

# NYPD stats were captain-cooked

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A city police captain was forced to retire last year after he fudged crime statistics to make his precinct look safer — adding to widening concern over the accuracy of NYPD stats and the belief that top bosses pressure supervisors into cooking the books.

Capt. James Arniotes, a 23-year veteran, told *The Post* that he was busted for reclassifying 23 grand-larceny felonies as petit-larceny misdemeanors in early 2008.

The misconduct occurred while Arniotes, 48, was second in command at the Ninth Precinct in the East Village.

Grand larceny is one of seven major crimes, along with murder, rape, assault, robbery, burglary and grand larceny auto, that the NYPD and FBI track and publicize.

Through CompStat — which was started in 1995 and is credited with helping to take crime levels to an all-time low — data are broken down by precinct and used as a tool to focus cops on crime trends.

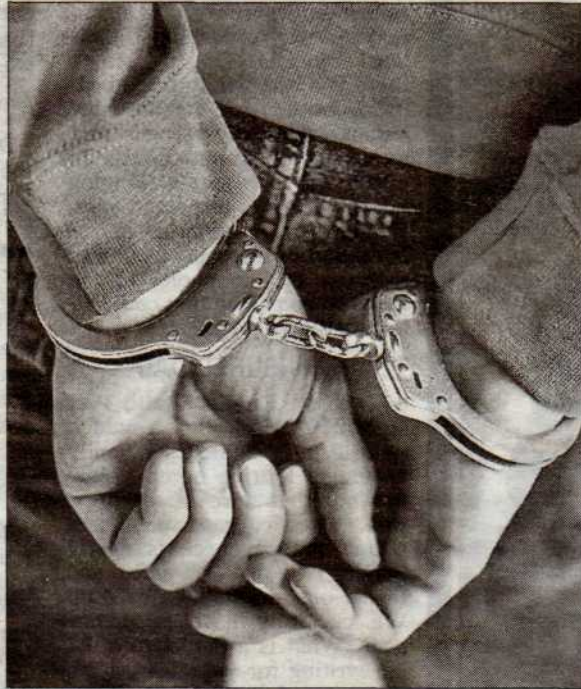
But a growing chorus of complaints — including those from Post interviews with dozens of officers and a new survey of retired captains — allege that the pressure of CompStat leads precinct bosses to downgrade major crimes to minor offenses.

The evidence includes:

■ A new survey of 491 retired captains that found that respondents who worked in the CompStat era felt greater pressure from management to doctor major crimes.

■ The NYPD Staten Island Evidence Collection Team's fingerprinting of burglary scenes but not entering its findings if cops did not issue the victims a police report. The burglaries would then not appear on CompStat.

■ Sergeants' different attitude during roll call once



**BUSTED:** An NYPD captain was forced to retire after he reclassified felony arrests as misdemeanors.

CompStat began. Before, they would instruct officers to report *all* crimes. When CompStat came aboard, that speech disappeared.

■ Officers who purposely made it difficult for victims to file complaints. Cops responding to burglaries would ask for serial numbers and receipts for lost items and not file their reports until those had been produced.

■ Cops who turned felony assaults into misdemeanor assaults if suspects couldn't be identified.

■ A sergeant who recorded an iPod stolen during an assault as lost property. The same cop recategorized burglaries down to the level of criminal trespass.

Arniotes admitted to reclassifying criminal charges and was forced to resign — with his \$70,000 annual pension intact.

While leading a Manhattan grand-larceny suppression team, he buckled under the pressure of presenting the data to management every two weeks, he

claimed.

"You're under pressure because you have to stand in front of the lectern and talk about grand-larceny suppression," he said.

His lawyer, Hugo Ortega, said, "These captains are called on the carpet one time a month at CompStat meetings and told to bring the numbers down — and if they don't, their careers are on the line."

In the new survey of retired commanders, by Dr. John Eterno of Molloy College and Dr. Eli Silverman of the John Jay College of Criminal Justice, more than half of the respondents said they were aware of reports changed due with an eye toward CompStat.

Supervisors "with questionable disciplinary records who were proactive in crime-reducing strategy 'downgrading complaint reports' were promoted on a regular basis," one respondent wrote.

While the researchers acknowledged that major crimes were at a historic low, they said they hoped

the survey results would serve as a "wake-up call" to the department.

"This is the perception of the people we spoke with," Eterno said. "They felt far more pressure to downgrade index crimes than the previous generation of the NYPD. The department demanded less integrity compared to the previous."

But NYPD officials insist that pressure has never been an excuse to fudge the numbers. Under Commissioner Ray Kelly, there have been 11 disciplinary cases and four involved commanding officers, said spokesman Paul Browne, who also questioned the study's methodology.

"It's a flawed survey, because there's no way of knowing whether the respondents had any first-hand knowledge of what they were talking about or just repeating what they'd heard about a few well-publicized incidents," he said.

Instead, Browne pointed to a 2006 NYU study and a 2001 audit by the state comptroller that found NYPD crime statistics to be accurate, with crime reporting from victims and the police showing a "high correlation."

"We can feel confident that the crime stats they are using are real. It's not somebody's imagination or fabrication that crime is down," Professor Dennis Smith, one of the NYU study's co-authors, told *The Post*.

The department now conducts crime-reporting audits twice a year, resulting in a 1.5 percent misclassification rate — a 66 percent drop since 2000, according to Browne.

He added that Kelly has barred spectators from CompStat presentations because he thought their presence "demeaned the process and was unprofessional."

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