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DOI REPORT FINDS CONTINUING GAPS IN NYPD'S POLICIES AND PROCEDURES CONCERNING ELECTED OFFICIALS' SECURITY DETAILS

Jocelyn E. Strauber, Commissioner of the New York City Department of Investigation ("DOI"), issued a Report today concerning the policies and procedures of the New York City Police Department ("NYPD") that govern its security detail protection for elected officials. DOI previously considered the appropriate uses of NYPD security details by elected public officials in a 2020 investigation and concluded that former Mayor Bill de Blasio repeatedly misused his security detail for personal benefit in violation of New York City's Conflicts of Interest Law. [In DOI's 2021 report](#) on that investigation, DOI identified a number of flaws in NYPD's practices concerning security details for elected officials, including the lack of established rules or policies to guide NYPD personnel, minimal training for officers assigned to details, and numerous violations of City regulations concerning recordkeeping and retention. DOI recently investigated the use of security details by elected officials and reviewed the status of its 2021 recommendations, finding substantial and continuing gaps in NYPD's policies and procedures concerning security details for elected officials. A copy of this Report follows the release and can be found at the following link: <https://www.nyc.gov/site/doi/newsroom/public-reports.page>

DOI Commissioner Jocelyn E. Strauber said, "NYPD's security details ensure the safety of the City's elected officials, a critical function that requires substantial public resources. For that reason, NYPD's policies and procedures must make clear the proper, and improper, uses of security details, and NYPD must provide comprehensive training to officers who provide security, both as to executive protection best practices and the unique ethical and legal restrictions applicable to security details for City officials. NYPD also must maintain proper written records concerning the use of security details. Our Report shows continuing gaps in these areas and makes recommendations to improve NYPD's practices that I urge NYPD to accept."

DOI found that NYPD has implemented or begun to implement some, but not all, of DOI's 2021 recommendations. In November 2022, in response to the 2021 Report, NYPD issued written guidance concerning how security details are assigned, the circumstances under which security should be declined, and the uses of a security detail. This written guidance, known as the "Protection Detail Guidelines," or "PDGs," is a major step forward in addressing DOI's recommendations that NYPD create formal processes governing eligibility determinations, security declinations, and the usage of City personnel and resources, including the members of service who provide security and City-owned vehicles in which officials are transported.

However, DOI found that certain issues identified in the 2021 report remain. These include:

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- **New NYPD guidance does not provide substantive information about the proper use of a security detail:** The PDGs provide little useful information for either members of service assigned to security details, or the elected officials afforded protection. The PDGs state that details should be used for “official purposes only within the scope of the protection personnel’s employment with the [NYPD] as dictated by the Patrol Guide and other Department directives,” and that detail personnel “will follow the responsibilities and tasks as discussed by the training received.” However, neither the new policy nor other materials that DOI reviewed provide sufficient details concerning the meaning of “official purposes”, “scope of . . . employment”, or “responsibilities and tasks.” Thus, a lack of guidance to elected officials and service members persists, despite the 2021 Report’s conclusion that a lack of guidance is “the root of nearly all” the issues identified in DOI’s investigation of the former Mayor.
- **NYPD gives detail officers limited training:** Interviews of NYPD Detectives assigned full-time to the detail for an elected official, as well as their supervisors, revealed that those service members received minimal training—two or three total days of dignitary protection training, in some cases a decade or more prior to their current protection assignment. The members of service that DOI interviewed, as well as their supervisors, had little or no knowledge of the policies or practices governing security details. Consistent with these findings, NYPD documentation showed that its security detail training did not cover the ethical and legal restrictions applicable to security details.
- **NYPD does not maintain certain written records recommended by DOI’s 2021 report:** NYPD has yet to fully implement DOI’s prior recommendations concerning recordkeeping, as evidenced by testimony from members of service that they do not maintain trip logs, tour summaries, or other records that would establish detail usage, destinations, or other duties undertaken by detail members.

DOI issued five policy and procedure recommendations (“PPRs”) in this report. Three of these reiterated and expanded upon PPRs from DOI’s 2021 report that have not yet been fully implemented, including recommendations that the NYPD:

1. **Further develop substantive guidance on the proper uses of security details:** DOI recommended in its 2021 report that NYPD implement formal processes, including written records, for security detail eligibility determinations, declination of protection, and permitted detail usages. NYPD has begun to comply with this recommendation, but DOI found the new PDGs have substantial gaps. DOI now recommends NYPD further develop the PDGs to reflect current executive protection best practices, based on consultation with outside experts, and to address the gaps identified by DOI in this Report. At a minimum, the PDGs should include substantive guidance for both members of service and protectees on the proper use of security details, reflecting the restrictions imposed by the City’s Conflicts Law on the use of City resources.
2. **Provide high-quality executive protection training to all members of service assigned to protective details:** DOI reiterated a PPR from its 2021 Report that stated that NYPD should “Require and provide high-quality executive protection training to personnel assigned to the Executive Protection Unit[,] . . . ideally [] provided by experts outside the NYPD who have experience with best practices in establishing clear boundaries and navigating the challenges inherent to the detail-protectee relationship, in addition to effective techniques for protection.” DOI now additionally recommends that NYPD require and provide such training to all personnel assigned to security details of elected officials, both within and outside the Executive Protection Unit (“EPU.”)
3. **Maintain records for security detail usage:** DOI reiterated a recommendation from the 2021 Report that NYPD should “Maintain appropriate records establishing location and time of each stop when detail resources/personnel are in use, such as detailed memo books and car logs, as well as any other duties undertaken by EPU members.” DOI now also recommends that NYPD maintain appropriate records for all security details, whether

managed by EPU or otherwise, establishing location and time of each stop when detail resources and/or personnel are in use, such as detailed memo books and car logs, as well as any other duties undertaken by detail members.

DOI also issued two new recommendations based on its review:

4. **Review and memorialize security determinations for elected officials:** NYPD should promptly conduct a review to identify whether it has made written security determinations for all elected officials currently assigned security details. To the extent that such security determinations were not memorialized in writing or cannot be located, NYPD should promptly make such determinations (following a formal analysis consistent with this and the 2021 Report) and adjust assignments based on said process, if necessary.
5. **Regularly update security determinations for elected officials:** NYPD should regularly update its written security determinations for elected officials and adjust security details as necessary to reflect changes in identified threats (as determined by threat analyses), in light of the need to use limited government resources efficiently.

NYPD indicated it could not fully implement PPR #2 as written due to the limited availability of outside experts, including the U.S. Secret Service, to conduct training. However, NYPD stated that it planned to extend its EPU training to all members of service assigned to security details, which would satisfy PPR #2 if the EPU training incorporates both the functional updates and legal restrictions identified in that PPR.

