

Thirty-Third Report of the Independent Monitor

Report on Underreporting

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Floyd, et al. v. City of New York

Davis, et al. v. City of New York



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I. Executive Summary

This report addresses the failure of the New York City Police Department (“NYPD” or the “Department”) to accurately document *Terry* stops. The Court’s Remedial Order requires that every *Terry* stop be documented.¹ More than a decade after the Court’s 2013 order, underreporting of *Terry* stops remains a persistent and significant problem. The scale is substantial: the Monitor estimates that more than a quarter of all *Terry* stops—nearly 10,000 stops in 2025 alone—were never documented as the Court’s Remedial Order requires.² Accurate reporting of *Terry* stops by the NYPD is essential to constitutional policing, accountability, and public trust. When NYPD officers fail to document stops, unlawful conduct becomes harder to detect, correct, and monitor, and lawful conduct goes unseen. Failing to properly record an investigative encounter as a *Terry* stop means that the number of stops recorded in the Department’s stop and frisk database (the “SQF database”) understates the actual number of *Terry* stops that occurred.

The Monitor audits Body-Worn Camera (“BWC”) videos to identify potential *Terry* stops and then determine whether a stop report was completed by the officer making the stop. The Monitor team stratifies its video sample by the encounter level the officer assigned, which makes undocumented stops easier to identify.³ Level classification is important because it determines the officer’s legal authority to engage with an individual and that person’s rights in response.

¹ *Floyd v. City of New York*, 959 F. Supp. 2d 668, 681–83 (S.D.N.Y. 2013) (*Floyd* Remedial Order). When a police officer detains a civilian such that the person is not free to leave, it is called a *Terry* stop, named after the U.S. Supreme Court case ruling that an officer must have at least reasonable suspicion of criminality before conducting a stop. *Terry v. Ohio*, 392 U.S. 1 (1968).

² The Monitor reported on NYPD underreporting in its Twenty-Second Report and in subsequent quarterly Compliance Snapshots (Twenty-Fourth, Twenty-Fifth, Twenty-Eighth, and Twenty-Ninth Reports). [Twenty-Second Report of the Independent Monitor](#), *Floyd v. City of New York*, No. 1:08-cv-1034 (S.D.N.Y. Oct. 7, 2024), ECF No. 937-1; [Twenty-Fourth Report of the Independent Monitor](#), *Floyd v. City of New York*, No. 1:08-cv-1034 (S.D.N.Y. May 21, 2025), ECF No. 960-1; [Twenty-Fifth Report of the Independent Monitor](#), *Floyd v. City of New York*, No. 1:08-cv-1034 (S.D.N.Y. June 3, 2025), ECF No. 963-1; [Twenty-Eighth Report of the Independent Monitor](#), *Floyd v. City of New York*, No. 1:08-cv-1034 (S.D.N.Y. Jan. 20, 2026), ECF No. 974-1; [Twenty-Ninth Report of the Independent Monitor](#), *Floyd v. City of New York*, No., 1:08-cv-1034 (S.D.N.Y. Feb. 26, 2026), ECF No. 979-1.

³ In *People v. DeBour*, 40 N.Y.2d 210 (1976), the New York State Court of Appeals established four levels of investigative encounters. Level 1 encounters are known as “Requests for Information” and require an objective,

The Monitor’s audit sample of BWC videos included a fixed number of videos from each category (Level 1, Level 2, Level 3, unlabeled, and Crimes in Progress), rather than a number proportional to how often each category occurs among all NYPD BWC videos. Because of that, the initial audit results describe underreporting only *within the sample itself*, and not underreporting across the NYPD’s stops citywide. To address this, the Monitor team added a second step of reweighting the audit results, so that they reflect the overall citywide mixture of stops. This reweighting estimates how many *Terry* stops were mislabeled as Level 1 and Level 2 encounters and should have been recorded as Level 3 stops. This matters because accurate labeling is the foundation on which everything else rests. If stops are not labeled correctly, any compliance rate calculated from those labels will also be unreliable.

In addition, the Monitor’s audit does not account for encounters that are not recorded by the officers on their BWCs. There is no practical method for the Monitor to assess the extent to which officers are not activating their BWCs during *Terry* stops.

