

Public Board Meeting  
Of the Civilian Complaint Review Board  
Wednesday, September 10, 2014  
6:30 p.m.  
10 Richmond Terrace  
Staten Island, New York 10301

RICHARD D. EMERY, ESQ., 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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BOARD MEMBERS PRESENT WERE:

- Richard D. Emery, Esq., Chair
- Bishop Mitchell Taylor
- Tracy Catapano-Fox, Esq.
- Tosano J. Simonetti
- Youngik Yoon, Esq.
- Jules A. Martin, Esq.
- Alphonzo Grant, Jr., Esq.
- James Donlon, Esq.
- Dr. Mohammad Khalid
- Rudolph Landin, Esq.
- Joseph A. Puma

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CHAIR RICHARD D. EMERY: So it's 6:30. Let's begin the September meeting of the Civilian Complaint Review Board. We call it to order. We have a quorum. Any objections to calling the meeting into session notwithstanding the fact that we're expecting two people? All okay with that?

BOARD MEMBERS: Yes.

CHAIR EMERY: So, this is our first evening meeting in quite a while and certainly our first meeting out of 100 Church Street or whatever office there is for the Civilian Complaint Review Board in quite a while, and this is going to be the first of many that we are planning. We're planning to be in Brooklyn next month, hopefully in the Bronx the month after and we're going to rotate throughout the City and have evening meetings so that people can come without having to leave work and we can be in the communities where hopefully people will be -- have the opportunity to come and and talk publicly

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and comment on our actions and our activities.

First of all, I want to thank Bishop -- Dr. Khalid, sorry, who arranged this meeting here and did a lot of work to put it together, as I also want to thank Brian Connell who is here and who made a lot of the arrangements along with the Staten Island Borough Hall people. The names I have are Allison Collin and Bob McFeely; is that right? We thank you very much for helping us with the logistics of making this meeting possible in compliance with the open meetings law and having it live stream and taking the measures that are necessary for all the logistics of that process.

Do we have a motion to adopt the minutes from the last meeting in August?

MR. SIMONETTI: So moved.

MS. CATAPANO-FOX: And July.

CHAIR EMERY: And July, sorry. I thought we did July and August. Well, we have the motion for July and August. Thank

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you, Tracy.

MR. DONLON: So moved.

MR. SIMONETTI: Second.

CHAIR EMERY: Any objection?

(No response.)

CHAIR EMERY: Okay. They're  
adopted.

Let's go to new business. First of  
all, and under this new business section, I  
would like to call upon each of the chairs  
of the various subcommittees to give  
reports on progress of the subcommittee  
activities which we undertook at the last  
meeting, and I'll do that in a moment.

But first of all, I wanted to say  
that we have decided, or at least I believe  
the Board has agreed, but if there's any  
discussion I'm completely open to it and we  
can discuss it right here, to hold the  
video bystander study because we, in  
looking at the drafts, I felt and I think  
others felt as well that it was not based  
on enough data and there was a lot more  
data available than just the first six

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months of this year. I would like very much to have a more thorough and rigorous study that looks at this problem from the point of view of any -- the point of view of videos during the last probably year, or year-and-a-half, or two years, depending on what the data, what the basis of the hard data is available.

MR. SIMONETTI: Do we have any idea what the number will go from for the six-month period, and to the one-year period or to the year-and-a-half period?

CHAIR EMERY: It will certainly go down as you go backwards, but it's possibly going to be pretty close to an arithmetic amount.

So we only had 13 or 14 in the period that we were looking at so far and we just didn't figure that that was -- we didn't feel that that was enough to draw hard and fast conclusions, certainly not enough to do regression analysis of the various factors that go along with video problems with video recording of arrests.

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And we wanted to, for training purposes and for other purposes, we wanted to be able to do statistical analysis so that we would have some kind of at least semi-reliable raw predictive data on what types of activities can be associated with wrongful or misconduct during videoing of arrests, the theory being that that's good for training purposes, that's good for predictive purposes, and that serves everybody's effort to try and curve this practice.

And we also wanted to -- just one more thing. We also wanted to expand the study in some sense or at least look at the possibility of expanding the study in the sense of making it more than just a video bystander study, perhaps bringing into it, if it's appropriate, the real bystander problem, which has existed forever where a police officer's authority is questioned during arrest and the person questioning authority other than the focus of the arrest, the bystander is -- becomes a

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subject of an arrest or a police action.

So I think bystander videos are a subcategory of a larger issue that we were hoping to look at. I think there were public comments, I think Chris Dunn made some comments about it at the last meeting and I think it has been a long standing issue, I know from my experience it has been a long standing issue. And it's something that I think can be more rigorously looked at than putting out a study about a subcategory, which doesn't have a lot of statistical underpinnings.

So with that, we wanted to table it. I don't want to delay it a long time. I hope it will be out -- I hope we can do something within a month or six weeks, but that's yet to be determined. I just don't think we ought to put out a product that we can't think is as helpful as something we can do as long as we're in this area.

MR. SIMONETTI: Anecdotally, I mean, from all the cases that I've reviewed over

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all these number of years, it doesn't appear to me that the sampling is going to get much larger, even if we expand for a year or a year-and-a-half. And it may be that statistically the sampling that we get when we look at a year or even two years, it may not be as significant enough sample to validate the findings of the study.

CHAIR EMERY: That may be right, but that would only be for the video portion of it and the video portion of it, of course, is important, but also the bystander aspect of it I think will be a much large sample size.