NYPD has rejected PPR #3 concerning recordkeeping. NYPD's refusal to maintain the records recommended by PPR #3 is a substantial deviation from best practices established by other protective agencies, including the Secret Service, Diplomatic Security Service, and U.S. Marshals.

Commissioner Strauber thanked NYPD Commissioner Jessica Tisch and her staff for their cooperation in this investigation.

The investigation was conducted by Inspector General Daniel Kacinski with DOI's Office of the Inspector General for Elected Officials and was supervised by Senior Inspector General Eleonora B. Rivkin, Deputy Commissioner of Strategic Initiatives Christopher Ryan, and Deputy Commissioner/Chief of Investigations Dominick Zarrella.

DOI is one of the oldest law-enforcement agencies in the country and New York City's corruption watchdog. Investigations may involve any agency, officer, elected official or employee of the City, as well as those who do business with or receive benefits from the City. DOI's strategy attacks corruption comprehensively through systemic investigations that lead to high-impact arrests, preventive internal controls and operational reforms that improve the way the City runs.

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New York City
Department of Investigation



Investigation Concerning New York City Police Department Security Details for City Elected Officials

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Commissioner

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Inspector General for Elected Officials

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EXECUTIVE SUMMARY

The Department of Investigation (“DOI”) previously considered the appropriate—and inappropriate—uses of New York City Police Department (“NYPD”) security details by elected public officials in connection with its 2020 investigation of former Mayor Bill de Blasio and his family. In that investigation, DOI concluded that the former Mayor repeatedly misused his NYPD security detail for personal benefit in violation of New York City’s Conflicts of Interest Law. DOI also identified a number of vulnerabilities in NYPD’s policies, procedures, and practices concerning security details for elected officials and made policy and procedural recommendations to NYPD to remedy those vulnerabilities, as discussed in DOI’s October 2021 Report (the “2021 Report”). These findings included: NYPD had no established rules or policies to guide NYPD personnel assigned to security details; NYPD officers assigned to details had received minimal training; and NYPD engaged in numerous violations of City regulations concerning recordkeeping and retention with respect to details.

The 2021 Report noted that “the provision of a standing security detail is potentially vulnerable to corruption and misuse of public resources” and that “[a]ppropriate policies and practices can guard against these risks.” DOI made a number of recommendations to address these risks and to ensure that NYPD followed best practices established by federal protective services. In particular, DOI recommended that NYPD should, among other proposals: implement a formal process for determining the eligibility of elected officials and others for security details; “[c]reate a clear, written policy” on the usage of “detail resources and personnel” (meaning City-provided vehicles and members of service who staff security details); provide additional training to members of service that covered best practices in protection techniques and ethical challenges for protectors and protectees; and maintain records of security details’ usage of City resources and personnel. NYPD accepted most of DOI’s recommendations.

DOI recently investigated the use of security details by elected officials. In connection with this investigation, DOI reviewed the status of its 2021 recommendations, and found substantial continuing gaps in NYPD’s policies and procedures concerning security details for elected officials. This Report is a summary of the findings of DOI’s investigation.

DOI found that NYPD has implemented or begun to implement some, but not all, of the prior recommendations. Specifically, in November 2022, in response to the 2021 Report, NYPD issued written guidance concerning how security details are assigned, the circumstances under which security should be declined, and the uses of a security detail. This written guidance, known as the “Protection Detail Guidelines,” or “PDGs,” is a major step forward in addressing DOI’s recommendations that NYPD create formal processes governing eligibility determinations, security declinations,

and the usage of City personnel and resources, including the members of service who provide security and City-owned vehicles in which officials are transported.

However, DOI also found that certain issues identified in the 2021 report remain. These include:

- **New NYPD Guidance Does Not Provide Substantive Information about the Proper Use of a Security Detail:** DOI found that the new NYPD guidance provides little useful information for either members of service assigned to security details or the elected officials afforded protection. While the PDGs state that details should be used for “official purposes only within the scope of the protection personnel’s employment with the [NYPD] as dictated by the Patrol Guide and other Department directives,” and that detail personnel “will follow the responsibilities and tasks as discussed by the training received,” neither the new policy nor other materials provided by NYPD to DOI provide sufficient details concerning the meaning of “official purposes,” “scope of . . . employment,” or “responsibilities and tasks.” Thus a lack of guidance to elected officials and service members persists, despite the 2021 Report’s conclusion that a lack of guidance is “the root of nearly all” the issues identified in DOI’s investigation of the former Mayor.
- **NYPD Gives Detail Officers Limited Training:** DOI found that NYPD provides limited training to members of service assigned to security details. Interviews of NYPD Detectives assigned full-time to the detail for an elected official, as well as their supervisors, revealed that those service members received minimal training—two or three total days of dignitary protection training, in some cases a decade or more prior to their current protection assignment. The members of service that DOI interviewed, as well as their supervisors, had little or no knowledge of the policies or practices governing security details. Consistent with these findings, NYPD documentation showed that its security detail training did not cover the ethical and legal restrictions applicable to security details.
- **NYPD Does Not Maintain Certain Written Records Recommended by 2021 Report:** DOI found that NYPD has yet to fully implement DOI’s prior recommendations concerning recordkeeping, as evidenced by testimony from members of service that they do not maintain trip logs, tour summaries, or other records that would establish detail usage, destinations, or other duties undertaken by detail members.

Based on these findings, DOI both reiterates its policy and procedure recommendations (“PPRs”) from the 2021 Report and makes new PPRs to address the remaining issues. These PPRs include recommendations that NYPD:

- Develop the PDGs to reflect current executive protection best practices and address the gaps identified by DOI in this report, including substantive guidance on the proper use of security details reflecting the restrictions imposed by the City’s Conflicts Law on the use of City resources;
- Regularly provide training on executive protection techniques and applicable ethical restrictions to all members of service assigned to security details, at intervals consistent with other protective agencies; and
- Maintain appropriate records for all security details, including written documentation of regularly-updated security determinations for protectees, as required by the City’s Conflict of Interest Law, and individual security details’ use of City resources and personnel, particularly City-owned vehicles and members of service themselves.

DOI provided a draft of this report to the NYPD for its comments and responses. NYPD provided comments on two of the PPRs, as well as some additional information, all of which has been incorporated, as appropriate, in this report.