While both methodologies arrived at a similar overall compliance rate, only the reweighted methodology estimates how much mislabeling exists across the Department’s stops. The reweighted estimate is an important finding, as it puts a number on how many videos were likely mislabeled as Level 1 and Level 2 and should have been recorded as Level 3 stops.⁴

Key findings include:

credible reason to approach the person. A Level 2 encounter is known as a “Common Law Right of Inquiry” and requires a founded suspicion that criminality might be present. Level 1 and Level 2 encounters do not require a stop report, although officers are now required under the How Many Stops Act to report those encounters on different forms. Level 3 encounters are *Terry* stops and require reasonable suspicion that the person stopped has committed, is committing, or is about to commit a felony or Penal Law misdemeanor, and a stop report documenting these encounters must be prepared. Level 4 encounters are ones in which the officer has probable cause for an arrest or a summons. For investigative encounters, officers are required to include the level of the encounter in the NYPD’s BWC database, Evidence.com.

⁴ The methodology for the Monitor’s audits and the reweighting analysis is described in more detail in the Appendix.

- **Unweighted results:** The Monitor’s 2025 unweighted BWC audits found that NYPD officers completed a stop report for 74% of the stops identified in the audit sample, while 26% went unreported.
- **Weighted results:** After reweighting the audit results to reflect the actual citywide number of stops labeled Level 3, as well as encounters incorrectly labeled Level 1 and Level 2 and those with no level assigned, the Monitor estimates that almost 10,000 *Terry* stops were not properly reported in 2025, an underreporting rate of approximately 27% and a compliance rate of 73%.
- **Multi-year trend:** On a reweighted basis, *Terry* stop reporting compliance has ranged from a low of 36% in 2022 to a high of 73% in 2025, meaning that the NYPD failed to document between roughly a quarter and over half of all *Terry* stops from 2022 through 2025.

Persistent underreporting reflects an ongoing lack of accountability. Officers who misclassify stops as lower-level encounters and fail to prepare stop reports are rarely disciplined, and supervisors and command executives are not held accountable for their officers’ failures. The NYPD has acknowledged that underreporting is a problem. More importantly, the NYPD is working on a plan to address it, including developing an underreporting auditing protocol and a uniform system for imposing discipline for failure to document a stop. The Monitor is looking forward to reviewing the Department’s plan to improve reporting and is confident it can do so.

II. Results from the 2025 BWC Audit

A. Underreporting in 2025 Under the First Methodology

Table 1 presents the Monitor team’s initial BWC audit results from the first through the fourth quarter of 2025. In each quarter, the Monitor team randomly selects 50 BWC videos categorized by officers as Level 1, 100 videos categorized as Level 2, 25 videos categorized as

Level 3, and 50 BWC videos that were not assigned a label (“NA”), for a total of 225 Investigative Encounter videos for assessment. The Monitor team also reviews a random sample of 100 BWC videos categorized as “Crimes in Progress” (“CIP”) each quarter.

The Monitor’s audits for 2025 showed that 73.7% of the *Terry* stops reviewed were documented with a stop report; the remaining 26.3% were not.

Table 1. Investigative Encounters Reviewed on BWC 1Q2025 to 4Q2025

Quarter	Total IE Videos	Documented Stops	Sample	Monitor Confirmed Stops	Stops Reported	Compliance rate	Margin of Error (95%)
1Q2025	1,054,474	7,617	325	39	27	69.2%	
2Q2025	1,086,639	6,814	325	40	29	72.5%	
3Q2025	907,172	5,818	325	35	25	71.4%	
4Q2025	778,278	5,687	325	38	31	81.6%	
Total 2025	3,826,563	25,936	1,300	152	112	73.7%	±7.0%

B. Underreporting in 2025 Under the New Methodology

The Monitor team applied a new approach to estimate underreporting across the total number of stops, not just those identified in the Monitor’s audits. The first methodology specifically focused on identifying undocumented stops. The new methodology adjusts the audit results to reflect the citywide underreporting for all stops.