MR. SIMONETTI: My thought was that I thought we were doing this with a view toward it becoming a heavy-duty training issue for the Police Department.

CHAIR EMERY: Well, it already is. As you know, they put out a recent regulation that made it -- they so-called re clarified what they had previously said and, of course, there's a lawsuit pending on this issue in federal court. So I don't

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think there's any lack of direction from the administration that police officers are not supposed to be interfering, unless there's some very specific causation or exception to the basic rule with people who are videoing arrest.

The issue now is sort of -- is documenting it and being able to hopefully help the training process by predicting what factors go into the abuse of conduct when it occurs. That's the hope of what our study is going to reveal, I hope.

Unless there are any further comments on that, I'd like to proceed to reports from the committees.

MR. SIMONETTI: Is this portion of the meeting considered new business?

CHAIR EMERY: Well, I mean, it's new business in that it's a report on what the committees are doing and that I think is not --

MR. SIMONETTI: Okay. Because, I mean, we detracted from the agenda obviously.

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CHAIR EMERY: Well, on the agenda, as I saw it, there wasn't any -- the reports, Committee reports -- well, we can do it that way. I thought that the public would be interested in where we are on this as soon as possible.

MR. SIMONETTI: I'm sure.

CHAIR EMERY: Welcome to Jules Martin, who's joining us.

MR. MARTIN: Sorry I'm late.

CHAIR EMERY: It's all right.

MR. SIMONETTI: I thought -- there was some other issues that I wanted to raise that belong rightfully under new business.

CHAIR EMERY: Well, let's do that first then.

MR. SIMONETTI: You want to do that first? Okay.

CHAIR EMERY: Sure. Feel free to raise them.

MR. SIMONETTI: I think there are some policy issues that have been, in fact long term in this Agency. I'm a member of

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this board we're going on 18 years now, and we always had a policy where each member of the 13 members that comprise this Board, we all have one vote and we all consult with each other when someone has a new idea and someone wants to bring up an issue. It seems that we've gotten away from that. Since you've been named as the Chair of this Board, things have been coming hot and heavy, and it seems to be done solely based on what you perceive to be the way we should be proceeding with this. There's no consultation, meetings have been held, Board members have not been notified and this is not the way we've done business in the past, and quite frankly, I feel kind of that I've been let out of this. I don't know how other Board members feel, but that's the way I feel.

And then the whole issue, I mean, we have the other whole issue that we can talk about, probably we should be doing that in an executive session. We can discuss that later. But I think we have to get back to,

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if you have an idea that's wonderful. When you came to the first meeting that we held, the emergency meeting, you presented a list of things and you had some -- and I thought you had some great ideas. But that has to be discussed amongst Board members. You had several meetings with the Police Commissioner's office, none of which any of us were invited to and I feel kind of left out because I was always invited to those meeting as a police representative and I think importantly I should be there, or if not myself or Jules or Rudy, or one of us should be there.

So I think that -- and then I think Al Grant's e-mail really speaks to the whole issue. You know, he said it a lot better than I could and I would agree with him wholeheartedly. You know, we're going to get ourselves in a lot of trouble if we don't follow the policy and don't follow the way we have done things in the past.

Now, I know you're looking to reinvigorate this Agency, but we have to

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proceed cautiously and I think a little more slowly.

CHAIR EMERY: Anybody else has anything to say?

(No response.)

CHAIR EMERY: Let's go to the Committee reports. Mediation Committee. We have -- I know that --

MS. CATAPANO-FOX: Jim is going to give that report.

CHAIR EMERY: Jim is going to give that report, great.

MR. DONLON: Yes. Janette Cortes-Gomez is the Chair of the subcommittee, and she prepared this report which I'm going to present.

So, the Mediation Subcommittee is motivated and anxious to increase the number of successfully mediated cases. In keeping with the general policies of confidentiality and with the awareness that mediation is voluntary, our goals include training all investigators and APU attorneys, not just mediators or intake

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personnel, increasing the number of available mediators, obtaining off-site mediation locations to broaden access to the mediation process.

And in order to achieve these goals, we hope to accomplish the following: To have more complainants agree to mediation during the intake process, identify subject officers sooner in order to determine whether they agree to mediation, have a commitment from the Police Department to strongly encourage police officers to accept mediation as a resolution to complaints made by citizens, and that has been the case in the past, and then to review categories of eligible and ineligible allegations to determine whether a particular case can be scheduled for mediation. And much like we're doing with the public meetings, to designate specific days for mediation to occur at 100 Church Street or off-site locations.

So far, we've been provided with statistics in order to identify which areas

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have the highest number of mediation eligible cases, and we're hoping with the statistics to reach out to public housing and other community-based locations, such as courthouses to conduct off-site mediation.

Going forward, we'll work with the Intake Subcommittee to ensure that investigators inform complainants of the benefits of mediation and preferably schedule a tentative session -- mediation session from the outset, in other words, right from the initial contact if the complainant is willing and interested in mediating. And we'll also work with the Outreach Subcommittee to seek out off-site locations for mediation sessions. And Lisa Cohen will be preparing a mediator code of conduct to emphasize concern aspects of the mediation process, again such as confidentiality. And we're hoping to collaborate with other agencies in order to increase the number of mediators and off-site facilities to conduct mediation

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session.

So that's respectfully submitted as the subcommittee for mediation.