BACKGROUND

I. NYPD Provides Security Details to Certain City Elected Officials

The New York City Police Department (“NYPD”) provides security to designated New York City (“City”) officials and, in some cases, their family members. Units within the NYPD Intelligence Bureau staff and supervise full-time security details for the Mayor, Comptroller, Public Advocate, and Speaker of the City Council, using multiple members of service and vehicles. Security for the Mayor and, if necessary, their family members, is provided by the Executive Protection Unit (“EPU”).¹ The Threat Assessment and Protection Unit (“TAPU”) provides details for the Comptroller, Public Advocate, and Speaker. TAPU is also responsible for providing security to other non-City dignitaries, such as diplomats and heads of state, and for “conduct[ing] the dignitary protection training for all members of the NYPD.” TAPU also provides training to members of service assigned to other bureaus that staff security details for elected officials.² The security details provided to District Attorneys for New York, Kings, Queens, Bronx, and Richmond Counties are staffed by detectives assigned to the respective District Attorneys’ Detective Squads (“DA Squads”), under the command of the NYPD Detective Bureau, a separate division within NYPD. According to NYPD, “detectives in the [DA Squads] may be assigned to security details at the request of their respective DAs.”³ The Intelligence Bureau is not involved in the day-to-day management of security details provided by DA Squads.

II. DOI’s 2021 Report Found Widespread Misuse of the NYPD Security Detail Provided to Former Mayor Bill de Blasio

In October 2021, DOI issued a report entitled *DOI’s Investigation into Mayor de Blasio’s Security Detail*, (the “2021 Report”). The 2021 Report examined allegations concerning the use of City-provided security and vehicles by former Mayor Bill de Blasio, his immediate family members, and mayoral staff.

In relevant part, DOI found that the former Mayor had repeatedly misused his City-provided security detail for personal benefit. As discussed in the 2021 Report, the Mayor and First Lady are “entitled to appropriate security protection” which

¹ For a detailed discussion of the structure of the EPU and NYPD security details, see Department of Investigation (“DOI”), DOI’s Investigation into Mayor de Blasio’s Security Detail (Oct. 2021), https://www.nyc.gov/assets/doi/press-releases/2021/October/DOI_Report_re_Security_Detail.pdf (“2021 Report”) at 5.

² *Behind the Badge: Patricia MacDonald ‘20 Deputy Inspector, Intelligence Bureau*, John Jay College of Criminal Justice, <https://www.jjay.cuny.edu/news-events/news/behind-badge-patricia-macdonald-20-deputy-inspector%2C-intelligence-bureau> (accessed Dec. 2, 2024).

³ Letter from NYPD to DOI dated March 7, 2024 (“RFI Resp.”).

“serves an official purpose,”⁴ provided that security details and vehicles are used in a manner consistent with the City Charter’s prohibitions on use of City resources for personal benefit.⁵

DOI found multiple instances where the former Mayor’s security detail was used for impermissible personal benefit, constituting potential violations of the City’s Conflicts of Interest Law, as reflected in Chapter 68 of the City Charter (“Chapter 68”) and the Conflicts of Interest Board Rules.⁶

DOI referred its findings to relevant authorities, including the Conflicts of Interest Board (the “COIB”). On June 15, 2023, the COIB found that De Blasio’s “conduct plainly violates” the City’s Conflict of Interest Law, holding that “there is no City purpose in paying the extra expenses incurred by [his] NYPD security detail to travel at a distance from the City to accompany the Mayor or his family on trips for his campaign for President.”⁷ In May 2023, a City Administrative Law Judge found that former Mayor de Blasio had violated the City’s Conflict of Interest law and recommended that he pay the City \$474,794.20, including reimbursement of the \$319,794.20 expended by the City for the out-of-state detail usage, and a \$155,000 fine. COIB adopted these findings and recommendations in June 2023.⁸ Former Mayor de Blasio has challenged the imposition of this fine; that proceeding is pending.⁹

III. City Conflicts of Interest Law, Enforced by Conflicts of Interest Board, Limits the Use of City-Provided Security Details

The City Charter establishes fundamental limits on the usage of *all* City resources, including security details and vehicles. These limitations are designed to ensure that public servants—including elected officials—do not personally benefit from their public position in a manner that is improper. The Charter states that:

No public servant shall engage in any business, transaction or private employment, or have any financial or other private interest, direct or

⁴ 2021 Report at 42.

⁵ 2021 Report at 6-7 (discussing applicable rules).

⁶ *Id.* at 43.

⁷ Final Findings of Fact, Conclusions of Law, and Order at 2, *Matter of Bill de Blasio*, COIB No. 2019-503, OATH Index No. 587/23 (June 15, 2023), <https://www.nyc.gov/assets/coib/downloads/pdf4/enf-dis/2019-503.pdf> (“De Blasio Order”).

⁸ *See id.*

⁹ *See De Blasio v. COIB*, No. 155404/2023 (Sup. Ct., N.Y. Cty., June 13, 2023).

indirect, which is in conflict with the proper discharge of his or her official duties.

*No public servant shall use or attempt to use his or her position as a public servant to obtain any financial gain, contract, license, privilege or other private or personal advantage, direct or indirect, for the public servant or any person or firm associated with the public servant.*¹⁰

Similarly, the COIB Rules establish that it is a violation of the City’s Conflicts Law for “any public servant to use City letterhead, title, personnel, *equipment, resources*, supplies, or technology assets for any non-City purpose.”¹¹ Officials are also prohibited from asking others to use City resources, or equipment for a personal purpose—for example, to run errands or conduct personal tasks.¹²

In sum, City employees—including elected officials—cannot use City time or resources for personal purposes. The application of this restriction is broad: City employees cannot ask public servants to run errands for them, to help with moving furniture, or to take any other action that personally benefits the elected official. This limitation also applies to the use of City-provided resources, such as vehicles: the COIB has repeatedly made clear that, as a general rule, City-issued vehicles can only be used for official duties and commuting, not personal trips or errands.¹³

The COIB provides a *limited* exception to the general rule for the use of City-provided vehicles by elected officials, where the City vehicle is provided for security (*i.e.*, as part of a security detail) or for non-security purposes (*i.e.*, a City fleet vehicle used by an elected official). In a 2009 advisory opinion, the COIB established that “it will not violate Chapter 68 for . . . Elected Officials to use their City cars for personal as well as official purposes, recognizing that their full and varied schedules makes changing from official to personal vehicles impractical and inefficient.”¹⁴

However, the 2009 advisory opinion also established certain bright line rules concerning how City vehicles should be used. City vehicles can only be used in

¹⁰ Charter §§ 2604(b)(2), (b)(3).

¹¹ Conflicts of Interest Board Rules (“COIB Rules”) § 1-13 (emphasis added).

¹² *Id.*, § 1-17.

¹³ See, e.g., *COIB v. Licitra*, No. 2017-537 (Mar. 23, 2018) (finding violation where DEP employee “treated the DEP vehicle as if it was his own personal vehicle”); *COIB v. Ponte*, No. 2017-156 (July 12, 2018) (issuing \$18,500 fine to DOC Commissioner for using vehicle on multiple personal trips); *COIB v. Bracy*, No. 2017-903 (July 9, 2019) (issuing \$5,000 fine to EDC employee who used City vehicle to commute to second, non-City job).