To identify undocumented stops, the Monitor’s first audit methodology oversampled encounters that officers labeled Level 2. Based on data from the Monitor’s audits, encounters mislabeled as Level 2 are the most likely to be *Terry* stops that go unreported. The first audit methodology also undersampled videos labeled as Level 1 encounters. The sample of videos assessed for the Monitor’s audit is not a random sample of all BWC videos. A simple random sample of all BWC videos categorized as Investigative Encounters would be dominated by Level 1 encounters, which make up the vast majority of BWC videos, leaving too few Level 2 and Level

3 videos to analyze. There were more than 2.1 million videos of Level 1 encounters recorded in 2025. Therefore, to estimate the compliance rate for the total number of stops, the Monitor team reweighted the audit results to more accurately reflect the share of the total BWC population that each level of investigative encounters represents.

Table 2 shows the results for estimating compliance in the overall population of stops after applying weights to each category of BWC videos. Reweighting the Monitor's audit results yields an estimate of approximately 58,000 videos not properly labeled as Level 3 stops in 2025 and a compliance rate of 72.9%, meaning that 27.1% of stops were not documented.⁵

⁵ The number of videos that are not properly labeled as Level 3 stops is not the same as the number of undocumented *Terry* stops, as there are generally many officers at the scene of an investigative encounter, each of whom may activate their BWC. Thus, there are likely to be several BWC videos for one *Terry* stop. A review of documented and undocumented stops in the Monitor's audits showed an average of six officers present at each encounter (each with their own BWC). Applying this assumption yields approximately 9,641 undocumented stops in 2025 (57,844 videos divided by six) and compared to documented Level 3 stops of 25,936 in 2025, a compliance rate of 72.9%.

Table 2. Reweighted Assessment of 2025 Investigative Encounters

Year	Level	Total IE Videos	Sample Size	Confirmed Stops	Stops Not Reported	Compliance Percentage	Weight	Mislabeled Stop Videos	Missing Stop Reports
2025	CIP*	1,253,032	400	17	5	70.6%	1.06	16,669	2,778
2025	NA**	346,985	200	7	2	71.4%	0.59	2,045	341
2025	L1	2,143,277	200	1	1	0.0%	3.64	39,015	6,502
2025	L2	41,154	400	39	32	17.9%	0.03	115	19
2025	L3	42,115	100	88	0	100%	-	0	0
2025	Total	3,826,563	1,300	152				57,844	9,641

* Videos labeled “Crimes in Progress”

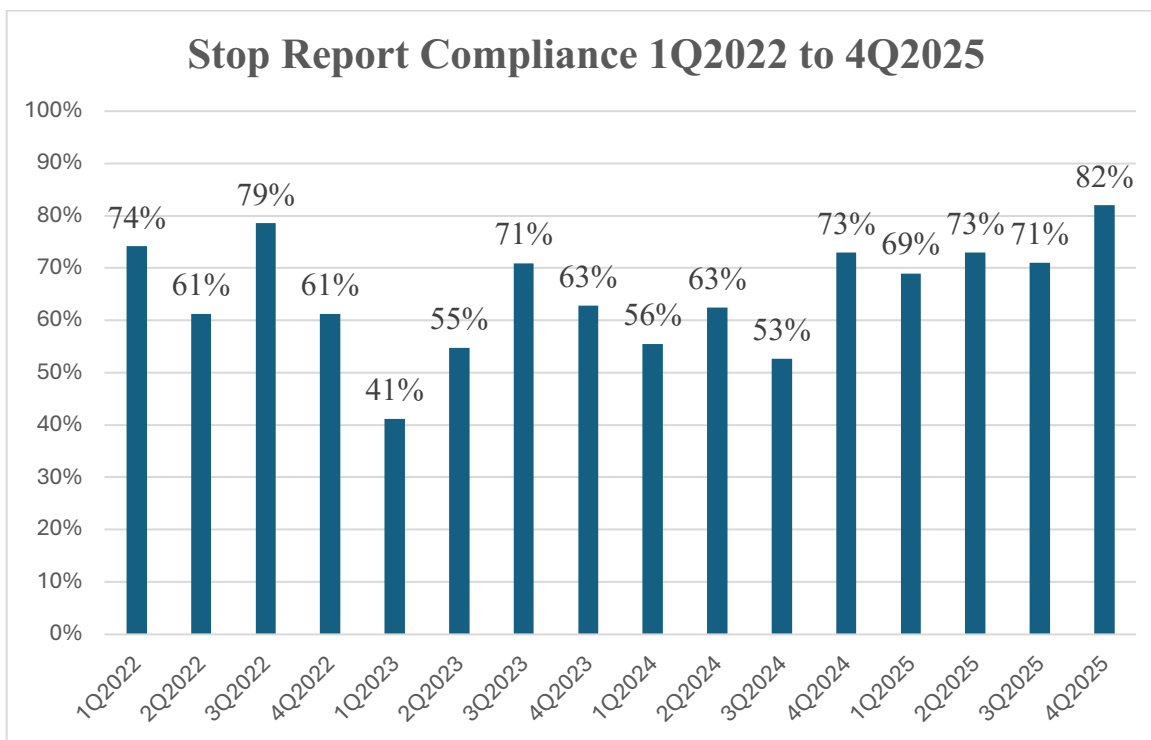
** Investigative Encounter videos that were not assigned (“NA”) a level

