.7	1,945	NA
Special Projects	$32.6	996	NA
New Arrests	$20.6	NA	NA
Total	**$250.9**	**(433)**	**2,292**

NA - Not applicable.

It is important to understand the staffing implications of these measures. The same level of police services would be provided with 433 fewer officers. The higher appearance rate and civilianization of positions would reduce the number of needed officers by 3,374. However, replacing overtime with new officers would require 2,941 new officers, producing the net change of 433. At the same time, 2,292 civilians would have to be added to fill the civilianized positions.

Implementing these changes would require the Mayor and police leadership to educate the public and press about how efficiencies are achieved. They must explain that the same high level of police services can be achieved at lower cost by better using staff. They must take the

sometimes politically difficult steps of increasing civilian staff at the same time that uniformed staffing is allowed to fall due to attrition. This has proved a formidable challenge in the past, but current difficult times make it essential as part of the effort to maintain high levels of police services and spend public funds wisely.