¹⁴ COIB, Advisory Opinion No. 2009-1 (Mar. 12, 2009) at 12, https://www.nyc.gov/assets/coib/downloads/pdf5/aos/2004-2013/AO2009_1.pdf (“2009-1”).

connection with activities that “do[] not otherwise result in a conflict of interest.” Further, the COIB made clear that other people, including family members or other passengers present for a non-City purpose, could accompany elected officials in their vehicles without violating the City’s ethics rules, but that any use of the vehicle *without* the elected official present was prohibited.¹⁵

IV. DOI’s 2021 Report Made Specific Policy and Procedural Recommendations Addressing Flaws in NYPD’s Processes Relating to Security Details

DOI’s prior investigation discovered significant vulnerabilities in the NYPD’s policies, procedures, and practices relating to security details. Although the 2021 DOI report focused on the EPU and the then-Mayor’s misuse of that detail, the policy and procedure recommendations issued to the NYPD are equally applicable to the day-to-day operation of the security details provided by the Intelligence Bureau and Detective Bureau to other elected officials.

Three findings of the prior report are relevant here. First, the 2021 Report found that the NYPD had no established rules or policies to guide NYPD personnel assigned to security details. The 2021 Report made clear that “the root of nearly all of the[] issues” identified by DOI was the “complete lack of any written policies or procedures at the NYPD for the operation of the mayoral security detail.”¹⁶

As the 2021 Report noted, the absence of such policies and rules deviated from best practices as established by federal protective agencies, which maintain such written policies.¹⁷ For example, representatives of the United States Secret Service, the Department of State Bureau of Diplomatic Security, and the United States Marshals Service all have formal processes for determining which individuals are entitled to security, the level of security needed for each protectee, and how an individual can decline protection.¹⁸ At the time of the 2021 Report, NYPD did not have any such formal processes.

Second, the Report concluded that the NYPD officers assigned to protective details had received minimal training. According to the NYPD, members of a security

¹⁵ *Id.* at 10 (“[A] public official . . . may not send a City car with security personnel or a City driver on personal errands for the official or utilize the car and/or drive to transport members of the official’s family to and from their daily pursuits; taking the official’s children to school or the dentist, or dropping the official’s spouse off at a destination, is not permitted, unless the Elected Official is in the car at the time or unless . . . the NYPD has determined that the official’s family member has an independent security need.”).

¹⁶ 2021 Report at 43.

¹⁷ *Id.* at 7-10.

¹⁸ *Id.* at 8.

details are required to take a “two-day ‘dignitary protection training course’”¹⁹ at some point in their career. There is no requirement that detectives assigned to protective details have any recent, supplemental or continuing training in any aspect of executive protection. Many of the officers assigned to protect the mayor had not received any additional training beyond this initial course which, in some cases, officers had taken more than seven years prior.²⁰

Third, DOI found numerous violations of City regulations concerning recordkeeping and retention. In particular, DOI found widespread use of encrypted text messaging applications such as WhatsApp and Signal for official business, in violation of Charter requirements for record retention and disposal.²¹

To address these issues, DOI made a number of recommendations. Among these, DOI recommended that the NYPD “consult with experts on official protection outside of the NYPD to develop and adopt improved practices for standing or long-term security details.”²² DOI further recommended specific steps that NYPD should take, including to:

- “Implement a formal process, including written records, for determining eligibility for standing or long-term security detail protection” made by persons other than those serving on or directly supervising those details,
- “Implement a formal process, including written records, for declination of a security detail,”
- “Create a clear written policy regarding permitted use of detail resources and personnel[, c]onvey that policy to current protectees, and create a standardized procedure for conveying that policy to future protectees,”

¹⁹ *Id.* at 45, footnote 37.

²⁰ *Id.*

²¹ *Id.* at 30-42. The 2021 Report also detailed obstruction of DOI’s investigation, including criminal conduct by the former head of the EPU, NYPD Inspector Howard Redmond. Redmond pleaded guilty in August 2023 to six criminal offenses in connection with his obstruction of DOI’s investigation: two counts of Tampering with Physical Evidence, a Class E felony, two counts of Obstructing Governmental Administration in the Second Degree, a class A misdemeanor, and two counts of Official Misconduct, a class A misdemeanor. Press Release, *D.A. Bragg Announces Guilty Plea and Sentencing of Former Chief of Mayor De Blasio’s Security Detail*, New York County District Attorney (Aug. 9, 2023), <https://www.nyc.gov/assets/doi/press-releases/2023/August/Howard%20Redmond.pdf> (“Redmond Release”). As part of his plea agreement, Redmond was terminated from the NYPD, ordered to perform community service, and made a formal apology to DOI for “not taking [DOI’s] investigation seriously, and not providing them with the information that they needed and required for their investigation.” Transcript at 14:11-15, *People v. Redmond*, No. CR-022321-23 (Sup. Ct. N.Y. Cty. Aug. 9, 2023).

²² 2021 Report at 44, PPR #2.

- “Require and provide high-quality executive protection training to personnel assigned to the Executive Protection Unit, . . . ideally [] provided by experts outside the NYPD who have experience with best practices in establishing clear boundaries and navigating the challenges inherent to the detail-protectee relationship, in addition to effective techniques for protection,”
- “Maintain appropriate records establishing location and time of each stop when detail resources/personnel are in use, such as detailed memo books and car logs, as well as any other duties undertaken by [detail] members,”
- “Establish an automatic rotation system of two to three years’ service for all NYPD members assigned to the EPU,” and
- “[C]reate a policy concerning out-of-state travel records at the NYPD,” ensuring that any such records “specify the purpose of the travel, especially for trips that require any reimbursements to the City.”²³

V. NYPD Accepted Most of the Recommendations in the 2021 Report

While the NYPD disagreed with the findings of DOI’s 2021 Report, it accepted most of the policy and procedure recommendations. NYPD stated that it “plan[ned] to introduce a formal threat assessment policy,” and would create a “written policy which will specify how security details are to be used, . . . notifications and advance sharing of schedules, . . . and include guidance for out-of-state travel for officials other than the mayor.”²⁴ NYPD further committed to provide training on the threat assessment and detail usage policies as part of its standard “NYPD Dignitary Protection training.”²⁵

The NYPD rejected some of the recommendations in whole or in part. As to recordkeeping, the NYPD claimed that since its “Intelligence Bureau already has a system in place to determine which personnel were working on a specific date and with whom they were working,” it would not maintain records of how details and their resources were used.²⁶ NYPD further did not commit to obtaining outside training for its executive protection officers, stating only that its “trainers received the training course offered by either the US Secret Service or the US Department of

²³ *Id.* at 44, PPR #2, 3. DOI further requested that the COIB publicly release further public guidance concerning the use of City resources in connection with political activities, and if such guidance provided for reimbursement, that the COIB include a timeline for such reimbursements and the parties responsible.

²⁴ Letter from NYPD to DOI dated Dec. 3, 2021 (“NYPD Resp.”) at 4.

