

Public Board Meeting  
June 11, 2014

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Public Board Meeting  
of the Civilian Complaint Review Board  
Wednesday, June 11, 2014  
10:09 a.m.  
100 Church Street, 10th Floor  
New York, New York 10007

BISHOP MITCHELL G. TAYLOR, ACTING CHAIR  
TRACY CATAPANO-FOX, ESQ., EXECUTIVE DIRECTOR

PUBLIC MEETING AGENDA:

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1. Call to Order
2. Adoption of the Minutes
3. Report from Chair
4. Report from Executive Director
5. Committee Reports
6. Old Business
7. New Business
8. Public Comment

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1 BOARD MEMBERS PRESENT WERE:  
2 BISHOP MITCHELL G. TAYLOR  
3 TRACY CATAPANO-FOX, ESQ.  
4 Toscano J. Simonetti  
5 Joseph A. Puma  
6 Youngik Yoon, Esq.  
7 Alphonzo Grant, Jr., Esq.  
8 Jules A. Martin, Esq.  
9 David G. Liston, Esq.  
10 Rudolph Landin, Esq.  
11 James Donlon, Esq.  
12 Dr. Mohammed Khalid

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1 BISHOP MITCHELL G. TAYLOR: The meeting is  
2 called to order for Wednesday, June 11th, 2014,  
3 Civilian Complaint Review Board. I'd like to  
4 welcome everyone to our public meeting, and I  
5 apologize for our tardiness to the room.

6 I guess the first order of business is the  
7 adoption of the minutes from the last meeting. We  
8 can have a motion to accept the meeting minutes from  
9 our last Board Meeting.

10 MR. JAMES DONLON: I move to accept the minutes.

11 DR. MOHAMMAD KHALID: I second it.

12 BISHOP TAYLOR: Excellent. Now we're going to  
13 have a report from the Chair, which is -- excuse me?

14 MR. DAVID LISTON: You have to do the vote.

15 BISHOP TAYLOR: I'm sorry. All in favor of  
16 accepting the minutes.

17 (Chorus of Ayes.)

18 BISHOP TAYLOR: I'm going to move to have the  
19 report from the Executive Director.

20 MS. TRACY CATAPANO-FOX: Thank you, Bishop.

21 Good morning, everyone.

22 (No response.)

23 MS. TRACY CATAPANO-FOX: It's not that early.

24 MR. LISTON: Good morning.

25 MS. CATAPANO-FOX: In May of 2014, the CCRB

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1 received 455 complaints within its jurisdiction.  
2 This is 88 fewer complaints than we received in the  
3 same period of 2013, when the Agency received 543  
4 complaints. The total intake for the month of May  
5 this year was 1,111 cases.

6 The Board closed 557 cases in May, which is  
7 2,186 cases year-to-date. In the first five months  
8 of the year, the Board closed 798 full  
9 investigations, including 124 substantiated  
10 complaints, which gives us a substantiation rate of  
11 15.5 percent.

12 In May, civilians and officers mediated 17  
13 cases; year-to-date, the Agency has mediated 62  
14 cases; and from January through May, the Board  
15 closed 69 cases as "mediation attempted," and in the  
16 month of May, 27 cases were closed as "mediation  
17 attempted."

18 You will see in our reports that we have  
19 adjusted our statistics from April of 2014 to  
20 reflect the changes in jurisdiction that occur with  
21 some of our stats. So while we reported 486  
22 complaints in April, we now received 470 complaints  
23 within our jurisdiction for that month, which leaves  
24 the total number of complaints within our  
25 jurisdiction from January to April as 1,784, not the

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1 1,809 as originally reported. To explain some of  
2 those adjustments, there are times when upon review  
3 of a case, the team determines and the deputy  
4 executive director of investigations determines that  
5 the case is not within the jurisdiction of the  
6 Agency though it was originally reported as such.  
7 So we make routine and regular changes to our  
8 statistics to reflect that.

9 From January through May of 2014, the Agency  
10 received a total of 2,239 complaints, which is 126  
11 more than we received in 2013. Year-to-date, the  
12 Agency received a 6 percent increase in complaints  
13 than in the same period last year.

14 In our monthly statistical report, we continue  
15 to report two different forms of our dispositions,  
16 one involving truncation rate and one involving case  
17 resolution rate. You'll see that on page 8 and 9 of  
18 your report. And from January through May, the  
19 amended truncation rate, which excludes cases closed  
20 as complaint withdrawn, is 50 percent. In the same  
21 period from last year, we had 58 percent truncation  
22 rate. Looking at it as a case resolution rate from  
23 January through May, we are at 42.5 percent and in  
24 the same period last year, it was 32 percent.

25 The Agency's docket at the end of May was 2,420

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1 cases, which is a 5 percent decrease in the number  
2 of cases from April, where we had 2,545. Measured  
3 by date, 94.5 percent of our open docket, our open  
4 investigations, stemmed from complaints filed within  
5 the last year and 64 percent were filed within the  
6 last four months. And I have to thank the hard work  
7 of the investigative teams to make that happen  
8 because they really have put forth tremendous effort  
9 to bring our numbers down and to get more cases  
10 quicker to the panels. So I thank all the team  
11 managers and the teams for their hard work.

12 Of the 2,420 open cases, 331 are awaiting panel  
13 review; that's 14 percent of our docket. 1,838 are  
14 being investigated; that's 76 percent of the docket.  
15 251 are in the mediation program, which is 10  
16 percent of the docket.

17 By date of incident, 11 cases in our docket are  
18 18 months or older. This is .5 percent of the total  
19 open docket and 4 fewer cases than in April of 2014.

20 The breakdown of these cases is as follows: 2  
21 of the cases are currently pending Board review. Of  
22 these 2 cases, 1 was previously returned by the  
23 Board to the team for further investigation, and the  
24 other case is on DA hold for which the crime  
25 exception applied.

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1           Of the remaining 9 open investigations, the  
2 statute of limitations crime exception applies to 5  
3 of those cases, 3 cases are currently on DA hold, 4  
4 cases were filed months after the incident, 1 case  
5 was re-opened seven months later after it was  
6 originally closed, and 1 case was due to  
7 investigative delays. And you could see that on  
8 page 3 of your report.