CHAIR EMERY: Thanks, Jim. I had a couple of things that I thought maybe we should discuss about mediation because mediation, as far as I'm concerned, is one of the major changes that can move this Agency forward in creating a sense of trust and a sense of effectiveness throughout the City, and certainly also with the police officers. It's an opportunity to resolve cases early in certain categories in certain instances and it ought to be avail to self as much as possible.

So in that vain, there are a couple of interesting issues, it seems to me, and they've occurred to me since our last meetings and as a result of the report that I saw just prior to this meeting, and the one that comes to mind the most -- most prominently, is to what extent -- well, two of them really, to what extent it's possible to have mediations with any person

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2 who's an employee of the CCRB that are in  
3 fact effective verses independent mediators  
4 given the fact that it may not create a  
5 sense of trust by the parties to the  
6 mediation if it's a CCRB employee that's  
7 doing the mediation, that if it's an  
8 independent mediator, it stands a much  
9 better chance of success. Certainly, I  
10 think the police officers, at least at this  
11 juncture, maybe in three or four years from  
12 now might think differently, but at this  
13 juncture, police officers are going to have  
14 a major sense of doubt about the  
15 credibility and integrity of the mediation  
16 process if CCRB people are the mediators.  
17 And I wanted to discuss that because  
18 there's an argument obviously, for us to  
19 have in-house mediation to make this more  
20 efficient and more available, but it may  
21 not be outweighed by the fact that it won't  
22 work.

23 MR. DONLON: Well, I know the report  
24 does indicate training all investigators  
25 and APU attorneys, not just mediators or

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intake personnel, but I'm not sure that refers to training them to act as mediators. I think it refers to in-house training.

CHAIR EMERY: Well, we did talk about it. I talked about it and I don't think I'm necessarily right about that. I think I might have been wrong. I don't know. I mean, it's a debatable issue.

MR. SIMONETTI: I would agree that if we have outside people, I think that it would probably go a lot longer way than if we used in-house people.

MR. DONLON: Well, we've always used outside mediators, correct?

CHAIR EMERY: Right, but we were thinking of expanding, at least some components of it so that it would be readily available, there wouldn't be logistical problems as serious if we had inside people.

MR. SIMONETTI: I was always of the opinion that there are very few cases that should not go to mediation.

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CHAIR EMERY: Yeah, I agree with that.

MR. SIMONETTI: Almost every case that comes in is almost, almost mediable.

CHAIR EMERY: Right. Now, the second point, and I don't mean to cut off -- hi, Al. How are you?

MR. GRANT, JR: I'm sorry, guys. Excuse me.

THE CHAIR: No, please. Come on up.

MR. MARTIN: Mr. Chair, can I just talk to that point?

CHAIR EMERY: Welcome Al Grant. Sure.

MR. MARTIN: Why can't we have both, increase the number of mediators, independent outside mediators, but as a backup have in-house mediators, because our intent is to have mediation off site and as many mediation dates as possible. So we're going to need a battery of mediators and if we can have both --

CHAIR EMERY: That makes a lot of sense. I see your point, because if we emphasize that we have both and we give

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people an option as to whether they really want to have a non-CCRB, with complete disclosure and then they have the option. We have the capacity when people are willing to agree. That's a very good idea. I appreciate that. That's interesting.

The second point is one that Chris Dunn made at the last meeting, which is of concern and I think it's a significant point, and that is we don't want to lose the data that is inherent in the cases where mediation exists or mediation occurs. For mediation to work, it has to be confidential, right. It can't be something that comes back to bite you later because of what you say. You have got to have a freewheeling open discourse in a mediation that isn't recorded and that's confidential in order for it to be -- ever to be successful.

So the question then is, how, and we don't want to be losing the -- literally the very valuable information that comes in and supports studies, and support patterns

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2 and support issues that are of utmost  
3 importance. And the only idea that I came  
4 up with to begin with, and I'm interested  
5 in whether there are any other ideas, is  
6 that there be a report written after every  
7 mediation session, whether successful or  
8 not, that does not disclose the names, the  
9 identities of the parties and basically  
10 describes the -- we know what the alleged  
11 misconduct is going to have been because we  
12 know that that was already investigated to  
13 some degree and there's an allegation from  
14 the original intake. But we would also  
15 then learn what the other side of the story  
16 is from the police officers and that would  
17 be described without identifying the police  
18 officers, and it would be used for data  
19 purposes afterwards and data purposes only,  
20 and that would be known to the parties. We  
21 couldn't -- we wouldn't hide that from the  
22 parties, obviously, and they would have to  
23 agree that that's such a memo that they  
24 approved of. I mean, they can see the memo  
25 afterwards that they approved of.

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I don't know how to do that. In other words, I would like to figure out a way to have extensive and expansive mediations, but not lose the data that is part of the information provided in the mediation.

MR. SIMONETTI: Well, the meeting we had with Susan Herman several months ago, I mean, it came across quite clear from Susan that everything that takes place in there and any note taking that takes place in there, they have to be shredded. Not a shredded paper comes out of that meeting. In fact, we should not even be calling it a mediation. We should probably be calling it a discussion or something else to come up with a different term to make it more user friendly. But clearly that point about taking notes, and retaining notes or doing it and redacting it, clearly that appears to be, me not being a mediator, it appears to be against all principles of mediation.