Supplementing the Monitor’s BWC audits with reweighting did not materially change the overall compliance rate; the sample-based and reweighted figures fall within a similar range. But only the reweighted methodology can properly be applied citywide, and on that valid basis, the NYPD failed to report more than a quarter of its stops in 2025.

C. Underreporting Across All Years—2022–2025

Audit results from 2022–2025 using the Monitor’s unweighted methodology show consistent underreporting:

- 2022: ~68.6% compliance
- 2023: ~59.2% compliance
- 2024: ~60.7% compliance
- 2025: ~73.7% compliance

Figure 1. Underreporting from 2022 to 2025

The 2025 audits show a slight improvement in reporting compliance compared to prior years, but that improvement is too small to be statistically meaningful; overall compliance remains low. Figure 1 above presents the Monitor team’s BWC audit results from the first quarter of 2022 through the fourth quarter of 2025. These results show that underreporting has been and continues to be a serious problem.⁶

Table 3 presents the key result of this analysis: audit results reweighted (using the new methodology) to estimate citywide compliance rates across the Department’s full population of stops. Annual estimates of videos not properly labeled as Level 3 stops ranged from approximately

⁶ With annual sample sizes of 900 in 2022 through 2024 and 1,300 in 2025, the 95% confidence interval around each compliance estimate is approximately seven to nine percentage points. This means that year-to-year differences smaller than this range could plausibly occur due to sampling variability rather than reflecting a true change in compliance.

57,844 in 2025 to 164,410 in 2022. The biggest contributors to these estimates are videos labeled as Level 1 that should have been labeled as Level 3 and included a stop report.

Table 3. Reweighted Estimates of Mislabeled Stops and Missing Stop Reports, 2022–2025

Year	Level	Total IE Videos	Sample Size	Confirmed Stops	Stops Not Reported	Compliance	Weight	% Missing	Missing Stop Videos	Missing Stop Reports
2022	NA	1,079,904	200	6	2	67%	1.15	1.15%	12,419	2,070
2022	L1	3,083,786	200	3	3	0%	3.28	4.93%	151,910	25,318
2022	L2	31,089	400	39	31	21%	0.02	0.13%	40	7
2022	L3	30,794	100	73	2	97%	0.07	0.13%	40	7
2022	Total	4,225,573	900	121					164,410	27,402
2023	NA	756,328	200	7	5	29%	0.72	1.80%	13,612	2,269
2023	L1	3,923,556	200	2	1	50%	3.73	1.87%	73,265	12,211
2023	L2	19,767	400	52	43	17%	0.01	0.10%	20	3
2023	L3	27,985	100	64	2	97%	0.05	0.11%	30	5
2023	Total	4,727,636	900	125					86,927	14,488
2024	NA	601,547	200	7	4	43%	0.68	1.37%	8,216	1,369
2024	L1	3,293,089	200	2	1	50%	3.74	1.87%	61,556	10,259
2024	L2	27,437	400	72	58	19%	0.02	0.23%	62	10
2024	L3	41,806	100	82	1	99%	0.09	0.09%	40	7
2024	Total	3,963,879	900	163					69,873	11,646
2025	CIP	1,253,032	400	17	5	70.6%	1.06	1.33%	16,669	2,778
2025	NA	346,985	200	7	2	71%	0.59	0.60%	2,045	341
2025	L1	2,143,277	200	1	1	0.0%	3.64	1.82%	39,015	6,502
2025	L2	41,154	400	39	32	17.9%	0.03	0.28%	115	19
2025	L3	42,115	100	88	0	100%	-		0	0
2025	Total	3,826,563	1,300	152					57,844	9,641