9           In April of 2014, the NYPD closed 8  
10 substantiated cases involving 9 officers. Of these  
11 9 officers, 1 was found guilty after trial and  
12 forfeited 62 days, 2 officers received Command  
13 Discipline, 4 officers received instructions, and  
14 the Department declined to prosecute 2 cases  
15 involving 1 officer each. I must mention that the  
16 case where the officer received a 62-day forfeiture  
17 involved allegations not just from CCRB but also  
18 from DA, so it was a combination case. In April,  
19 the disciplinary action rate was 78 percent, and  
20 total this year is 65 percent. The year-to-date  
21 rate in which the Department has declined to  
22 prosecute cases is 17.5 percent.

23           In May of 2014, the Board substantiated 14 cases  
24 with a recommendation of Charges and Specs --  
25 Specifications. These cases have been forwarded to

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1 the APU, and you could see that in your report.

2 At the end of May, the open docket of APU was  
3 comprised of 204 cases. Out of these cases, 2 have  
4 had dispositions modified by the Police Commissioner  
5 and are awaiting final disposition; 18 cases involve  
6 pleas being entered but are awaiting approval from  
7 the Police Commissioner; in 3 cases, the trial  
8 verdict was rendered and is awaiting approval by the  
9 Police Commissioner; 14 trials were completed but no  
10 verdicts have been rendered yet; 9 trials were  
11 commenced but not completed; 36 trials have been  
12 scheduled; 34 cases were calendared for court  
13 appearances; 51 cases were awaiting their initial  
14 court appearance after charges have been served; in  
15 10 cases, charges have been filed; and 27 cases are  
16 awaiting service of charges.

17 There were 2 final dispositions of APU cases in  
18 April and May, 1 case in which the APU recommended  
19 the forfeiture of 10 vacation days and the Police  
20 Commissioner disposed of the case as "not guilty  
21 after trial," in agreement with the Trial  
22 Commissioner's recommendation, and 1 negotiated plea  
23 for the forfeiture of 8 vacation days that the  
24 Police Commissioner disposed of as "re-training."

25 In terms of updates from last month -- I'm

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1 sorry. Did you have any questions about the report?  
2 So you want to start with that?

3 MR. LISTON: Not yet, no. Sounds good.

4 MS. CATAPANO-FOX: Thank you.

5 In terms of what we went over last month, some  
6 of the things that the Board asked me to report on  
7 were the following: Issuing and investigating a  
8 policy report with regard to witnesses taking photos  
9 or videos of incidents. What the Board was  
10 interested in was the idea that there could be  
11 civilians observing incidents where there are  
12 allegations of police misconduct and as they're  
13 either audiotaping it, videotaping it or even taking  
14 photos, something occurs with the police with an  
15 interaction with this individual. What we  
16 discovered is this is a very labor-intensive search  
17 because if you just look up our cases involving  
18 video, audio camera, all of words that you might  
19 suspect, there is a vast number of cases involving  
20 those particular terms but not necessarily involving  
21 the allegations as the Board had recommended.

22 So today, what we've been able to do is  
23 essentially we are going through the cases by  
24 closing report, so we're manually looking at each  
25 case. And I have to thank Sarah Peterson for all

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1 her hard work with Marcos Soler in working to make  
2 sure that they individually looked at 902 cases and  
3 2 closing reports from November of 2013 through now  
4 just to get an idea of how many of those cases might  
5 be within the realm that the Board is interested in.  
6 And what we have found is that there are 42 cases  
7 that fall within those parameters. However, so we  
8 are working on this. What we are going to do is  
9 provide the Reports and Recommendations Committee  
10 with a briefing on what we have found statistically  
11 and then seek further guidance from that committee.  
12 Perhaps within the next month we can have a meeting  
13 before this meeting to talk about the parameters for  
14 a report and whether or not the Board wants to make  
15 a training report whereby we would just delineate  
16 certain cases where we find a pattern of activity  
17 happening or whether you want a full-scale report on  
18 statistically how often this happens in what we're  
19 seeing, or we could do both. So it's something that  
20 we could talk about.

21 MR. TOSCANO SIMONETTI: Tracy, I think we did a  
22 report similar to that but dealing with a different  
23 subject matter. I think it's done about I'm going  
24 to say about 8 years go, where we did a report on  
25 strip searches and where we delineated 10 cases and

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1 we gave them a summary of the 10 cases and it was  
2 clear when you read the summaries that it clearly  
3 became a training issue because a lot of the  
4 officers who were saying they were doing strip  
5 searches, they say, "You know, we do this kind of  
6 all the time."

7 In fact, anecdotally, we just had 2 cases, 2  
8 panels that I sat on, where those same remarks were  
9 used. Two female officers saying, "Yeah, they took  
10 me off patrol and they told me to search the  
11 prisoner." Well, what in fact she did was a strip  
12 search without realizing she did a strip search.  
13 But she said that's what she customarily does.

14 So it seems to be very clear that this is a  
15 heavy-duty training issue that has to be looked at  
16 by the Department.

17 MS. CATAPANO-FOX: I would agree, Tony. I think  
18 it's something that we can definitely present.  
19 You're right. Because of the questions you had  
20 asked and your panel had asked about that, we had  
21 looked up and found that in 2004 the Agency did  
22 issue a training report with specific cases where  
23 there was this type of strip search, where the  
24 officer said this was just a policy, and so we had  
25 made recommendations for the NYPD to look at it and

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1 do re-training, and in fact they did. So we could  
2 do that similarly with this area of cases in terms  
3 of video. But it's something that I think would be  
4 better brought at an open session of the Reports and  
5 Recommendations Committee to get guidance because it  
6 is such a large volume of cases we're going to be  
7 looking at and we're doing it manually. So in order  
8 to figure out exactly what the goals are for the  
9 Board in terms of issuing that report, we could do  
10 that at a meeting and then figure it out and then  
11 start to report about it.

12 MR. SIMONETTI: As a result of that  
13 recommendation, they changed the patrol guide  
14 provisions to the definition of a strip search. It  
15 was -- I forget the exact wording but what they did  
16 was they made it that an officer didn't have to go  
17 as far in the revised edition of a strip search as  
18 opposed to the original. The original talked about  
19 underwear and things. This just says you can't do  
20 it, you can't get them down to their underwear.  
21 That's a strip search. So I think it becomes just a  
22 training issue and maybe something for the IG to  
23 look at.

24 MS. CATAPANO-FOX: Last month, the Board also  
25 talked about the idea of including potentially

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1 policy reports and recommendations within its annual  
2 reports and semiannual reports. And again, that's  
3 something that we're going to ask the Reports and  
4 Recommendations Committee if they would want to do.  
5 But that's certainly something we can do and then  
6 perhaps this would be one of the reports that at the  
7 end of the year we might include with our annual  
8 report.