CHAIR EMERY: Well, I don't think

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Susan Herman has the final word on that,  
but I do think --

MR. SIMONETTI: No, but I think there  
were enough people there who knew about  
mediation and I'd like to hear from her.

CHAIR EMERY: Did you want to say  
something about that?

MS. CATAPANO-FOX: The good thing is  
that right now, even with our cases, when  
they come in to intake, we do have the  
information on the precincts, the boroughs,  
the officer information, and all of the  
information that you've been looking to  
highlight through the CompStat system,  
through our prioritizing system. So we are  
getting those stats, they do come up in our  
reports, in our mid years, so we will have  
significant information about the officers  
and we've always had. We could ask greater  
questions earlier on before it gets to  
mediation for statistical purposes it that  
would alleviate some of the concerns.

CHAIR EMERY: Well, but the  
problem -- yeah, that makes sense, except

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that -- the only problem I see with that is that officers -- we don't get the officer's information and ideally, you wouldn't put an officer through an interview before mediation or else the mediation is probably not going to work.

So Dr. Khalid, you wanted to say something?

DR. KHALID: I just want to add that I know we want to get the outside mediators, but is there any studies that somebody has complained about the cops, has complained about the -- that the in-house mediators are not doing something proper?

CHAIR EMERY: No, I don't think that's the problem. It's just the general sense, the distrust of CCRB, which the cops have. And there's no -- I don't think you need a study to know that. All you have to do is ask any cop.

DR. KHALID: No, in the past. What I'm saying is if there was anything like that, that we are looking into the outside of, I just want to know if there was

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anything that they did not have any trust because it has to be agreed by the complainant and the cops to together mediate.

CHAIR EMERY: Right. What I'm worried about is the police officers won't agree if they know it's a CCRB or they won't feel that the process, if they do agree, they won't feel that the process is fair to them, and that's all. But I think Jules' response is exactly the right one that we have both and then we just -- we make it available to both.

Anyway, I don't want to belabor the point. I'd love to have opinions from the public or from any other people who can think of solutions or possible approaches to this interesting question of how we can maximize the data we are ultimately trying to collect for other purposes and at the same time emphasize mediation.

Any other further comments on that before we go to the next subcommittee report?

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MS. CATAPANO-FOX: Mr. Chairman, I would just say that Lisa Cohen has had some excellent ideas with the Mediation Committee with regard to using outside mediation groups that are already trained, they have the trained mediators, they have office space in the different boroughs.

CHAIR EMERY: They're very expensive though.

MS. CATAPANO-FOX: Well, they don't pay their mediators so it's actually interesting because we do pay our mediators, but that's something that we can work on so that if you do want to have more mediations outside in the boroughs to make it easier for officers and complainants to go to the mediations, we can try to work with some of those community groups that do mediations already to facilitate that.

BISHOP TAYLOR: Excuse me. I'm sorry Mr. Chair. Does that also speak to the comfort ability of the officers feeling that they're going to be in an unbiased situation? I think that you talked about local groups

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that have volunteers to do mediation.

CHAIR EMERY: Maybe, but I think probably if there are really ongoing mediation groups and they work in the communities, you know, we would try and find the ones that have good reputations and have high standards.

BISHOP TAYLOR: Because I don't see how different the credibility would be if there are in-house mediators that are --

CHAIR EMERY: You might be right. We have to assess what's the most effective way to get people to buy in. There's no question.

Investigations Committee. Do we have a report? I know that Dan is not here. I mean, he provided a report. Was anybody designated to read that or I can tell you what it said from my memory? Do we have a copy of that report? Because I don't.

MS. CATAPANO-FOX: I think he was working very closely with Al Grant of the Prioritization Committee.

MR. CHAIR: Well, it did duplicate,

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certainly.

MR. GRANT, JR.: Yeah. I was prepared to report on mine. I didn't realize Dan wasn't going to be here so I don't have it.

CHAIR EMERY: Well, let me just say quickly what I read in Dans e-mail, and that is that there's a very big effort underway in the subcommittee to get information early to learn to work with the Prioritization Committee about separating cases that fall into categories or where creditability issues are extremely clear one way or the other, and have those go to the top of the file and be focused on so they can be disposed of quickly. Cases with videos could be definitive, I suppose, but some of them aren't, some of them are ambiguous, but some are them are definitive and can be resolved quickly. And so his effort is very much about moving the investigative process forward quickly, putting teams together on certain kinds of cases to get them done quickly. And then,

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of course, handling the communications with the Police Department to get the evidence from the police precincts and other aspects of the Police Department much more quickly than we do now. I think we're doing a much better job in that regard, but we can still do it more effectively.

I think those were the highlights.

Al, do you want to report on the prioritization?

MR. GRANT, JR.: Certainly. So the Prioritization Committee, we met on the 5th of this month and the members included Commissioner Simonetti, Bishop Taylor, and staff members Denis McCormick, Jayne Cifuni and Jon Darche. And the initial review of the Committee was to try to see if there were any sort of complaints or categories of complaints that we could put into a priority category --

DR. KHALID: Bishop. Can you use the microphone towards him?

MR. GRANT, JR.: -- that we could put into a priority category, keeping in

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mind that the message isn't that any other types of cases don't receive the utmost attention from us, but there may be certain cases that you get on the fast track. And the things that -- the primary category that stood out to the subcommittee was force, and if you just look at force numbers, the numbers would be too unwieldy to put all force type cases into a priority category.

