



THE POLICE COMMISSIONER
CITY OF NEW YORK

**MEMORANDUM IN SUPPORT OF NYPD'S DEVIATION FROM
THE DISCIPLINARY SYSTEM PENALTY GUIDELINES**

Re: CCRB Case No. 202001260 regarding Police Officer Louilly Taveras

Date: August 19, 2021

This disciplinary matter was investigated by the Civilian Complaint Review Board ("CCRB"). The CCRB substantiated a single allegation of failing to process a civilian complaint report against Police Officer Louilly Taveras who, on January 31, 2020, did not accept and process a civilian complaint report made by a walk-in complainant at the 79th Precinct.

During its investigation, the CCRB reviewed the facts and circumstances of the misconduct committed by Police Officer Taveras and recommended the imposition of Formalized Training as an appropriate disciplinary penalty. Although the CCRB's recommendation is below both the mitigated and the presumptive penalties prescribed in the NYPD's Disciplinary System Penalty Guidelines ("Disciplinary Matrix"), I find such penalty to be altogether appropriate in this case.

Particularly, the presumptive penalty under the Disciplinary Matrix calls for the forfeiture of ten (10) penalty days for failing to process a civilian complaint, while the mitigated penalty for such misconduct is the forfeiture of five (5) penalty days. In its penalty recommendation, CCRB utilized, as a mitigating factor, the relative inexperience of Police Officer Taveras given his brief duration of employment with the Department. Thus, the CCRB Board concluded that Police Officer Taveras' misconduct would be best addressed with Formalized Training rather than forfeiture of penalty days.

It should also be noted that Police Officer Taveras' positive, albeit brief, employment history, as well as his lack of prior substantiated CCRB complaints, is an additional mitigating factor in this case.

Therefore, though outside of the prescribed Disciplinary Matrix penalty, imposition of Formalized Training, as recommended by the CCRB, is an appropriate penalty in this matter and I see no reason to disturb it.


Dermot Shea
Police Commissioner