9 We talked about mediation of various cases and  
10 what we did was go back and delineate in terms of  
11 the process for mediation. What we do is any time a  
12 complainant seeks to have mediation as an option, we  
13 pursue it with the Mediation Unit, we have to make  
14 sure we obviously identify the officers, and to  
15 determine whether the case is appropriate. But the  
16 vast majority of the cases then are sent to the ADR  
17 Committee who ultimately of the Board determines  
18 whether or not this case is suitable for mediation.  
19 And they use their criteria to determine whether or  
20 not they feel that this is a scenario where  
21 mediation would be beneficial before we offer it to  
22 DAO and to the police officer directly. And I know  
23 that's something that the Board is working with the  
24 Deputy Police Commissioner, Susan Herman, on making  
25 sure that we're all on the same page and then moving

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1 forward to increase the number of cases where  
2 complainants are seeking mediation in order to give  
3 them that avenue of investigation, actually, instead  
4 of investigation, but to resolve the case in a way  
5 the complainants seek through mediation.

6 We are working on the I-card study. I believe I  
7 have to thank Denis McCormick and Marcos Soler for  
8 working on this. They have it ready. I think it's  
9 being reviewed by the team attorneys and then it's  
10 going to be brought to the Reports and  
11 Recommendations Committee again. So you're going to  
12 be very busy. But we have a number of reports --  
13 that being one of them -- for your review.

14 We talked about the idea of increasing use of  
15 video conferencing for complainants. And as we --  
16 thankfully, Time Warner is setting us up with our  
17 cable. We're going to be in the process where we  
18 can at least start pursuing that as an option. And  
19 I thank the IT department for working so hard to get  
20 us the information we need to try to get us into a  
21 posture where we could present that as an option for  
22 complainants who can't get to the Agency.

23 On that note, I have to thank Carlmais Johnson  
24 and Jessica Long, our Outreach Unit because they  
25 have scheduled -- they are in the process of

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1 scheduling a CCRB in the five boroughs with City  
2 Councilman Levin's office. They've been working  
3 very hard on this issue and we're hoping by the end  
4 of the month that we will have a date where we can  
5 have people come there. They're actually going to  
6 publicize it themselves within the community and  
7 we're hoping that that will be one of our first  
8 CCRBs in the five boroughs. So I thank them both  
9 for their hard work on that.

10 I think that that's about all the things that  
11 you guys asked for.

12 The one other thing you asked for was a  
13 breakdown of the cases involving APU where the  
14 Police Commissioner has made a determination and  
15 that's included in the report. So there's an actual  
16 chart involving those cases where the Police  
17 Commissioner reduced the penalties in terms of the  
18 case name, the parties and information.

19 BISHOP TAYLOR: Excellent. Thank you so much.

20 Any questions for the Executive Director on  
21 anything that she's reported on?

22 (No response.)

23 BISHOP TAYLOR: So we're going to move now to  
24 committee reports. Are there any committee reports?

25 (No response.)

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1 BISHOP TAYLOR: Reports and Recommendations  
2 seems to be loaded with a lot of assignments.  
3 Anything, James?

4 MR. DONLON: Well, I think we're going to  
5 discuss whether we're having a meeting at 9:00 a.m.  
6 on the next date for a public Board Meeting and I  
7 think we're going to be in discussion with Tracy.  
8 We're going to get some of these summaries that  
9 they're working on and we'll see what we can do in  
10 terms of drafting a report.

11 BISHOP TAYLOR: Okay.

12 MR. DONLON: But we'll -- if there's going to be  
13 a committee meeting, we'll do a necessary notice so  
14 it would be open to the public just like any other  
15 committee meeting.

16 BISHOP TAYLOR: Absolutely.

17 Commissioner Martin, did you want to report on  
18 mediation?

19 MR. JULES MARTIN: No. I think we covered most  
20 of it in the Executive Director's report.

21 BISHOP TAYLOR: Excellent.

22 MR. LISTON: And likewise for the APU Committee.  
23 Tracy, that was an excellent report. You  
24 covered so much. And you covered --

25 MR. MARTIN: (Inaudible).

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1 MR. LISTON: There's not much for us to say  
2 because you covered it all and you covered it well.

3 As you mentioned, the APU has I think now an  
4 open docket that's past the 200 mark, as you  
5 mentioned. Last month, for the first time, we  
6 closed 2 cases within the APU that we prosecuted  
7 from beginning to end, or handled from beginning to  
8 end, which is very exciting. And I just want to,  
9 rather than repeat what you said, just thank you and  
10 Laura Edidin and John Darche and the people that  
11 work with you, the teams of prosecutors, for the  
12 tremendous work you're doing. You made us so very,  
13 very proud. You have our complete support and our  
14 gratitude. And you also have three summer interns,  
15 I understand. So that could only make things  
16 better. Are they here today by any chance, Laura?  
17 Should we put them on the spot and have them say  
18 hello? Where are you guys? Why don't you say hi  
19 and introduce yourselves?

20 MS. ERIKA SANON: Hi. My name is Erika and I'm  
21 a summer intern.

22 MR. LISTON: We're very glad to have you here  
23 this summer.

24 MS. SANON: Thank you.

25 MR. LISTON: And we have two other interns?

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1 MS. KASHA PRIDE: Hi. I'm Kasha Pride.

2 MR. LISTON: Hi, Kasha. Welcome.

3 MS. VOLHA SALAVEI: Hello. I'm Volha Salavei.  
4 I'm also an summer intern.

5 MR. LISTON: Great to have you with us.

6 MS. SALAVEI: Thank you.

7 MR. LISTON: And that concludes our report.

8 BISHOP TAYLOR: And Outreach has been very, very  
9 busy. Brian Connell, who's been leading Outreach  
10 along with Carlmais, has really been very robust in  
11 their activities.

12 And Brian, would you like to talk about -- I  
13 know you've had a couple recent meetings at NYCHA  
14 developments, one being Queensbridge Houses, my old  
15 residence. And so why don't you talk a little bit  
16 about the success of Outreach over the last three  
17 months or so.

18 MR. BRIAN CONNELL: I actually have a --

19 BISHOP TAYLOR: Why don't you stand so everybody  
20 can hear you.

21 MR. CONNELL: Sure.

22 As Bishop Taylor mentioned, the CCRB's Outreach  
23 program has rapidly been expanding and growing, and  
24 it's active in all five boroughs. We have a more  
25 diverse audience right now. We conduct

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1 presentations in community boards, libraries, high  
2 schools, universities, senior centers, business  
3 organizations, and community-based organizations.