So we looked at numbers with respect to subcategory within force and we identified a couple of categories, and this is just a beginning process. These aren't finite, but the initial subcategories that we think should fall into this priority category would be chokeholds, instances where there are -- a gun is fired, instances where there's a death, or a person is shot or there are serious injuries to a complainant or to a police officer. And we thought that from the numbers, just looking at the numbers for this year, and I don't have those in front of me, that those

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subcategories would give us reasonable numbers so that staff could deal with it, investigators can review it, and that the Board can get to finalizing these cases in a relatively quick manner.

Now, the main issue in dealing with a priority category like this is looking at the logistical issues that come up. One of the good things is that we already have an intake unit in place and the Committee thought that utilizing the Intake Committee by first enhancing its intake questionnaire to be more robust so that we're capturing the descriptions from complainants with respect to what had transpired. So we're getting the key words, so we're getting a better understanding of what serious injuries are right up front so that that information can be looked at by a designated supervisor. That supervisor will have a designed list of factors to look at to then determine whether or not that case falls into, at least preliminary falls into a priority category.

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And then -- and this was an idea floated by Denis McCormick and I thought it was a great idea and the subcommittee agreed, we would have established these ECT's, Evidence Collection Teams. These would be teams of two-person investigators that would be responsible for particular regions, so you would have one team responsible for Brooklyn/Queens, another team responsible for the Bronx/Manhattan, something to that extent. They would use Agency cars, they'll be out in the field so that when these complaints come in they can immediately go to that area, ascertain if there's any video, begin to canvas the area, identify witnesses, try to get us information that can upload into our systems very quickly, and the determination made as to whether or not based on the evidence collected, based on the seriousness of the allegations, the nature of the allegations, this is something that can be fast tracked. That supervisor will then eyeball it, pass it on to the Deputy Executive Director in charge

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of investigations who will then assign a designated supervisor and team to investigate the matter very quickly.

So this is what we're sort of diving into preliminary. I think we're off to a very good start, but obviously we want to hear from the public in terms of identifying other ways to sort of fast-track these things. And I want to point out again, and this is the importance of the investigation subcommittee, is that with this priority category, there are aspects of it that will, if they worked to our design, will streamline our entire process. For example, the Evidence Collection Team will be used in general for all the cases and in instances where we can get to video quicker, get subpoenas out quicker, it will be utilized in that respect.

CHAIR EMERY: A couple of -- I found Dan Gitner's report to me on my telephone -- and a couple of other quick points. Al, so that you -- for your --

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because I do think they join very closely with the priorities issue. Dan suggests that that Committee is looking into the possibility of doing what he calls a ride-along but is not with police officers. It's for Board members to sit in on additional intakes and interviews of witnesses and potential complainants to learn the process, to understand the experience of that first process.

Second, he says -- I'm saying the things that I didn't say before -- he says that there are cases that come to us or that we learn about that aren't the basis that -- aren't brought to us by complainants, but we learn about them from television, for instance, where there's a report and there's a video of some arrest that appears to be that it might be misconduct, and they're looking into the issue of whether we can generate our own complaint based on our own observations of news, essentially, of information that comes to us. That's something other

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commissions do, or a lot. I mean, the Judicial Commission, for instance, on which I sit does that all the time. And it seems to me to be a procedure that the question really is a legal one, whether it's within our powers under the charter and if it is, that's something we can decide as a matter of policy whether we want to do.

And finally, he wants to explore the issue of DA holds, and we've talked about that at some level because DA holds are a big obstacle and we don't want to just to assent to all DA -- to endless DA holds. In fact, it's interesting because in talking to Joe Resnick at the Police Department, they have the same problem at IAB and they are frustrated in the same way we are with sitting on cases that are on DA holds. And we talked about some kind of DA hold for a time limit period where if we're going to extend it, they have to justify to us that it's worthy of an extension. They can't just say we want to hold it. They

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have to show us where they are in the investigation and where the end of the time is going to be.

So those are the issues.

MR. GRANT, JR.: There was just one other point that goes to having access to information quicker. There are a number of databases and I think Denis has a list and was generating a list of these, there are a number of NYPD databases that there have been discussions in the past or we may have had access to them in the past, but for whatever reason we don't have access to them now, such as like role call or radio runs, that if our supervisors or our investigators had access to it, it would cut down the time tremendously in terms of --

CHAIR EMERY: Can you get me in the next period of time that's convenient for you, a list of those databases with Denis or with whoever needs to put that together, so that I can make an attempt to get that protocol set up in the way that at least it used to be and maybe even better, I hope.

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Okay.

MR. SIMONETTI: That one issue, I think would clarify a lot of the delays in cases. If we got the database issue resolved where we had access to the database -- I got to tell you, back 18 years ago, we had access to no databases and we had to go over to IAB with a hat in our hands to try to get information. We've come a long way, but there are still critical databases that we need and if we had those, every committee would benefit by it and the whole Agency would benefit by it, and you'd have very few cases, in my view, going over 18 months.

CHAIR EMERY: Do you want to report on CompStat at this point?

MR. SIMONETTI: Yes.

THE CHAIR: Good.