²⁵ *Id.* at 5.

²⁶ *Id.*

State Diplomatic Security Service.”²⁷ Finally, NYPD rejected the recommendation to rotate members of the EPU details, claiming that it would “operate in accordance with accepted practices of other law enforcement agencies.”²⁸

The NYPD also disputed certain factual and legal assertions in the DOI report. For example, in a December 3, 2021 letter, NYPD Deputy Commissioner for Legal Matters Ernest Hart took the position that “[n]either the NYPD, nor the City Charter” limits the use of vehicles provided by the City to elected officials when that official is not present. DOI disagrees with that assertion in light of the COIB’s clear statement in its 2009 advisory opinion that the Charter does include such a limitation.²⁹

NYPD also indicated that DOI’s report “invites the risk that security decisions would be made based on what [an] individual or campaign could afford rather than the judgment of trained security professionals.”³⁰ DOI also disputes that claim. To the contrary, DOI made clear in the 2021 Report that “[n]o reasonable person disputes that the Mayor of New York City should have security protection and that providing such protection, *consistent with the City’s ethics rules*, is in the interest of the City.”³¹ DOI’s findings included that the former Mayor used his detail in a manner inconsistent with the City’s ethics rules, a conclusion that NYPD did not dispute.

VI. History of Instant Report

Following the publication of the 2021 Report, DOI conducted further investigation to review the status of its security detail-related recommendations. In the course of its investigation (the “Review”), DOI reviewed documents from the NYPD and other sources, conducted interviews of NYPD personnel assigned to a security detail and their supervisors, including a Lieutenant in charge of a detail, a Deputy Inspector supervising a detail, and a Lieutenant assigned to TAPU.³²

²⁷ *Id.*

²⁸ *Id.*

²⁹ 2009-1 at 10 (“Absent an independent security need as determined by the NYPD, a public official within this category may not send a City car with security personnel or a City driver on personal errands for the official or utilize the car and/or driver to transport members of the official’s family to and from their own daily pursuits; taking the official’s children to school or the dentist, or dropping the official’s spouse off at a destination, is not permitted, unless the Elected Official is in the car at the time or unless, as noted, the NYPD has determined that the official’s family member has an independent security need.”).

³⁰ NYPD Resp. at 3.

³¹ 2021 Report at 42 (emphasis added).

³² A NYPD representative was present for and observed all interviews of members of service.

The Review shed light on the extent to which NYPD implemented the recommendations made in the 2021 Report, and led to additional DOI findings and recommendations that are summarized in this report.

FINDINGS

I. NYPD Issued Written Guidance for Security Details in Response to DOI’s 2021 Report, But the Guidance Does Not Provide Substantive Information About the Proper Use of a Security Detail

The NYPD has made some progress addressing the issues identified in the 2021 Report. NYPD created “Protection Detail Guidelines” issued in November 2022 (the “PDGs” or the “Guidelines”).³³ According to NYPD, the PDGs have been provided to “designated protectee[s] and members of their staff.”³⁴ NYPD further informed DOI that the PDGs were “developed partly in response to the recommendations resulting [from] . . . DOI’s inquiry into the Mayoral Protection Detail.”

The PDGs are a major step forward in addressing DOI’s recommendations that NYPD create formal processes governing eligibility determinations, security declinations, and the usage of City personnel and resources, including the members of service who provide security and City-owned vehicles.³⁵ For eligibility purposes, the Guidelines now set out basic factors to consider when “making a determination to provide a protection detail,”³⁶ and specify that the Police Commissioner makes “[t]he final decision as to whether an individual will be granted a protection detail.” The PDGs also establish that any person “deemed eligible for a protection detail” can decline it at any time and, critically, that such declination must be “memorialized in a report containing the date, time, and reasons for the declination or termination of the security detail.”³⁷ The Guidelines further make clear that “[t]he protection detail is to be used for *official purposes only*.”³⁸

However, the PDGs do not fully address gaps in security detail policy and procedure identified in the 2021 Report. Of particular concern, the PDGs do not provide detectives with substantive guidance on the appropriate use a security detail by an elected official. The 2021 Report, in large part, addressed the use of security details by elected officials for improper purposes—namely the use of the former Mayor’s security detail for matters that did not involve official business and were not

³³ *Intelligence Bureau Protection Detail Guidelines*, (produced by NYPD Nov. 15, 2022) (“PDGs”) at 1. The NYPD confirmed that the November 2022 PDGs remain in effect and have not been revised since publication. RFI Resp. at 1.

NYPD contends that the PDGs are “Law Enforcement Sensitive and Confidential” and “ask[ed] that the policy or the information contained therein not be disclosed without prior written consent from the NYPD. For this reason, DOI is withholding certain specifics of the PDGs.

³⁴ RFI Resp. at 2.

³⁵ See 2021 Report at 44-45, PPR 2(c) (DOI recommends NYPD “Create a clear written policy regarding permitted use of detail resources and personnel . . .”).

³⁶ PDGs at 1.

³⁷ *Id.* at 2.

³⁸ *Id.* (emphasis added).

otherwise permitted, such that the use was for personal benefit, and prohibited by the Conflicts of Interest Law. The PDGs appear to acknowledge the importance of ensuring the proper use of details, as they state that a protection detail “is to be used for official purposes only within the scope of the protection personnel’s employment with the [NYPD] as dictated by the Patrol Guide and other Department directives,” and that detail personnel “will follow the responsibilities and tasks as discussed by the training received.”³⁹

Despite these general directives, the PDGs fail to give sufficiently specific guidance to the Detectives who are assigned to security details as to what “official purposes” are, to what the “scope of . . . employment” refers, or what the “responsibilities and tasks” are outlined in training. DOI reviewed the other sources to which the PDGs refer—the Patrol Guide, “other Department directives,” and training materials—and found that those sources also fail to address the proper and improper uses of a detail.⁴⁰

DOI emphasized in the 2021 Report that “the root of nearly all” of the issues identified by DOI relating to security details is the lack of guidance to both elected officials and the members of service sworn to protect them. While NYPD has made some improvements in the guidance provided, in DOI’s view that guidance is still insufficient to address key issues, such as the appropriate uses of a security detail. DOI therefore recommends, as set forth further below, that NYPD promptly address these gaps in the Guidelines for the benefit of both protector and protectee alike.

II. Assigned Officers Unaware of Limits on Security Detail Use

The City’s Conflicts of Interest Law imposes limits on the use of City resources, including security details. During this Review, however, DOI found that members of service responsible for providing protection to elected officials were unaware of restrictions on the use of security details. In an interview with DOI, a TAPU official said that detail supervisors were responsible for ensuring that members of service knew the rules and regulations applicable to dignitary protection, including restrictions on detail use. However, four of the five members of service serving on or supervising security details interviewed by DOI during this Review, including the Deputy Inspector and Lieutenant responsible for supervising a security detail, said that they were unaware of any rules, regulations, or limitations on the use of a security detail:

³⁹ *Id.*

⁴⁰ *Id.*

DOI: Are you aware of any rules, policies, or laws about dignitary protection for elected officials?

