



Office of the Mayor

Elizabeth Glazer  
Director  
Mayor's Office of Criminal Justice

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**By Electronic and United States Mail**

January 29, 2015

Earl Ward, Esq.  
Emery Celli Brinckerhoff & Abady, LLP  
600 Fifth Avenue  
10<sup>th</sup> floor  
New York, NY 10020

Dear Mr. Ward:

I am writing to you in your capacity as the Chair of the Board of Directors for the The Bronx Defenders and in the context of the board's responsibility to set policy and oversee the proper administration of the organization. I have reviewed the findings of an investigation conducted by the New York City Department of Investigation ("DOI") relating to the participation of the Bronx Defenders in a music video for a song entitled "Hands Up." A copy of that report is attached.

The song includes lyrics urging the killing of police officers ("[F]or Mike Brown and Sean Bell, a cop got to get killed...Time to start killing these coppers") while the video repeatedly shows the images of two singers pointing guns at the head of an individual portraying a police officer. Scenes appear that were filmed both inside and outside the Bronx Defenders' offices and the credits at the end of video list Bronx Defenders as a sponsor.

The DOI investigation found that two Bronx Defenders' attorneys, who proposed that the organization participate in the video, appear in the short film. The lawyers told DOI investigators that they were aware that the lyrics advocated killing police officers. Over a three month period, they worked with the producer of the film, to secure the participation of the organization and to complete the filming. The Executive Director, Robin Steinberg, authorized the participation of Bronx

Defenders in the video but failed to review the lyrics or to conduct or direct her staff to conduct any due diligence with respect to the producers or participants in the video. As the DOI report notes, that due diligence would have revealed that one of the participants in the film, "Uncle Murda," had previously participated in two other songs entitled "Shootin' at Cops" and "Shoot Every Cop You See."

Following the posting of the video, Bronx Defenders asked that the video be taken down from the internet but the producer refused. Ultimately, the listing of Bronx Defenders as a sponsor was removed. Bronx Defenders also released a statement distancing the organization from the video, noting that it had not seen the footage of the images of a police officer held at gunpoint. The organization was silent as to its knowledge of the lyrics. Additionally, the DOI report found that the Executive Director in her subsequent communication with various city officials provided "a selective and misleading recitation of the circumstances surrounding The Bronx Defenders' involvement in the video."

The apparent endorsement of the murder of police officers, whether by acts of commission or omission, is inconsistent with and undermines the function of The Bronx Defenders to operate as zealous advocates for its clients. As noted in the report, the employees engaged in serious misconduct that was not faithful to their obligations as officers of the court. The Executive Director, at a minimum, engaged in gross mismanagement in the failure to take any steps to determine the nature of the video and how the organization and employees entrusted to her stewardship would be portrayed.

The actions of your employees and the Executive Director have put in jeopardy the effectiveness of the services that they are obliged to deliver to indigent clients in the city. To correct this situation, please provide to me by close of business on February 4, 2015 a detailed plan of action to address the issues I have outlined here and that are detailed in the DOI report, The plan should include but not be limited to, a proposal with respect to the appropriate discipline of employees, changes in operating and communications practices and an expeditious timetable within which the plan will be executed. In the absence of a satisfactory plan, my office will evaluate all our options.

Sincerely,



Elizabeth Glazer  
Director  
Mayor's Office of Criminal Justice

Cc: Mitra Hormozi, Esq.  
First Deputy Mayor Anthony Shorris  
Corporation Counsel Zachary Carter