4 We achieved significant milestones a couple  
5 months ago, in April. We actually eclipsed over  
6 100 presentations for the year. To date, we have  
7 completed 133 presentations. To put that in  
8 perspective, at the same time last year, we  
9 completed just 83 presentations. So it's a really  
10 a big push that we have undergone. For the entire  
11 2013, last year we completed 204 presentations. To  
12 date, we have 133, so we're well on our way to  
13 surpassing that. So we project that we'd have a  
14 historic high of 319 presentations for this year, in  
15 2014. The average presentations in 2013 -- from  
16 2013 has increased by 60 percent. We were averaging  
17 about 17 presentations per month. We're averaging  
18 27 presentations per month. So it's a significant  
19 increase.

20 We placed special emphasis on community boards  
21 this year because we felt that community board  
22 members are the ones that are most active in the  
23 community and they can help get the word out about  
24 the Agency's mission. So we've completed  
25 presentations in 26 of the 59 community boards.

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1 That's 44 percent. In comparison to last year, we  
2 had done just a couple by the same time.

3 We're also focusing on making presentations in  
4 police precinct areas and we attempted to focus on  
5 areas where there's a large concentration of  
6 complaints. Based on our annual report, we  
7 categorized it by police precinct, and we  
8 graphically do so using the 5-borough map. And we  
9 did presentations in about 51 of the 76 police  
10 precincts -- so that's 67 percent of them -- in  
11 just five months. We have made presentations in  
12 11 precinct areas that had high concentration, and  
13 high concentration will be defined as over 100  
14 presentations per year. Four of those precinct  
15 areas were actually over 150 presentations per  
16 year.

17 BISHOP TAYLOR: You mean complaints, right?

18 MR. CONNELL: Complaints, sorry, complaints per  
19 year. And we've done about 23 presentations in  
20 those high-concentration areas.

21 The growth and success of the outreach program  
22 has really been spurred by Bishop Taylor. You've  
23 been very active in having us promote the program  
24 and expand the program. And our Executive Director,  
25 Tracy Catapano-Fox, has been very instrumental in

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1 igniting the volunteer spirit within the Agency and  
2 we have volunteers from APU, Administration, Intake,  
3 Mediation, Investigations, of course, and we have 40  
4 volunteers that we can use at our disposal to help  
5 expand the program, and we're doing so. So I thank  
6 you both for your effort in leading the charge.

7 Also, the majority, the vast majority of the  
8 presentations we've done, are conducted by the  
9 Manager of Outreach in Community and Partner  
10 Engagement, which is Carlmais, and she's also  
11 accompanied by Jessica Long, the supervisor in that  
12 unit, who's also doing these presentations. It's a  
13 daunting task. We have sometimes 3 or 4  
14 presentations a day. We're really making an effort  
15 to accommodate the community's need for us to make  
16 these presentations and let them understand the  
17 mission of the agency and how what we do can  
18 support -- can support them. So I thank Carlmais  
19 and Jessica for that as well.

20 We also had a group of stellar interns, and  
21 unfortunately, their internships ended last month  
22 and we are recruiting new interns now. They have  
23 big shoes to fill because they're the ones that are  
24 actually at the forefront of the Agency. They're  
25 the ones making the contacts. And the many

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1 contacts, as many Outreach events that are  
2 scheduled, you can imagine how many more you have to  
3 get in contact with because they don't all accept.  
4 So it's really a tremendous effort the five or seven  
5 of them have been doing to get this many  
6 presentations scheduled. And I really thank them  
7 for that. They have been wonderful.

8 I think that sort of concludes my report. Thank  
9 you.

10 DR. KHALID: Brian, may I add that you have a  
11 category here of the Outreach. Could you add civic  
12 groups into it too? That would be helpful, the  
13 Civic Association for the City. That would be a  
14 good thing because they hold meetings and that's  
15 where the Outreach can go and address the CCRB.

16 MR. CONNELL: Certainly.

17 MR. MARTIN: Brian, I want to compliment you on  
18 your very exhaustive report, especially it seemed  
19 you were somewhat startled when you were asked to  
20 give a report.

21 BISHOP TAYLOR: No, he was prepared.

22 MR. MARTIN: Okay. Let me just do a bit of a  
23 shout-out to the Outreach Committee under the Bishop  
24 leadership. You guys have been doing a phenomenal  
25 job.

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1           One question I have: Have you directly  
2 contacted the board president of the somewhat 334  
3 housing developments in the city?

4           MR. CONNELL: Have we contacted them?

5           MR. MARTIN: Contacted them to see if they would  
6 be amenable to your presentation or somehow get the  
7 opportunity to interact with the Outreach Committee.

8           MR. CONNELL: We could explore that, I'm sure.

9           MR. MARTIN: So I think that's a further area  
10 that you my want to explore.

11           BISHOP TAYLOR: I think that what we've been  
12 doing is -- you're referring to the chair of all the  
13 council presidents --

14           MR. MARTIN: Right.

15           BISHOP TAYLOR: -- and which is really difficult  
16 to nail down. But we've been putting a lot of focus  
17 on public housing neighborhoods and I think the  
18 earlier part of this month or the latter part of  
19 last month we were in Queensbridge Houses. And so  
20 we target NYCHA development systematically,  
21 especially in the high-concentrated areas where we  
22 have a lot of complaints.

23           And also, just to piggyback on what was said, I  
24 want to thank Brian and the team and Carlmais for  
25 all the work that you guys are doing in Outreach

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1 because Outreach is core to this agency's mission  
2 and in order to do our jobs, the citizens of New  
3 York City have to know what their access portals are  
4 to express their dissatisfaction and file complaints  
5 in reference to interactions with police officers in  
6 New York City. So Outreach is really core to what  
7 we're doing.

8 I also want to note that a lot of this has been  
9 done because of the internal push, but the internal  
10 push could only be possible by the volunteers, all  
11 of you guys that volunteer your personal time to  
12 make this happen. We do not have adequate staff to  
13 do Outreach. And I must confess that this is really  
14 not a sustainable plan to have you guys doing the  
15 work that you take home to do from the Agency to  
16 fulfill your regular obligations of your job and  
17 then also on top of that, volunteer on your own time  
18 in evenings and other times to do Outreach. So I  
19 think that's noteworthy and commendable that, you  
20 know, all the participants that are playing a role  
21 in this particular activity should really be  
22 congratulated and saluted. But I don't want it to  
23 be lost that we are at a grave deficiency as it  
24 relates to Outreach and staffing thereof. And if  
25 we're going to be effective in penetrating the

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1 citizens of New York in educating them on the  
2 processes that are available to them, we must have a  
3 more expanded Outreach staff in order to accomplish  
4 that or else all of our work is being done in the  
5 dark. And if we only have a small percentage of the  
6 population understanding what we do and what we do  
7 to serve them, then all of the great tools and  
8 resources that we have at the Agency will go unused.