Deputy Inspector: No.

* * *

DOI: To the best of your knowledge, are there any rules or policies about dignitary protection for elected officials?

Lieutenant: If there is, I wouldn't know where they are.

* * *

DOI: To the best of your knowledge, are there any rules or policies concerning dignitary protection?

Detective 1: I don't recall.

DOI: Okay, are you aware of any specific rules or policies for dignitary protection of elected officials?

Detective 1: I don't recall that either.

* * *

DOI: To the best of your knowledge, are you aware of any rules or policies about dignitary protection for elected officials?

Detective 2: No.

* * *

DOI: Do you know of any written rules or written policies applying to the provision of dignitary protection for elected officials?

Detective 3: No.

Only one of the five members of service interviewed identified any limit on the use of details, correctly noting that a detail-issued vehicle should not be used to transport non-protectees, unless the protectee is in the car. However, the member of service did not point to any rule or training as the basis for that restriction; rather, it was "just the way it is":

DOI: To the best of your knowledge, . . . are there any rules or policies about dignitary protection for elected officials?

Detective 4: That I don't know from my perspective. The only rules that we go by is, ensure the safety that every night, the protectee gets home safely.

DOI: But let me back up. When you did that training, I know it was back in 2005, it was a long time ago. They didn't, you know, say, here's a guidebook, or here's a policy, or here's the rules for dignitary protection, or anything like that?

Detective 4: There are things that we can't do and we shouldn't do. I can't speak for everybody else, but there are things that we are told we're not supposed to do. Like when you're in a protection mode you have to be here not be there.

DOI: In terms of the things you're told you are not supposed to do, beyond the physical act of providing security, have you been told that there are certain things you cannot do even if the protectee asks you to do it?

Detective 4: Can you be more specific?

DOI: For example, let's say, the protectee asks you to drive their friend home from a private event. Are you allowed to do that?

Detective 4: Not if the protectee is not in the car.

DOI: Okay, that's what I'm getting at, if there any sort of rules like that. . . . What is the reason that you're not allowed to drive someone when the protectee is not in the car?

Detective 4: Well, my responsibility is solely for the protectee.

DOI: But have you been directed or told to say, like, No, you're not allowed to drive people when the protectee is not in the car?

. . .

Detective 4: Okay. So, in regard to the question that you asked, in terms of my training and specific manuals and everything. I don't recall ever being specifically told that you can't do that, but I do know that other than the protectee, nobody should be in the car by themselves without [the protectee] being in the car. I do know that for a fact.

DOI: How do you know that I guess is my question.

Detective 4: It is just the way it is.

Without knowing the appropriate use of a security detail, and the limitations on that use, there is a significant risk that elected officials and members of service may use a security detail inappropriately. At minimum, the lack of awareness of the officers interviewed by DOI suggests that members of service assigned to security details are not receiving sufficient guidance or training on all aspects of their role. Moreover, DOI has no reason to believe that the identified absence of knowledge on these topics is limited solely to one unit. Rather, as discussed further below, the lack of knowledge appears linked to deficits in NYPD's dignitary protection training for members of service.

III. Security Detail Officers Given Minimal Protection and Ethics Training by NYPD

In the 2021 Report, DOI found substantial deficiencies in the training that NYPD provided to members of service assigned to security details. The 2021 Report noted that EPU members protecting the Mayor had received limited dignitary protection training, which in most cases had occurred many years prior:

During the course of its investigation, DOI requested information from the NYPD about the professional trainings offered to members of the EPU and UOU. The NYPD responded that its Intelligence Bureau offers a two-day "dignitary protection training course," and that this training "is currently the only required training" for members of the EPU. The NYPD's response listed just 15 EPU members, including only two of the EPU's three sergeants, who have received this training since January 1, 2013. The majority received the training in 2013 or 2014. It does not appear that EPU members have received any additional professional training since that time.⁴¹

Given this finding, DOI recommended that NYPD ensure that officers assigned to security details receive "high-quality executive protection training, . . . ideally by experts outside the NYPD who have experience with best practices in establishing clear boundaries and navigating the challenges inherent to the detail-protectee relationship, in addition to effective techniques for protection."⁴²

NYPD did not agree to implement this recommendation in full. NYPD stated that "[t]he NYPD's Dignitary Protection Training, which is given by the Intelligence Bureau, is highly regarded and sought after by many law enforcement agencies," and that its trainers were trained by federal protective agencies. NYPD did state that, moving forward, the training provided by NYPD would cover the proper detail use and security eligibility.⁴³ DOI understood that NYPD was agreeing to add some

⁴¹ 2021 Report at 45, footnote 37.

⁴² *Id.* at 45, PPR #2D.

⁴³ NYPD Resp. at 4-5.

additional information to its trainings, but that NYPD otherwise believed that its existing dignitary protection training was sufficient.

Based on materials provided by NYPD, which were comprised of the presentation given at the training and a handbook provided to members of service, the “Dignitary Protection Training Course” consists of eight lectures over ten and a half hours. The training covers topics including “history,” “theory,” “formations,” “operational security,” and “attire.” NYPD also told DOI that the training includes “practical demonstrations,” but that no documentation existed for said demonstrations.

This Review raised significant questions about whether the dignitary protection training given to NYPD members of service is, in fact, sufficient. For one, members of service appear to receive minimal, if any, training on the ethical and legal restrictions applicable to security details. As part of this Review, DOI requested that NYPD identify any training materials provided either to protectees or NYPD officers that relate to the appropriate uses of a security detail. In response, NYPD provided copies of the training materials used in the Intelligence Bureau’s “Dignitary Protection Training Course” referenced in the paragraph above. DOI reviewed these materials and found that the ethical and legal limitations on security detail usage are never directly discussed. In 423 pages of content,⁴⁴ the only potentially relevant guidance members of service are given is a reminder to follow Patrol Guide Procedure 203-06, which sets out prohibited conduct while on duty. That procedure notes, among 21 other unrelated prohibitions, that “Using [NYPD] letterhead, personnel, equipment, resources, or supplies for any non-Department purpose or non-city purpose” is prohibited.⁴⁵

Consistent with the materials provided by NYPD, DOI interviewed certain members of service assigned to security details and found that they were given minimal if any guidance on the City ethics rules applicable to security details. The members of service interviewed told DOI that the sum total of dignitary protection training provided by NYPD was a two or three-day training given by the Intelligence Bureau. This is consistent with the training materials provided by NYPD. When asked to describe the lessons learned from that training, the members of service described basic instruction on threat identification, body protection, and driving, but nothing on detail eligibility, declining protection, proper detail use, or appropriate boundaries between detail members and their protectee. As noted above, this is again consistent with the NYPD training materials, which do not include any mention of ethical or legal restrictions on detail usage. These findings are entirely consistent with those in the 2021 Report, which similarly found that members of service

⁴⁴ NYPD provided 600 pages of materials, at least 177 of which included no content.