NA=no label assigned; L1=Level 1; L2=Level 2; L3=Level 3; CIP=Crimes in Progress

Assuming an average of six officers per Level 3 stop and one stop report per stop, the reweighted audit estimates that there were approximately 27,402, 14,488, 11,646, and 9,641 undocumented Level 3 stops in 2022, 2023, 2024, and 2025, respectively. Compared to the number of properly documented Level 3 stops of 15,102, 17,652, 25,386, and 25,936 for those same years, this suggests compliance rates of 36%, 45%, 69%, and 73%.

D. Underreporting by Level of Encounter

Investigative encounter video audits reveal that stops that officers mislabel as Level 2 in the NYPD's BWC database are much less likely to have stop reports than stops that officers correctly label as Level 3. In the Monitor's audits in 2022, only 21% of 39 confirmed *Terry* stops that officers incorrectly labeled Level 2 had a stop report; in 2023, just 17% of 52 confirmed stops mislabeled Level 2 had a stop report; in 2024, 19.4% of 71 confirmed stops mislabeled Level 2 had a stop report; and in 2025, 17.9% of 39 confirmed stops mislabeled Level 2 had a stop report.⁷ By comparison, 98% of stops that officers labeled as Level 3 had stop reports on file from 2022 through 2025. These differences are statistically significant at the 95% level and are unlikely to be explained by sampling variation. Table 4 below shows the documentation compliance rates for *Terry* stops for each BWC video category.

⁷ Because there are usually several officers at the scene of an investigative encounter, there may be circumstances where some of the officers mislabel the encounter as a Level 2 encounter, but at least one officer labels the encounter a Level 3 stop and completes a stop report.

Table 4. Stop Report Compliance by BWC Video Category, 2022–2025

Level	Total IE Videos	Sample Size	Confirmed Stops	% Stops Per Sample	Stop Reports Prepared	Compliance Rate
NA	1,079,904	200	6	3.0%	4	66.7%
L1	3,083,786	200	3	1.5%	0	0.0%
L2	31,089	400	39	9.8%	8	20.5%
L3	30,794	100	73	73.0%	71	97.3%
2022	4,225,573	900	121	13.4%	83	68.6%
NA	756,328	200	7	3.5%	2	28.6%
L1	3,923,556	200	2	1.0%	1	50.0%
L2	19,767	400	52	13.0%	9	17.3%
L3	27,985	100	64	64.0%	62	96.9%
2023	4,727,636	900	125	13.9%	74	59.2%
NA	601,547	200	7	3.5%	3	42.9%
L1	3,293,089	200	2	1.0%	1	50.0%
L2	27,437	400	72	18.0%	14	19.4%
L3	41,806	100	82	82.0%	81	98.8%
2024	3,963,879	900	163	18.1%	99	60.7%
CIP	1,253,032	400	17	4.3%	12	70.6%
NA	346,985	200	7	3.5%	5	71.4%
L1	2,143,277	200	1	0.5%	0	0.0%
L2	41,154	400	39	9.8%	7	17.9%
L3	42,115	100	88	88.0%	88	100%
2025	3,826,563	1,300	152	11.7%	112	73.7%

Note: CIP=Crimes in Progress; NA=no level assigned; L1=Level 1; L2=Level 2; L3=Level 3

Undocumented stops associated with BWC videos labeled Level 1, and with investigative encounter videos assigned no level (“NA”), warrant particular attention. The results of the Monitor team’s BWC audits show that 3.0–4.0% of investigative encounters with no level assigned were determined to be Level 3 *Terry* stops, and 0.5–1.5% of encounters labeled as Level 1 were determined to be Level 3 *Terry* stops. While the percentages of identified undocumented stops are low for these categories, the potential magnitude of underreporting is large.

III. Implications for Compliance

The persistence of underreporting by the NYPD has several critical implications. First, because of underreporting, the Department's level of compliance with the Constitution and the Court's requirements cannot be reliably measured. If a substantial share of *Terry* stops is not recorded, the Department's data cannot accurately reflect actual practices. Second, when *Terry* stops are not properly labeled as *Terry* stops and there is no stop report, they are not reviewed by the first-line supervisor, command self-inspections, the Department's Quality Assurance Section ("QAS"), the Monitor, or the Court. Because undocumented stops evade supervisory review and judicial oversight, constitutional violations may go undetected.