9 So again, I want to thank you for your work and  
10 everything you're doing.

11 Are there any other committee --

12 MS. CATAPANO-FOX: Bishop, I just wanted to  
13 comment that, Bishop, you've always made a strong  
14 statement that we need to make sure that we are  
15 involved in the public housing communities and that  
16 we have expressed our desire to help and to be more  
17 involved in terms of getting awareness of our Agency  
18 and what we can do, and I have to thank Linda Sachs  
19 because she has been involved in working with --  
20 they have newsletters that they give out and she's  
21 ensured that they are putting information about our  
22 agency and what we do, and I know that Bishop and  
23 Brian and Carlmais and Jessica have been very  
24 assertive in making sure that we reach as many  
25 communities -- in particular, public housing -- as

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1 possible. We've and done a number of programs  
2 there. And I have to tell you that the -- I would  
3 be remiss also in not saying -- not telling you  
4 that the responses we get from people are  
5 extraordinary. They're not just nice evaluations  
6 saying, "Oh, it was good program. I didn't fall  
7 asleep." It is, "They were wonderful," "They  
8 changed their lives," "They have changed their  
9 perspectives." All of the volunteers led by our  
10 team have really -- and by Bishop as the head of  
11 Outreach -- have really made a difference in many,  
12 many people's lives in the city and I think that  
13 that is a credit to you guys. And even the interns'  
14 letters that they sent us to say goodbye, you guys  
15 should frame them, because to make a difference in  
16 so many people's lives is a special thing. It's  
17 unique and it's something you should be very proud  
18 of.

19 BISHOP TAYLOR: Thank you so much, Tracy. If  
20 there are no more reports from committees, then  
21 we're going to move to old business. And I think  
22 that, again, Dave -- Commissioner Liston referenced  
23 a fact that your report was so exhaustive, that you  
24 kind of recapped and debriefed on some of the old  
25 business that was dealt with in our last meeting,

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1 especially as it relates to videotaping by  
2 observers. And with the advent of smart phones and  
3 devices and things of that nature, I totally agree  
4 with the comments that were made that there has to  
5 be intense training on behalf of the Police  
6 Department to orient officers and such alike on how  
7 to respond and react to the public if they decide  
8 and they're at a safe distance away from the police  
9 scene to capture the incident on their devices that  
10 there's no retribution or negative response to that.  
11 And so I agree that there has to be, you know, some  
12 more training on that.

13 So I think that old business was covered, unless  
14 any of the Board Members want to resurrect anything  
15 that was already said. If not, we could move to new  
16 business. Do we have any new business that we want  
17 to discuss? Tony, did you have any new business  
18 issues that you wanted to bring up?

19 MR. SIMONETTI: Not at this time.

20 BISHOP TAYLOR: Well, this is a historic low for  
21 you.

22 MS. CATAPANO-FOX: Or high. You have to be  
23 positive. You have to be positive.

24 MR. LISTON: You look good, Tony.

25 BISHOP TAYLOR: Okay. So I -- he was going to

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1 say something.

2 MR. SIMONETTI: I was coerced.

3 BISHOP TAYLOR: I believe it.

4 Okay. We're going to move now to public comment  
5 and I think we have first on our list and last on  
6 our list, Mr. Chris Dunn.

7 MR. CHRIS DUNN: Every public meeting at the  
8 CCRB changes my life.

9 BISHOP TAYLOR: I believe that too.

10 MR. DUNN: That was a lot of  
11 self-congratulations, a little too much for my  
12 taste, but okay.

13 The first thing I want to say, and I don't  
14 direct this to you, I direct it to City Hall. I  
15 guess I should be talking to the camera. I assume  
16 the Mayor is sitting and watching this as we talk.  
17 It's June 11th. There's no new chair. I don't know  
18 what's going on. The Mayor has spoken often and  
19 loudly about his interest in police oversight. You  
20 are the city police oversight agency. As much as I  
21 love all of you, you're the old regime, and maybe  
22 you'll be part of the new regime, but I want to know  
23 where the new regime is. And that needs to get  
24 here. I think all of you are a little but hamstrung  
25 because you recognize that you're a little bit left

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1 out there without leadership, I guess without formal  
2 leadership, as good a job as you are doing. So I  
3 make that pitch not to you because you're not  
4 responsible for it, but to the Mayor's Office.

5 MR. SIMONETTI: Well, I make a pitch to you  
6 then, Chris. With all the contacts that you have,  
7 could you prevail upon your people to start making  
8 some phone calls now that we're at June 11th and we  
9 still don't have a chair?

10 MR. DUNN: Tony, it would be nice if I could  
11 just send e-mails saying, "By the way, here's the  
12 new chair. Would you guys please get him or her  
13 down here?" Doesn't work that way. So I -- it's as  
14 much a mystery to me, Tony, as it is to you. I  
15 don't know what the explanation is. What I do know  
16 is it's important that this board have a chair, that  
17 it be fully staffed, that it be ready to go for the  
18 new day as opposed to the old. And, again, I  
19 appreciate a lot of the work you're doing. It's  
20 quite sincere. It's quite important. But all of  
21 you are kind of up in the air because of what's  
22 going on. And we on this side of the curb, we're up  
23 in the air because presumably, there are going to be  
24 changes, there's going to be a new chair. Where  
25 that person is, who knows?

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1           In terms of the report, Tracy, I want to start  
2 with the 18-plus-month cases. Let's start with the  
3 good news. The last few months, it's definitely  
4 come down. There's only one case that I see in this  
5 report that's a -- on your dime, which is terrific.  
6 And I just want to say, because I say a lot of  
7 negative things, I just want to say that it's a very  
8 positive thing that you've gotten that down. It  
9 looks like the cases -- the categories behind that  
10 are also coming down. So it just looks like  
11 generally the age of the docket has gotten much  
12 better and that's terrific.