MR. SIMONETTI: Most of what I'm going to report on really is based on us setting up computers to capture this kind of information. The first recommendation is that we create a mapping feature that

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2 would be -- where we would be able to  
3 quickly pull up each precinct, each of the  
4 76 precincts, and it would be color-coded  
5 by allegation. So we all know that we deal  
6 with four types of allegations, the FADO;  
7 the force, the abuse of authority,  
8 derogatory, and offensive language. The  
9 "DO" we can leave with just one color  
10 because the number of complaints are rather  
11 small. The first two are the big two,  
12 the force and the abuse of authority. And  
13 with that, we would then do similarly what  
14 Al has recommended where we break them down  
15 into subcategories and then we designate a  
16 color code for each of those categories.

17 What it would do, it would  
18 immediately in a moment -- you'd see the  
19 spikes in certain parts of a precinct and  
20 you would be able to track the trends more  
21 quickly if we kept that kind of a database.  
22 That would be our first suggestion.

23 Our second suggestion is to have our  
24 IT people run stats for each command and  
25 identify which units have particularly high

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2 numbers of cases and allegations compared  
3 to similar units in other parts of the  
4 City. For instance, if you look at one  
5 point in time the Bronx Narcotics Unit,  
6 almost in every case they did strip  
7 searches for all the people got arrested.  
8 You look and you compare that to the other  
9 narcotics units around the City and that  
10 was not the case. When we did, and I can  
11 tell you anecdotally, when we had places  
12 where a female patrol officer was brought  
13 in off patrol to search a narcotics female  
14 prisoner after she was arrested by a  
15 narcotics division. They didn't have any  
16 female personnel and that's done quite  
17 frequently. This young lady performed a  
18 strip search on this woman and her response  
19 to the investigator was I do it in all  
20 cases. So clearly it's a serious training  
21 issue. You know, we did send a memo back  
22 to the Department on that. But it would be  
23 interesting to see, particularly the units  
24 like Narcotics, take a look at the  
25 detectives, the Warrant quad because they

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generate a lot of work for us, Narcotics and Warrant generate a lot of work, and to see how one unit compares to the other in terms of dealing with things. And if we see these trends appearing, we use -- obviously send it back to the PD and with an explanation that maybe they should look at the people who are doing it the right way, the supervisors who are performing it the right way. That would be our second suggestion.

Our third it so have an early warning notification system. Over at the Employee Management Division in the Police Department, they have such a system and it's called the CPI, Central Personnel Index of every member of the Police Department, and there's a lot of information that's fed into that. And what it does -- you can set the parameters. Let's say we decide we want to look at somebody who gets six civilian complaints over a two-year period, or somebody who gets two substantiated complaints in a

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one-year period, whatever we decide on the parameters that are appropriate to kind of zero in on people who may be setting trends in different parts of the City. So we can set a system up that would alert us that this is happening and boom, up would pop -- it would pop up in the computer and alert as it does over in the Police Department.

We also suggested that we meet with members of the NYPD Early Intervention Unit, because they have a lot of good ideas. They use -- there's a lot of factors that are important to them that I think would be equally important to us that we can kind of incorporate in our system. And once we get hits on these people, we can try to have a direct contact with the Internal Affairs Bureau, because with Joe Resnick there, I think this is the appropriate unit to be dealing with that.

And our last recommendation is have CDS color cases for officers with the most CCRB, which ties in with the last one, and

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these cases would be fast-tracked, a priority system, see. A lot of this stuff ties together. In fact, Rudy is going to be talking about the CompStat stuff.

THE CHAIR: Internal -- right.

MR. SIMONETTI: All of this stuff really --

THE CHAIR: I agree.

MR. SIMONETTI: -- interacts with each other. You know, in a lot of this, there's a lot of overlapping that takes place with these committees.

MR. GRANT, JR.: Tony. Just a question on that fast-tracking instances with police officers with multiple instances. My concern is not biasing the panel that's reviewing it, right? So are we going to carbon a way that the panel reviewing it will not know that these officers have, you know, this has been fast-tracked because of his background? I just want to make sure we balance that.

MR. SIMONETTI: The only problem is you can keep that information from them but

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eventually when they're doing their investigations, I think that's going to come up.

MS. CATAPANO-FOX: It's in the closing report.

CHAIR EMERY: It's in the closing report.

BISHOP TAYLOR: We did it already.

MR. SIMONETTI: That's going to come up because the sheet is included in their worksheets.

MS. CATAPANO-FOX: You wouldn't know it was fast-tracked, but you would know it was --

MR. SIMONETTI: Yeah.

CHAIR EMERY: Two questions I have for you, Tony. The second category where you say you're going to highlight certain --

MR. SIMONETTI: Units?

CHAIR EMERY: Units, exactly. You have the map that shows where they are and what color-coded the intensity of them throughout the City. Would it make sense

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also sort of like the second one, but a little different, to have the types of complaints listed and then have the units where they are problematic? In other words, do the reverse of the maps by listing the types of complaints and then describing those people where we've captured allegations of the alleged misconduct. So I just think, just for suggestion.

MR. SIMONETTI: As I say, a lot of this is going to dovetail with the CompStat stuff and with the regular statistical stuff that Rudy's committee is working on.

CHAIR EMERY: Right. But this is a very, very important tool for us, for the public to see on our website theoretically if it's available which I hope it will be and I think it has to be actually, and of course the Police Department for training and their own CompStat purposes if they're interested in looking and I think they are, in looking at patterns and trends of

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complaints and problems.

So all I'm saying is I think there's this reverse thing. It's a very narrow part of what Rudy's doing. Rudy's doing -- trying to do a CompStat on all our processes. We'll hear about that in a second. Anyway, just a suggestion.