Finally, the NYPD's current accountability mechanisms are insufficient. The continued scale of underreporting indicates that existing audits, policies, and incentives have not corrected the problem.

IV. Conclusion

As the Monitor's reweighting methodology demonstrates, accurate labeling of stops is essential to measuring the NYPD's compliance rate. Mislabeled stops distort the picture of how well the Department is documenting its stop activity.

Underreporting of *Terry* stops remains a persistent, unresolved problem regardless of how it is measured. Accurate documentation is foundational. Without it, neither the NYPD nor the Court can determine whether constitutional policing requirements are being met. To guard against officers "gaming" the system by mislabeling stops, the NYPD's own auditing methods must assess how many stops labeled Level 1 and Level 2 encounters should have been labeled Level 3 *Terry* stops.

The Department has recognized that further action to address underreporting is necessary, including through implementation of a plan to address underreporting. The Department should finalize its plan to improve reporting and submit it to the Monitor within 45 days.

APPENDIX

I. Original Underreporting Audit Methodology for Assessing BWC Videos Categorized as Investigative Encounters

From the second quarter of 2020 through the present, the Monitor team has audited BWC videos categorized as Investigative Encounters.⁸ Each quarter, the Monitor team selects a stratified sample of tours and days to develop the sampling frame. During each day there are three shifts of working hours for officers, or tours of duty.⁹ In the first quarter of 2025, there were 90 days, for a total of 270 tours. The Monitor team selects a random sample of 10% of these tour/days and requests all of the BWC metadata for any video categorized as an Investigative Encounter.

The BWC metadata from the 10% sample of Investigative Encounter videos is further stratified by level of encounter. In each quarter, the Monitor team randomly selects 50 videos categorized by officers as Level 1, 100 videos categorized as Level 2, 25 videos categorized as Level 3, and 50 BWC videos that were investigative encounters but not assigned a level (“NA”), for a total of 225 Investigative Encounter videos for assessment. Table A1 shows the basic sampling design.

⁸ When officers engage in Investigative Encounters, they are expected to label that encounter as such in the Evidence.com system and specify the level of the investigative encounter that was recorded.

⁹ The NYPD has three general patrol shifts. The First Platoon is scheduled from 11:30 p.m. to 8:05 a.m.; the Second Platoon is scheduled from 7:05 a.m. to 3:40 p.m.; and the Third Platoon is scheduled from 3:15 p.m. to 11:50 p.m. The times selected for the sampling frame approximate this three-platoon schedule.

Table A1. Quarterly Review of BWC Investigative Encounters

Encounter Level	7×3 Tour	3×11 Tour	11×7 Tour	Total
Level 1	~17	~17	~16	50
Level 2	~33	~33	~34	100
Level 3	~8	~8	~9	25
Not Labeled	~17	~17	~16	50
Total	75	75	75	225

Note: ~ represents approximation

This methodology is designed to identify undocumented stops as effectively as possible; it does not produce a representative sample of all videos categorized as Investigative Encounters. A simple random sample of all BWC videos categorized as Investigative Encounters would be ineffective, as it would disproportionately sample Level 1 encounters, which make up the vast majority of BWC videos. There were more than 3.9 million Level 1 encounter videos recorded in 2023, approximately 3.3 million Level 1 encounter videos in 2024, and 2.1 million Level 1 encounter videos in 2025.

Instead of random sampling, the Monitor team has used a stratified method of sampling to more efficiently identify stops that were not documented. If an officer categorizes an encounter as a Level 3 *Terry* stop, there is a reasonable expectation that the officer is aware that a stop report is required. Therefore, the sample is stratified to review only 25 of these encounters. This assumption is supported by the finding that almost 100% of the BWC videos categorized as Level 3 *Terry* stops also have a stop report on record documenting the encounter.

By contrast, encounters labeled Level 2 hold the greatest potential for undocumented Level 3 *Terry* stops. Therefore, the Monitor team oversamples this category and reviews 100 videos labeled Level 2 each quarter.