13           But there's an asterisk that I need to ask about  
14 and you didn't mention this in your presentation.  
15 There's a table in this report about a  
16 reconciliation for 2014 about Department disposition  
17 of cases. I am looking at page 28. I've never seen  
18 a table like this before. Left-hand column says  
19 "reconciliation 2014". It shows 7 cases with blown  
20 statute of limitations of this year. So given the  
21 way you folks are looking at it, maybe people  
22 haven't looked at it or paid attention to it, so  
23 maybe this question is premature. But the question  
24 I have is what are these 7 cases and what's this  
25 reconciliation business?

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1 MS. CATAPANO-FOX: This is to address the  
2 Board's interest in finding out the status of cases  
3 at DAO. So it is --

4 MR. DUNN: I'm sorry, the status of cases?

5 MS. CATAPANO-FOX: With DAO. In a few past  
6 meetings, some of the Board Members referenced that  
7 they wanted to know if there's a backlog of cases be  
8 handled by DAO. So what we've been doing is  
9 reconciling the cases with DAO to make sure that if  
10 they have closed the cases, it's reflected in our  
11 system. And this is not just for 2014 cases. This  
12 is a reconciliation that happened in 2014 of prior  
13 cases where we thought they were open and we weren't  
14 sure if DAO still had them open or had them in a  
15 different posture. So you won't see it next month.

16 MR. DUNN: I have --

17 MS. CATAPANO-FOX: This is not a reoccurring  
18 report. This is just to address the concern that  
19 the Board presented that DAO had this -- I think one  
20 of the Board Members called it "a pool of cases that  
21 we're going to drown in," and they're not because we  
22 are able to reconcile our databases with theirs to  
23 determine how many cases DAO had.

24 MR. DUNN: Okay. I mean, I have raised on many  
25 occasions the fact that there are very few cases

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1 coming back on your report from the Department for  
2 like 6 months now, including this month I think  
3 there are 9. This is only 10 total cases. It's  
4 hard to believe that explains the gap between what  
5 you were doing with 25 cases a month routinely to  
6 some instances 4 or 5 cases in a month. It's hard  
7 to believe this reconciliation of 10 cases accounts  
8 for that.

9 But setting that aside, I hear what you're  
10 saying about there was a process here but there's 7  
11 blown-statute-of-limitations cases here, which is a  
12 major issue. And I don't know if the statute ran  
13 while the case was here, the statute ran while the  
14 case was there. All I am saying is wherever it ran,  
15 that's a big problem. You cannot have 7 sub-cases  
16 that disappear because of statute of limitations.  
17 So I think it's incumbent upon you folks to do a  
18 little more digging, or maybe you've done the  
19 digging and a little more reporting about this  
20 because this, in my book, is an extraordinary number  
21 of lost cases.

22 MS. CATAPANO-FOX: We will be able to -- if the  
23 Board desires, we will report to you more  
24 specifically what these numbers mean and what cases  
25 they were and what years they are.

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1 MR. DUNN: Okay. Thank you.

2 I'm thrilled to hear about the videotape process  
3 in your report in terms of police officer responding.  
4 And Tony, I was happy to hear you say this sounds like  
5 a training issue like strip search because last meeting  
6 I heard you saying there's no -- literally not much we  
7 can do about this, so...

8 MR. SIMONETTI: I didn't say that.

9 MR. DUNN: Okay. I thought I heard you say it.  
10 The camera never lies.

11 MR. LISTON: Neither does Tony.

12 MR. SIMONETTI: What I -- if I did say that, that's  
13 not what my intent -- my intent was that it's a knee-jerk  
14 reaction. That's what my intent was.

15 MR. DUNN: I get it and I understand that.

16 MR. SIMONETTI: My demonstrations would (inaudible)  
17 understand that.

18 MR. DUNN: And I agree it's a training issue, I  
19 agree it's an instinct issue, and I think it's  
20 something the Department can and should take on.

21 One word of caution about the strip search  
22 report, and I think maybe you and Jules were the  
23 only two people here when we went through that  
24 round, as you may recall -- you guys did a good  
25 report on that. I thought it was a good report and

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1 you made some very useful concrete recommendations.  
2 I believe it took 2 years before the Department  
3 actually did something. And so it is fine and good  
4 for you to do a report. It only makes a difference  
5 on the street if the Department follows suit and  
6 does something meaningful. And I think it's just as  
7 important for you to follow through with the Depart-  
8 ment to make sure that these changes are happening.  
9 And this photographer thing is a tough nut to crack.  
10 Everybody knows about it. The Department's been  
11 talking about it for years. Given the instinctual  
12 piece of that, it's a hard thing to curb. So it  
13 really does require some energy and some commitment  
14 by the Department in dealing with cops on the ground  
15 in the precincts to change that behavior.

16 Videotaping complainants, you gave thanks all  
17 around but you didn't include me in that, Tracy. I  
18 think it's great that you're doing that. I  
19 mentioned that at the last meeting. If you really  
20 pursue that and follow through that, that would be a  
21 very significant step, I think. We can break  
22 through the bottleneck of people having to come down  
23 here. To be able to give smart complaints, that's a  
24 terrific step. And kudos to you for pursuing that.

25 Do you have any sense -- I heard you say the

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1 words "Time Warner," which in my head, I'm just  
2 thinking months of delay. But do you have any sense  
3 of when that might come to pass, at least when  
4 you'll make a decision about when/if you will  
5 actually pursue that?

6 MS. CATAPANO-FOX: It's just a matter of they're  
7 here and they're working on getting all of these TVs  
8 set up. So once they do that, we know how to do  
9 video conferencing. Then it's just a matter of  
10 finding places where the complainant could go. So  
11 we have to start working with libraries. If they  
12 don't have private areas, we might have to start  
13 working with City Council. Wherever we're getting  
14 space in the boroughs, we might have to use that as  
15 an alternative. So the video conferencing system  
16 itself isn't difficult. It's getting the  
17 complainant side of it.

18 MR. DUNN: So I guess what I'm asking now, and  
19 I'm sorry I wasn't clear, has the Agency made a  
20 decision to proceed with videotape or video  
21 conferencing to allow complainants to provide smart  
22 complaints through that mechanism?

23 MS. CATAPANO-FOX: I have to put a report  
24 together about the cost and then how they can do it  
25 before -- it wouldn't be fair to have them vote just

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1 generally. Although, I think the Board has  
2 expressed every desire to have it easier for  
3 complainants to get here or to make complaints,  
4 wherever they are. So once I have more detailed  
5 information, then I'm sure they'd want to vote on  
6 it.

