

**Department of Justice**  
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## **Justice Department Reaches Agreement with City of Yonkers, New York, to Enhance Police Department Policies and Procedures**

The Justice Department announced today that it has reached an agreement with the city of Yonkers, New York, and the Yonkers Police Department (YPD) to resolve the department's investigation of YPD and ensure constitutional policing.

The agreement is the result of the department's investigation of YPD under the Violent Crime Control and Law Enforcement Act of 1994 and the Omnibus Crime Control and Safe Streets Act of 1968. In June 2009, the United States sent the city a technical assistance letter that identified necessary reforms to YPD practices and policies in the areas of use of force, civilian complaints, investigations, supervisory oversight and training. After receiving the department's technical assistance letter, the city and YPD made substantial changes to its policies and procedures. This agreement implements and further improves those policies and procedures and addresses the department's remaining concerns.

"This agreement will ensure that the Yonkers Police Department continues to advance constitutional, effective and community-oriented policing," said Principal Deputy Assistant Attorney General Vanita Gupta, head of the Justice Department's Civil Rights Division. "Through clear policy guidance, data analysis and accountability systems, we believe these reforms will make the entire community safer and strengthen public trust in the police."

"This agreement ensures that the Yonkers Police Department polices in a way that keeps its citizens safe, while protecting their constitutional rights," said U.S. Attorney Preet Bharara of the Southern District of New York. "The measures put in place with this agreement, including clear and reasonable use-of-force policies and guidance on how to properly evaluate and respond to use-of-force incidents, will make Yonkers safer for citizens and police alike. We thank the Yonkers Police Department and the city of Yonkers for cooperating with our investigation, and for joining our effort to ensure that the Yonkers Police Department protects its citizens not only from physical harm, but also from violations of their constitutional rights."

The agreement is carefully tailored to address the department's remaining concerns while also taking into account and seeking to build upon the positive reforms YPD has already made following the department's investigation. Under the agreement, the YPD will, among other things:

- maintain and implement clear policies to avoid using excessive and unreasonable force and timely document and review uses of force;
- maintain and implement clear and appropriate policies on investigatory stops and detentions, as well as searches and arrests;
- develop a system to collect data on all investigatory stops and searches, except stops purely for traffic enforcement, whether or not they result in an arrest or issuance of a citation;
- permit onlookers or bystanders to witness, observe, record and/or comment on officer conduct, including stops, detentions, searches, arrests or uses of force, consistent with applicable law and best practices;
- ensure the transparency and accessibility of the misconduct complaint process and investigate all misconduct complaints fully and fairly;
- continue to develop and implement a computerized risk management system to identify and respond to potentially problematic incidents, officers, units, training and tactics;

- continue to maintain and build community relationships and engage constructively with the community to ensure collaborative problem-solving efforts and to increase community confidence in the department;
- develop a survey to measure officer outreach to a cross-section of community members in each precinct, with an emphasis on community partnerships and problem-solving strategies that build mutual respect and trusting relationships with community stakeholders; and
- ensure that officers and supervisors receive appropriate levels of training in constitutional policing.

The agreement also provides that consultants retained by the department will conduct compliance reviews to ensure that YPD has implemented the measures required by the agreement and issue public reports of those compliance reviews.

This case is being handled by the Civil Rights Division's Special Litigation Section and the U.S. Attorney's Office of the Southern District of New York.