The second thing is, I'm interested to see how we're working with IT and whatever IT resources we need beyond what we have to make this a reality.

MR. SIMONETTI: We definitely need a programmer.

THE CHAIR: Right. I agree.

MR. SIMONETTI: We all know that we need the programmer. I mean, this is some heavy-duty stuff. If we were able to get all of this in computer form, it would be wonderful.

CHAIR EMERY: But you can imagine that we don't have to recreate the wheel here. The fact is that CompStat has this kind of mapping and has this for crime.

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There's no reason why we couldn't use a similar -- their program or a similar one and convert it into what you're talking about.

MR. SIMONETTI: Right. I think they either use Microsoft or -- to come in and write that program for them, you know. And it would great if we could get access to something like that.

CHAIR EMERY: Well, Jessica Tish runs it over there for them and I think it's something that we can ask her about, whether there's a, you know, an ability to use at least the format. We're obviously not going to use the information, just use the format.

Rudy, do you want to talk about --

MR. PUMA: Can I add a point, please?

THE CHAIR: Sorry. Sure, please.

MR. SIMONETTI: Joe is a member of the subcommittee.

MR. PUMA: I have a question of IT

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capacity. I know we haven't had that discussion yet, but another idea I've had for this is, I mean, I like that it's, you know very -- designed to sort of address issues in merely like real time, but if we can design the system so that it can contain sort of historical information or, you know, we can determine, you know, what's feasible in terms, you know, are we storing data about trends and complaints, you know, as we put it in or we go back in time. That may be more complicated but.

CHAIR EMERY: That's interesting because what you're saying is we would want a report on improvement or deterioration.

MR. PUMA: Exactly.

CHAIR EMERY: And I think that should be a component. It makes a lot of sense.

MR. SIMONETTI: And I don't think it would be that difficult because with all the stats that we keep, I think one can discern that information from that past.

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CHAIR EMERY: The devil's in the details. The devil's in -- you know, what the maps look like, are they accessible, does it work easily. It's the programming and the IT stuff that is the hard part to make this stuff real for our purposes and for the public purposes.

Rudy?

MR. LANDIN: Okay. Well, CompStat and NYPD obviously, as most of us know, it's very involved, very detailed and from what you just said apparently we're going to get really deep down into all of our processes. But since our bread and butter is civilian complaints, our initial focus is going to be on the cases, how they're being investigated, a big issue, losing cases because of statute of limitations. We want to really try to bring that down to zero, and I think with more focus on investigations and with the work that the Intake Unit is doing getting started on cases right away, I think that's very achievable.

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Now, Denis McCormick has been conducting meetings with supervisors to talk about cases and a suggestion I had, again, schedules permitting, Dr. Khalid has a practice, Dan Gitner has a practice, but for one of us, again, to the extent possible to even sit in on Denis' CompStat sessions to talk about cases and again try to eliminate those SOL cases and then work back from there to the point where these cases are being investigated really expeditiously, efficiently and thoroughly. So that was one thing -- I sat with Tracy and with Denis and that was the initial meeting that I had. My next target is for all of us on the committee to get together and talk about how we're going to go forward.

As far as the Internal processes, I think we need to talk about how deeply -- do we want to get into administrative -- internal administrative things or.

CHAIR EMERY: Let me just give you

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2 my two sense on this, and you guys will  
3 think about it much thoroughly and openly  
4 when you get together and work it through.  
5 I just think there would be some kind of a  
6 red flag system when cases slow down. I  
7 agree with you it's primarily about cases  
8 because that's what we have to focus on,  
9 that's what is going to lift the function  
10 of this Agency beyond where its been in the  
11 past. And I think that the Internal  
12 CompStat is a way of -- it goes along with  
13 the investigations. It really fits with  
14 Dan Gitner's subcommittee, and I'm sorry  
15 he's not here tonight, he had to go to  
16 Europe on a case and so he'll be back. But  
17 it really fits with making sure that we see  
18 from a computer point of view, information  
19 being -- we're alerted to information when  
20 a case is not within certain parameters at  
21 whichever stage it's at so that the  
22 parameters have to be set that things are  
23 getting done. Now, there may be good  
24 reasons why it's not getting done, but we  
25 ought to then focus on it. The supervisors

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are to focus on what those reasons are and see whether that's justified or not to see whether we're doing the job or not. So the Internal CompStat, it seems to me, goes very closely with investigations to make sure that the integrity of the process is constantly monitored.

Again, it's a computer -- in some ways it's a computer issue because we shouldn't be having people doing it, it should be popping up in our faces when we press a button to see where the cases are in the system, I mean, in theory. That's the way I kind of look at it. There may be other aspects too with respect to administration and with respect to other things where we set goals for certain projects, for instance, and those goals aren't being met. That would also be in there where a red flag could pop up. But there ought to be some overall Internal CompStat process by which we're held accountable to our own goals and our own systems.

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MR. GRANT, JR.: Just to be clear on that point. I realize this is about the mechanizing of the process, but we do have a place in system, I believe, and Denis can talk to you, where I think he might have instituted it where if a case hits a certain six-month or nine-month period, your team sort of flags that and there's some process there to analyze it. It's more of a human function, but I want to point out for the public that we do have something in place.