⁴⁵ Patrol Guide Procedure 203-06 at 2.

assigned to protect the Mayor had received only two days of training on dignitary protection, many years prior.⁴⁶

DOI further found that the security detail members interviewed had not recently received training on dignitary protection, if any. Four members of service told DOI that their dignitary protection training occurred *ten or more* years prior, without any refreshers or updates in the intervening decade. One member of service interviewed by DOI was assigned to provide dignitary protection without receiving *any* dignitary protection training. That member of service did not receive the standard dignitary protection training until six months *after* they joined a detail. It is unclear whether the training provided at that point was useful, because the member of service could not recall whether there were any rules or policies governing their protection of elected officials when interviewed approximately a month after the training.

Based on the interviews of the members of service assigned to security details, it appears that NYPD is not providing adequate training on the rules and policies for security details because members of service do not appear to be fully aware of the applicable rules and policies. In light of those interviews, DOI has significant concerns about the sufficiency of the training provided to members of service. NYPD must ensure that officers have the tools and knowledge to provide effective protection to elected officials as well as an awareness of activities that fall outside protective detail duties, consistent with applicable City ethics rules.

In response, NYPD contended this finding did not adequately reflect the nature of training that members of service on security details receive. NYPD specifically sought to highlight ‘on-the-job’ training that some members of service obtain by participating in high profile dignitary protection assignments in tandem with other protective agencies, such as the Secret Service (“USSS”) and the Diplomatic Security Service (“DSS”). NYPD also noted that some members of service attend USSS and DSS training courses.

While DOI commends NYPD for providing additional training opportunities, they do not fully address DOI’s concerns about training for members of service on *City elected official* security details. For one, NYPD has stated that it cannot obtain external training for all members of service assigned to security details as the supply of training slots is limited by the external providers.⁴⁷ And further, members of service assigned to City elected official details have limited opportunities to serve on higher-profile details with external partners. A NYPD official confirmed that

⁴⁶ 2021 Report at 45, footnote 37.

⁴⁷ Letter from NYPD to DOI dated May 3, 2024 (“NYPD Draft Comments”). NYPD also informed DOI that it does not maintain records of external trainings. As such, NYPD cannot conclusively identify which members of service have completed external trainings offered by USSS, DSS or other protective agencies.

members of service protecting a City elected official could only work on a different detail if their assigned elected official was outside the City, and if a need existed at that time for additional personnel to assist with a joint operation. In short, it is uncertain whether members of service assigned to City elected official details would receive these additional training opportunities, as opposed to the NYPD dignitary protection course which is given to all such members of service.

IV. NYPD Does Not Maintain Written Records Recommended by 2021 Report

The 2021 Report also identified flaws in NYPD's record-keeping practices with respect to security details generally and the members of the Mayor's security detail specifically. The 2021 Report also noted that NYPD did not keep basic records with respect to the daily movements or activities of security details.⁴⁸ As the 2021 Report made clear, this lack of recordkeeping is a substantial deviation from best practices. In contrast, the policies of the Secret Service, Diplomatic Security Service, and U.S. Marshals "all included a means of recording and maintaining records of all vehicles used, personnel present and their roles, and all stops and destinations (including matters not on the protectee's official itinerary, such as personal appointments and meals)."⁴⁹

The 2021 Report made multiple recordkeeping recommendations, consistent with these best practices, including that NYPD "maintain appropriate records establishing location and time of each stop when detail resources/personnel are in use, such as detailed memo books and car logs, as well as any other duties undertaken by EPU members."⁵⁰ NYPD rejected this recommendation.⁵¹

Consistent with NYPD's refusal to maintain records pursuant to DOI's recommendation, DOI found in this Review that a NYPD security detail did not maintain appropriate records of its work. Members of service assigned to that detail confirmed to DOI that they do not maintain trip logs, tour summaries, or other records that would establish detail usage, destinations, or other duties undertaken by detail members. The members of service stated that the command log, showing when they started and ended their tours, was the only record NYPD maintained in connection with their work.

DOI further found that the NYPD, more broadly, does not adequately maintain key written records of security determinations for all elected officials with security details. Security determinations provide a factual basis to support the use of City

⁴⁸ 2021 Report at 30-42.

⁴⁹ *Id.* at 9

⁵⁰ *Id.* at 45.

⁵¹ NYPD Resp. at 5.

resources to protect elected officials by establishing the threats they face and how a security detail will meet that threat. A written security determination also provides a reference point that can help ensure that protectees receive the appropriate level of security based on the threats they face. A security determination may also support the use of a City-funded security detail when an elected official travels out of the City, because the COIB has made clear that elected officials for whom the NYPD has “not made a determination that the provision of security is required” must presumptively reimburse the City for any out-of-City travel using a City-provided vehicle.⁵²

NYPD confirmed that written security determinations are not made for certain elected officials. This is inconsistent with the PDGs, however, which specify that “discretionary protection” is subject to a determination that “will be memorialized internally for each request.”

From the above, it is evident that NYPD has not fully addressed DOI’s recommendations for security determinations. The 2021 Report recommended that NYPD create “formal process[es]” for detail eligibility decisions and declination of protection.⁵³ While the PDGs list the “factors considered” in eligibility decisions, note that details can be declined, and state that both determinations and declinations will be memorialized, the Guidelines do not provide formal processes or procedures for eligibility or declination and do not require that they be memorialized in writing. Based on DOI’s review it appears that no such determinations are made or memorialized for certain categories of elected officials. Furthermore, NYPD has yet to provide guidance on *how* members of service should make and document security determinations, or *how* a protectee should decline security and document that declination.⁵⁴

⁵² 2009-1 at 11.

⁵³ 2021 Report at 44, PPR #2A.

⁵⁴ Moreover, DOI has received information from NYPD conflicting with the Guidance, raising questions as to whether NYPD in fact adheres to the Guidance. In particular, the PDGs state that the Police Commissioner has the ultimate decision-making authority for assigning details. However, NYPD informed DOI that security designations are actually made by the Chief of the Intelligence Bureau, not the Police Commissioner.