The Monitor team also stratified Level 1 and unlabeled encounters to provide a sample size appropriate for assessing documentation at those levels. A random sample of 50 encounters at

these levels each quarter provides an acceptable level of confidence to assess performance in this area. This is also supported by the stable nature of the results, which consistently show similar rates of underreporting in these categories year-to-year. As discussed below, the Monitor team reweighted the results of the audits by strata (Level 1, Level 2, Level 3, unlabeled) to achieve an underreporting estimate for the total population of stops.

In 2025, the Monitor added BWC videos to the audit sample. Over the course of the audits, the Monitor team identified videos categorized as Crimes in Progress (“CIP”) as a likely source of unreported Level 3 encounters. Starting with the first quarter of 2025, the Monitor team began assessing samples of videos categorized as CIP, reviewing a random sample of 100 CIP videos each quarter. These videos were added to the sample of selected Investigative Encounters each quarter.

After the sample videos are selected, the Monitor team assesses each video to make a preliminary determination whether the encounter was a possible *Terry* stop. In doing so, the Monitor team does not have any ICADs¹⁰ or other reports that may have been prepared in connection with the individual investigative encounter.¹¹ A list of the videos where a possible stop was identified is sent to the NYPD for its assessment. The NYPD provides its assessment of the encounter, whether it believes a stop occurred, and whether a stop report was prepared to document the stop. The Monitor team then revisits its preliminary assessment and makes a final determination whether a stop actually occurred, and if so, whether a stop report was prepared. Table A2 shows the audit results, including the NYPD’s assessment of whether a possible stop was a *Terry* stop and the Monitor’s final assessment.

¹⁰ ICADs (“Intergraph Computer Aided Dispatch”) are transcripts of calls to police dispatchers.

¹¹ With the ICAD, the Monitor team can assess whether the encounter was based on a verified caller or an anonymous one. Without the ICAD, stop report, or arrest report, it is more difficult to assess whether the encounter was a stop or whether the officers had probable cause at the beginning of the encounter.

Table A2. Encounters Reviewed on BWC 1Q2022 to 4Q2025¹²

Quarter	Total IE/CIP Videos	Total Stops	Sample	Possible Stops	NYPD Confirmed	Monitor Confirmed	Reported	Compliance rate	Margin of Error (95%)
1Q2022	850,925	3,735	225	34	25	31	23	74.2%	±15.4%
2Q2022	1,056,066	4,260	225	37	28	31	19	61.3%	±17.1%
3Q2022	1,166,782	3,690	225	38	25	28	22	78.6%	±15.2%
4Q2022	1,151,800	3,417	225	48	29	31	19	61.3%	±17.1%
Total 2022	4,225,573	15,102	900	157	107	121	83	68.6%	±8.3%
1Q2023	1,138,860	4,860	225	25	16	17	7	41.2%	±23.4%
2Q2023	1,237,882	4,445	225	51	38	42	23	54.8%	±15.1%
3Q2023	1,187,707	3,977	225	39	25	31	22	71.0%	±16.0%
4Q2023	1,163,187	4,370	225	44	35	35	22	62.9%	±16.0%
Total 2023	4,727,636	17,652	900	159	114	125	74	59.2%	±8.6%
1Q2024	1,226,426	6,361	225	53	39	45	25	55.6%	±14.5%
2Q2024	1,155,501	6,193	225	48	38	40	25	62.5%	±15.0%
3Q2024	816,502	6,503	225	52	33	38	20	52.6%	±15.9%
4Q2024	765,450	6,329	225	51	33	40	29	72.5%	±13.8%
Total 2024	3,963,879	25,386	900	204	143	163	99	60.7%	±7.5%
1Q2025	1,054,474	7,617	325	60	37	39	27	69.2%	±14.5%
2Q2025	1,086,639	6,814	325	56	36	40	29	72.5%	±13.8%
3Q2025	907,172	5,818	325	54	29	35	25	71.4%	±15.0%
4Q2025	778,278	5,687	325	46	32	38	31	81.6%	±12.7%
Total 2025	3,826,563	25,936	1,300	216	134	152	112	73.7%	±7.0%

¹² For 2022 to 2024, the data includes only BWC videos categorized as Investigative Encounters. For 2025, the data includes BWC videos categorized as Investigative Encounters and BWC videos categorized as Crimes in Progress.