7 MR. DUNN: I think that's terrific. I really --  
8 good for you.

9 BISHOP TAYLOR: And I think that we also talked  
10 about, again, with the advent of smart phones,  
11 people having the ability to use their smart phone  
12 to actually do a video call whether it be through  
13 FaceTime, whether it be through the Microsoft Google  
14 situation, whatever it may be, and then us on our  
15 end being able to capture it and record it, that's  
16 where we're hitting the technical issue. Just being  
17 able to -- capturing the complaint via video is  
18 really not the issue because everyone has a smart  
19 phone. But it's the ability to record the  
20 complainant's testimony via video.

21 MR. DUNN: Look, the more creative you can be  
22 about that, obviously many more options are  
23 available and I think the challenge here is not so  
24 much getting and creating technology, but you as an  
25 agency actually getting comfortable with technology

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1 and being able to take advantage of it. And the  
2 fact that you're prepared to proceed with that,  
3 that's a very good step. Thank you.

4 Tony, I'm just curious, in terms of the  
5 disciplinary report and some of the dispositions  
6 from the Department last month, 62 days. Now, I  
7 heard, Tracy, you say that was not just a CCRB  
8 case --

9 MS. CATAPANO-FOX: Right.

10 MR. DUNN: -- but the Department was proceeding  
11 against the officer also. I'm just curious. I've  
12 never heard of anyone losing 62 days in my life.

13 MR. SIMONETTI: I'm sorry?

14 MR. DUNN: I've never heard of anyone losing 62  
15 days.

16 MR. SIMONETTI: A person losing 62 days?

17 MR. DUNN: Yes. Is that a highly unusual  
18 penalty?

19 MR. SIMONETTI: I don't know the particulars of  
20 the case. Was it our case?

21 MS. CATAPANO-FOX: There was an allegation from  
22 us but there were other allegations from DAO that  
23 they acted on internally, so, you know, the Police  
24 Commissioner would know better.

25 MR. SIMONETTI: You know, I'm wondering if it

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1 was a C complaint with IAB also -- you know what I'm  
2 saying -- and then they maybe combined it. I got to  
3 tell you, it's been a number of years but do you  
4 recall the \$10,000 fines and the \$5,000 fines?

5 MR. DUNN: Yes.

6 MR. SIMONETTI: You remember those?

7 MR. DUNN: Yes.

8 MR. SIMONETTI: Do you? You're shaking your  
9 head like you're not too sure.

10 MR. DUNN: Not a lot of details but I remember  
11 about them.

12 MR. SIMONETTI: I mean, I haven't seen those in  
13 a while. Probably the severest penalty that can be  
14 imposed out of the trial room is termination,  
15 obviously, they terminate somebody. But short of  
16 that, if you get 30 days in a year, which means you  
17 get 30 days docked and you get a year's probation, and  
18 if you step out of line in that year's probation, it's  
19 automatic dismissal.

20 MR. DUNN: Well, I know dismissal probation. I  
21 just haven't seen loss of days like that, but all  
22 right.

23 The final thing I wanted to ask about was you  
24 added this page about variations or ultimate  
25 commission of disposition of cases that you handled

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1 through the APU. And Tracy, on the first one, I  
2 want to make sure I understood the turn from a  
3 recommendation of a forfeiture of 10 days to a not  
4 guilty. I thought I heard you say that that got  
5 pled. But did that go to the trial room?

6 MS. CATAPANO-FOX: That was in the trial room.

7 MR. DUNN: That was in the trial room, okay.

8 And then the second one where the trial  
9 commissioner found the officer guilty and  
10 recommended 8 days, and the report says, "Guilty,  
11 re-training." That's a pretty big change. I just  
12 want to make sure in terms of terminology, when you  
13 say "re-training," are we talking about  
14 instructions?

15 MS. CATAPANO-FOX: That is something that we're  
16 trying to clarify with NYPD. That's their language.

17 MR. DUNN: That's their language, okay. Because  
18 that's not a disciplinary category that at least I  
19 have seen. Tony, have you seen that term?

20 MR. SIMONETTI: Well, I know they send people  
21 for additional training, you know, for a whole host  
22 of reasons. They have the sensitivity training.  
23 They send people back for that, if it involves  
24 anything that has to do with racially or ethnically.

25 MR. DUNN: Well, I understand that but that

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1 typically is not a disciplinary penalty.

2 MS. CATAPANO-FOX: This isn't typically a  
3 disciplinary category that we've seen before so it  
4 is something that we're trying to clarify.

5 MR. SIMONETTI: Have you seen it before, Tracy?

6 MS. CATAPANO-FOX: No. Typically it would say  
7 instructions and that might involve training or some  
8 other, like you were discussing, but we're trying to  
9 clarify with NYPD. Police Commissioner Bratton is  
10 clearly making headway in terms of how he wants  
11 things to proceed and how he wants officers to be  
12 disciplined, and so this may be a new category he's  
13 considering. We don't know but we're certainly  
14 working to find out more.

15 MR. DUNN: So I had that question but I'm glad  
16 to see that you're providing more detail about this.  
17 Clearly as your docket shifts more and more into APU  
18 land, I think that you will find there's a lot more  
19 reporting you can be doing on the APU cases. And  
20 I've always said this, I think your reporting  
21 generally on investigations is quite good and I  
22 think you have some catching up to do on that but  
23 you seem to be doing that. So thank you.

24 That's all I have to say.

25 MS. CANDACE TOLLIVER: Excuse me. I actually

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1 signed up when I came in to make a public comment.

2 BISHOP TAYLOR: Okay. Come up. Please state  
3 your name and agency when you come.

4 Do we have the list, the sign-in list?

5 MS. TOLLIVER: The list is out there.

6 BISHOP TAYLOR: That's not helping us out there.  
7 We need it up here. Thank you.

8 MS. TOLLIVER: So, hello. My name is Candace  
9 Tolliver. Good morning. I'm the Assistant Advocacy  
10 Director at the New York Civil Liberties Union.

11 I just have some statements about last week.  
12 I'm going to read them because I don't want to  
13 forget anything, if that's cool.

14 Working as a police reform advocate, I see  
15 firsthand a lack of trust the community has for the  
16 CCRB's ability to bring oversight and accountability  
17 to the NYPD. The lack of access that many  
18 communities have, particularly low-income  
19 communities of color, have to your services make  
20 matters worse.