CONCLUSION AND RECOMMENDATIONS

As DOI made clear in the 2021 Report, “[n]o reasonable person disputes” that certain elected officials may need security protection from the NYPD, and that providing such protection is in the interest of the City where consistent with the law. It is therefore also in the City’s interest to ensure that security provided to elected officials is of the highest quality and tailored to the specific threats faced. And recognizing that “the provision of a standing security detail is potentially vulnerable to corruption and misuse of public resources,” it is also in the City’s interest to establish “appropriate policies and practices [to] guard against these risks” to aid elected officials and the members of service who protect them in complying with the law.⁵⁵

For those reasons, DOI made a number of recommendations in the 2021 Report encouraging NYPD to implement new policies and practices to improve training and reduce corruption risks. As this Review shows, NYPD has made some progress towards implementing DOI’s previous recommendations, but there is still substantial room for improvement.

DOI found that NYPD’s new written guidance still has substantial gaps, and that elected officials and members of service need additional information including with respect to the permissible uses of a security detail. DOI further determined that the members of service assigned to security details, and interviewed by DOI in connection with this investigation, had limited knowledge of the rules governing the use of City resources such as security details, reflecting a need for additional NYPD guidance and training. DOI further determined that NYPD’s recordkeeping remains inadequate, as to documentation of the need for a security detail and the nature of the threat at issue, as well as a log of locations visited and activities undertaken by the members of details.

DOI also found that NYPD provided limited training to those members of service assigned to security details. The training should be enhanced with additional content on ethics rules and legal guidelines governing security details, and also should be given more regularly—some of the officers that DOI interviewed had only two to three days of dignitary protection training in a ten-year period (or more). Training must be given more frequently to ensure that officers have the tools and knowledge available to provide effective protection to elected officials as well as an awareness of activities that fall outside protective detail duties, consistent with applicable City laws and ethics rules.

⁵⁵ 2021 Report at 42.

For these reasons, DOI reiterates its policy and procedure recommendations (“PPRs”) from the 2021 Report, and now makes the following additional PPRs:⁵⁶

PPR #1: In the 2021 Report, DOI recommended that NYPD implement formal processes, including written records, for security detail eligibility determinations, declination of protection, and permitted detail usages. DOI acknowledges that NYPD has begun to comply with this recommendation, as reflected in the new Guidelines. However, as discussed, the PDGs have substantial gaps.

DOI recommends that NYPD further develop the PDGs to reflect current executive protection best practices, based on consultation with outside experts, and to address the gaps identified by DOI in this report. At a minimum, the PDGs should include substantive guidance for both members of service and protectees on the proper use of security details, reflecting the restrictions imposed by the City’s Conflicts Law on the use of City resources.

PPR #2: The 2021 Report stated that NYPD should “Require and provide high-quality executive protection training to personnel assigned to the Executive Protection Unit[,] . . . ideally [] provided by experts outside the NYPD who have experience with best practices in establishing clear boundaries and navigating the challenges inherent to the detail-protectee relationship, in addition to effective techniques for protection.”

DOI reiterates that PPR, and now further states that NYPD should require and provide such training to all personnel assigned to security details of elected officials, both within and outside the EPU. In addition to any functional updates (*i.e.*, developments in protective strategies, defensive tactics, etc.), such trainings must address detail eligibility, declining protection, proper detail use, and appropriate boundaries between detail members and their protectees, reflecting the restrictions imposed by the City’s Conflicts of Interests Law on the use of City resources. To the extent that members of service have not received such training recently, NYPD should ensure that they are provided updated training as soon as practicable.

PPR #3: The 2021 Report stated that NYPD should “Maintain appropriate records establishing location and time of each stop when detail

⁵⁶ DOI reiterates all of the PPRs from the 2021 Report in full for the reasons provided therein, including those rejected by the NYPD. DOI further extends its new and prior PPRs to all NYPD bureaus, units, and members of service that provide dignitary protection (*i.e.*, TAPU, EPU, UOU, Detectives’ Bureau, and any others that provide dignitary protection).

resources/personnel are in use, such as detailed memo books and car logs, as well as any other duties undertaken by EPU members.”

DOI reiterates its prior recommendation, and furthermore recommends that NYPD maintain appropriate records for all security details, whether managed by EPU or otherwise, establishing location and time of each stop when detail resources and/or personnel are in use, such as detailed memo books and car logs, as well as any other duties undertaken by detail members.

PPR #4: NYPD should promptly conduct a review to identify whether it has made written security determinations for all elected officials currently assigned security details. To the extent that such security determinations were not memorialized in writing or cannot be located, NYPD should promptly make such determinations (following a formal analysis consistent with this and the 2021 Report) and adjust assignments based on said process, if necessary.

PPR #5: NYPD should regularly update its written security determinations for elected officials and adjust security details as necessary to reflect changes in identified threats (as determined by threat analyses), in light of the need to use limited government resources efficiently.

DOI provided NYPD with a copy of this report for its comments. In response, NYPD did not comment as to three of the five PPRs issued.⁵⁷

NYPD did respond to PPR #2 and PPR #3. Concerning PPR #2, where DOI recommended that NYPD require and provide high-quality executive protection training to all members of service assigned to security details, NYPD stated:

[T]he Department is unable to fully implement the PPR as written. While Department personnel assigned to the Executive Protection Unit (“EPU”) may receive training from the Secret Service, the number of training slots available to the Department is determined by the Secret Service. Accordingly, the Department does not have the ability to provide that training to all members of service assigned to security details, whether they are assigned to EPU or otherwise. However, to the extent that the Intelligence Division provides training to its EPU personnel, the NYPD is open to extending that training to all members of service assigned to security details, including those outside of EPU. Moreover, the training

⁵⁷ NYPD Draft Comments.

*provided to EPU can be reviewed and amended, as necessary, to ensure that the NYC Conflict of Interest Laws are fully addressed.*⁵⁸

DOI acknowledges the limitations that NYPD faces in obtaining training from outside sources, and understands that it may not be possible to provide such training to all members of service. NYPD's stated plan to extend its EPU training to all members of service assigned to security details would satisfy PPR #2 as long as that training incorporates both the functional updates and legal restrictions identified in that PPR.

NYPD rejected PPR #3, which recommends NYPD maintain appropriate records for all security details. NYPD stated to DOI that:

*As to PPR #3, the Department believes that serious security risks exist in maintaining such records. If made public, such documentation could demonstrate habitual movements of protectees and could put a protectee's safety at risk. The Department reiterates that its current system tracks which personnel are working on specific dates, and with whom they are working.*⁵⁹

As noted, NYPD's refusal to maintain such records is a substantial deviation from best practices established by other protective agencies, including the Secret Service, Diplomatic Security Service, and U.S. Marshals, which all do so. Moreover, PPR #3 does not require NYPD to maintain *public* records of security detail operations. As with many categories of records maintained by NYPD and other law enforcement agencies, any such records would necessarily be confidential in nature. For those reasons, NYPD has not articulated a reasonable basis to reject PPR #3, and DOI reiterates that NYPD should implement it in full so as to align with existing best practices.

⁵⁸ *Id.* at 1.

⁵⁹ *Id.*