II. Decrease in Investigative Encounter BWC Videos

The Monitor team recently identified a significant reduction in the number of BWC videos categorized as Investigative Encounters, particularly those labeled Level 1 and those with no level identified. In the first quarter of 2024, there were 1.23 million videos labeled Investigative Encounters. In the first quarter of 2025, there were 752,813 Investigative Encounter videos. And in the fourth quarter of 2025, there were only 492,099 Investigative Encounter videos recorded. A decrease of this magnitude reflects more than seasonal fluctuation; it suggests a fundamental change in how these encounters are recorded.

The decrease in videos labeled as Level 1 investigative encounters coincides with the implementation of the *How Many Stops Act* in July 2024, which requires officers to document their Level 1 encounters at the end of each tour.¹³ Moreover, as shown in Table A3 below, as the number of videos labeled investigative encounters decreased, the number of videos labeled “Non-Crime Corrected” increased.

Table A3. Investigative Encounter Videos Compared to Non-Crime Corrected Videos

	2023			2024			2025		
	July	Aug.	Sept.	July	Aug.	Sept.	July	Aug.	Sept.
Investigative Encounter	411,425	394,653	370,767	278,765	266,232	263,660	205,890	188,618	182,815
Non-Crime Corrected	88,546	87,600	86,744	173,210	183,552	185,734	273,787	282,372	282,683
Total	499,971	482,253	457,511	451,975	449,784	449,394	479,677	470,990	465,498

Officers are not required to document encounters labeled “Non-Crime Corrected,” and the Monitor’s audits have not included any videos with this label. If these videos contain even a small percentage of *Terry* stops, the number of undocumented stops would increase substantially, and

¹³ Local Law 43 of 2024.

the Monitor's estimates of compliance would be affected. Going forward, the Monitor's audits will include a sample of videos labeled "Non-Crime Corrected."

III. Reweighting the Sampling Design for Auditing Purposes

As noted in the Report, the Monitor's audits are designed to identify undocumented stops. To do so, the sample intentionally departs from the underlying distribution of NYPD videos: it underrepresents Not Assigned and Level 1 encounters and overrepresents Level 2 and Level 3 encounters. With respect to Level 2 and Level 3 encounters, the Monitor's audits review four times as many Level 2 videos as Level 3 videos, even though encounters labeled Level 3 outnumber encounters labeled Level 2 in most audit periods. These design choices have offsetting implications for estimated compliance. A larger sample of Level 2 encounters (where *Terry* stops tend not to be reported) than of Level 3 encounters (where reporting is expected to be higher) tends to bias compliance rates downward, while underrepresenting Level 1 and Not Assigned encounters tends to bias them upward. For this reason, the Monitor team has developed a process for reweighting the audit results to account for this potential bias.

To estimate the number of underreported videos in the full BWC population (approximately 4 million videos), the Monitor team applied sampling weights to adjust for intentional over- and undersampling in the collected sample by Investigative Encounter strata (Level 1, Level 2, Level 3, NA) and Crimes in Progress. The following post-stratification weighting scheme was used.

Let:

- π_g = Population proportion of category (g) (Level 1, 2, 3, NA, CIP)
- s_g = Sample proportion of category (g) (Level 1, 2, 3, NA, CIP)
- w_g = Sampling weight for category (g) (Level 1, 2, 3, NA, CIP)

The weight for each observation in category (g) is calculated as:

$$w_g = \frac{\pi_g}{s_g}$$

This formula ensures that each sampled observation contributes to the analysis in proportion to its true representation of the population. In 2024, for example, the shares for non-labeled (“NA”), Level 1, Level 2, and Level 3 in the investigative encounter audit sample are 22%, 22%, 44%, and 11%, respectively, while their actual shares of the total BWC population are 15%, 83%, 0.69%, and 1%. The observations are then reweighted using the population share (π_g) divided by the sample share (s_g). These weights are then used to estimate the number of missing videos of stops based on the labeled video categories. In practice, this means audits from underrepresented groups (e.g., Level 1) are upweighted, while those from overrepresented groups (e.g., Level 2 and Level 3) are downweighted to provide an overall estimate of undocumented stops in the population.