21 After last month's meeting, I've identified  
22 another barrier for the community, fear of Board  
23 hostility to public comment and questions. I was  
24 deeply saddened when I saw Nahal Zamani shotted down  
25 and berated for a comment and question. I sat in

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1 disbelief as she was told that questions were not  
2 for this portion of the meeting and was asked, "Have  
3 you ever had a gun pointed at you or have you ever  
4 been shot?" Equally disappointing is that no one  
5 tried to stop the yelling and taunting that  
6 Commissioner Simonetti directed at her.  
7 Commissioner Taylor rightfully raised at the end of  
8 the meeting that behavior was the cause for lacking  
9 public participation in the meetings, but by then,  
10 the damage was already done.

11 As I watched the encounter, I thought to myself,  
12 "I would never want to address this Board. I would  
13 never encourage my peers or community members  
14 either." I choose to address the Board today only  
15 because you should know the affect that that meeting  
16 had on a member of the public. If the CCRB is to  
17 fulfill its mission, the community must feel welcome  
18 when we attempt to participate in the process. It  
19 is valuable for the Board to respond to public  
20 comment but imperative that that response be  
21 respectful.

22 Over the last four years, I facilitated close to  
23 100 Know Your Rights trainings across New York City.  
24 I have presented at schools, community centers,  
25 churches and community organizations. I've talked

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1 to people about the rights of individuals when  
2 encountering police. I used to feel quite  
3 confident. In closing out my presentation with the  
4 following statement, "If you feel you've been a  
5 victim of police misconduct or abuse, contact the  
6 CCRB for help." After last month's meeting, I worry  
7 that advice might be misguided.

8 I will say this: The one piece about the CCRB  
9 in the five boroughs, I do represent on the  
10 Steering Committee of a group called the  
11 Communities United for Police Reform. There's 60  
12 organizations across New York City. We worked  
13 really hard to pass two bills at the City Council  
14 Level 1 creating the inspector general, and the  
15 other a ban on profiling by the police. And that  
16 group will be really interested in knowing more  
17 about the five-borough things. These people are in  
18 the communities in which people are really  
19 encountering police misconduct. And so if you all  
20 wanted to talk to me more about how we can bring  
21 that group in and maybe have the Board or have CCRB  
22 make a presentation for that group, we would be  
23 willing to get that information out to our  
24 communities.

25 And then just one other thing. I know this

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1 wasn't in my notes.

2 MS. CATAPANO-FOX: Can you just say the name  
3 again? I'm sorry.

4 MS. TOLLIVER: Communities United for Police  
5 Reform. It's a coalition of over 60 organizations.

6 And as far as the community board presentations,  
7 I'm really excited about the community Outreach.  
8 But I've been to those meetings and those are not  
9 generally the people who are affected most by police  
10 violence and police abuse, right? When I go to  
11 these community centers, when I go to community  
12 grassroots organizations, those are the people who  
13 have the complaints. When I do the Know Your Rights  
14 training and I talk to people and they say, "Well,  
15 this is what happened to me yesterday on my way home  
16 from work or on my way to school," those are not the  
17 people who are at the community board meetings. So  
18 if we really want to reach the public, we have to go  
19 where they are and I am excited that you all are  
20 doing the Outreach in the public housing units.  
21 Thank you.

22 BISHOP TAYLOR: Ms. Tolliver, I want to ask  
23 Carlmais if she can go with you and get the  
24 information.

25 MS. CARLMAIS JOHNSON: I just wanted to comment

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1 with respect to Communities United for Police  
2 Reform. Actually, that was one of the things that  
3 we did. We actually did reach out to all of the  
4 organizations and I believe we have done  
5 presentations at some of those organizations for the  
6 anti-violence project.

7 MS. TOLLIVER: Great. If you wanted to get all  
8 of us at the same time, I can facilitate that for  
9 you as well.

10 MS. JOHNSON: Great.

11 BISHOP TAYLOR: Excellent. Thank you so much,  
12 Ms. Tolliver.

13 Again, we do want to encourage the public to  
14 feel free to make public comment at our meetings  
15 without any fear of anything. You know, sometimes  
16 our meetings do get a little heated but I don't  
17 think that Commissioner Simonetti meant anything  
18 personal against anybody at that meeting. So you  
19 have to understand the passion that all Board  
20 Members have as it relates to our roles and  
21 responsibilities here. But please accept our  
22 welcoming to everyone to make public comment at any  
23 given time.

24 Having said that, Ms. Zamani, are you prepared  
25 now to come?

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1 MS. NAHAL ZAMANI: So, again, my name is Nahal  
2 Zamani. I'm the Advocacy Program Manager with the  
3 Center for Constitutional Rights and I just wanted  
4 to express my gratefulness for being able to join  
5 you all during last month's meeting and be able to  
6 participate in the public comment portion; however,  
7 I express my regret that my comments were met with  
8 hostility and I was challenged, interrupted, and at  
9 times talked over, and as a result, unable to  
10 express myself fully.

11 As you all know and as you have personally  
12 expressed, Commissioner Taylor, you know, these  
13 public comment periods are meant to afford all New  
14 Yorkers, including public police reform advocates  
15 such as myself, the opportunity to participate  
16 meaningfully in public dialogue and deliberations of  
17 this board. And I do hope that you all continue to  
18 and permit and allow and encourage members of the  
19 public to participate in these public comment  
20 portions without being subjected to the type of  
21 treatment that I had during last month's meeting.

22 Lastly, on behalf of my organization, I do want  
23 to express our interest in working collaboratively  
24 with the CCRB. As you all particularly probably  
25 know, the CCRB was identified as a potential

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1 stakeholder in the joint remedial process in Floyd  
2 versus the City of New York, which is the federal  
3 class action stop-and-frisk lawsuit. So looking  
4 forward to working with you and continuing to engage  
5 in dialogue. Thank you.

6 BISHOP TAYLOR: Thank you.

7 If there's no more public comment, we're going  
8 to adjourn our meeting and come back for Executive  
9 Session in five minutes. Thank you so much for  
10 coming.

11 (Whereupon, the meeting concluded at 11:01 a.m.)

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C E R T I F I C A T I O N

STATE OF NEW YORK            )  
  )  ss.:  
COUNTY OF RICHMOND        )

I, DANIELLE CAVANAGH, a Notary Public within and for the State of New York, do hereby certify:

I reported the proceedings in the within-entitled matter, and that the within transcript is a true record of such proceedings.

I further certify that I am not related to any of the parties to this action by blood or marriage and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 19th day of June, 2014.

\_\_\_\_\_  
DANIELLE CAVANAGH

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