MS. CATAPANO-FOX: Every other month Denis and I meet with the team managers for cases that are 12 months and over. And they have their list, they know the cases, they prepare the cases and report for them for us, and that's what Rudy was telling us that he wants -- the Committee has agreed that they want to have teams of -- three teams a month meet with us to go over those cases, to go over the sensitive cases, that type of prioritization and your CompStat. Also the cases where there's a serious

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case, a high priority case already being flagged by IT now. So those would be cases that Rudy and the Committee would ask the team to address and how they're proceeding with them. Our IT system already gives us a hit whenever there's no activity on a case for 30 days, and it also gives us hits when cases are within a certain period of time.

CHAIR EMERY: Dr. Khalid, you wanted to say something?

DR. KHALID: Yes. I wanted to say say that the SOL case in mostly which I read is that either the police officer is not available many times, the DA hold is there and that's how the SOL get passed. But if we look at that and we analyze that sometimes the police officer makes more -- they cannot get in touch because they're busy or something so it keeps on passing. And I know we have a limitation of 18 months to complete an investigation and sometimes they like to reopen it after that, so then it becomes

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another issue that we have to -- the SOL eventually get passed.

CHAIR EMERY: See, maybe I'm just in an alternative universe here and according to Tony I am anyway, but the fact of the matter is that I don't see -- 12 months is a ridiculous number for me, from my point of view. We should be talking about 45 days, and 60 days and 90 days as outside parameters of the high priority cases. Our complainants are going to disappear as they -- we have a truncation rate of 50 percent or more because we take 12 months. Nobody's going to be interested in a case after 12 months unless they're an exceptional person or maybe they have a lawyer pushing them because they want the discovery or some other reason. Police officers should have the right not to have these things hanging over their head for that kind of time because it effects their ability to get transfers, it effects all kinds of things within the Police Department. If they're innocent, they

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deserve to be said -- that they deserve to be told that their innocent in a very quick period of time, and it's just not acceptable that cases, especially significant ones, take this kind of time. So the effort has to be much more vigilant, and much more vibrant and much for vital than these parameters that I'm hearing in my view. And I'm certainly going to push everything as hard as I can to make the Internal CompStat force the kind of product. Hopefully Mediation is going to give us a relief, hopefully the decline of stop-and-frisk cases, which been more than 30 percent of our cases, is going to give us relief.

I think there are hopeful signs at the end of the tunnel here to get us an ability to resolve cases quickly. But the parameters within which this Agency, in my view, has been resolving cases are simply unacceptable and we have to do better.

MR. SIMONETTI: I think the single most important factor in order to achieve

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those goals is we must have access to the database system.

CHAIR EMERY: We're going to get that.

MR. SIMONETTI: We got to have access. Without that, we can't do it.

CHAIR EMERY: If I can't get that, you'll have your way, I'll resign.

MR. SIMONETTI: No, no. Please.

CHAIR EMERY: So don't worry about it. That I have to get.

MR. MARTIN: Going back to mediations. In the Intake, Mediation would be the default position and we are going to have selected indications going to full investigation?

CHAIR EMERY: Well, I think the Mediation Committee has to decide this and they're looking at this closely. The idea was to limit the number of cases that would not be eligible for mediation to the minimum amount and then schedule mediation to intake. Now, they may have to be rescheduled, the officer may not agree,

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there may be reasons, but at least at the outset, the officer's going to be notified of a mediation date and the complainant is going to be notified of a mediation date if it's an eligible case, and we're going to cut down the ineligible cases to the bare minimum of what the committee and the staff think is the -- are the ones that should not be mediated.

MR. MARTIN: Well, I'm on the Mediation Committee and I'm going to propose that the mediation be the default and then the select number of cases go to full investigation, serious cases go to full investigation.

CHAIR EMERY: Right. And those would be -- well, I mean if a complainant really wants to mediate, I don't think we should deny him or her that opportunity, you know, even -- no matter what of case it is. I can't imagine that in a very serious case that he or she would, but it might be the case.

MR. MARTIN.: For instance, in a

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shot fired case, gunfire case, I don't see where mediation would be appropriate, but --

CHAIR EMERY: You know, that to me is really an interesting issue and I think we have to explore it. I can't say that I have preconceived notions on this. I'm learning as we go along as to what the best way to proceed is with respect to what cases we would define as completely ineligible, but that's an interesting question.

MR. MARTIN: Yeah. And we've asked Lisa and Denis to kind of carve out those types of exceptional cases, serious cases that would automatically go to full investigation and the rest would be --

CHAIR EMERY: But even in one of those cases, if you have a complainant come in and beg you for mediation, then you'd ask the cop whether he or she wanted to mediate, right? I mean, you wouldn't say, you're not eligible for mediation. I don't know. This is an interesting question.

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MS. CATAPANO-FOX: I think the Mediation Committee plans on helping us reconfigure our speech that we give when we first place the intake call so that we can figure out how to present mediation as the primary option and then provide the other option in terms of investigation to them. So that's something that we can address with them

MR. MARTIN.: And another discussion would be whether or not, since in my opinion mediation is a win/win on both sides, it speeds the time and it enables the complainant for possibly the first time to play in a level playing field, to discuss the issue with the police officer. So I'm wondering whether or not on the part of the police officer to be mandated that they mediate cases but only if they demand that it goes for investigation.

CHAIR EMERY: My read is that the police officers, there's going to be an enormous amount of pressure upon them, both from the union and from the Police

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Department to mediate cases. So I think the default position for most police officers is to mediate. We'll see exceptions to that, but they really want mediation.

MR. SIMONETTI: That's an important point that you get to the unions. I mean, we had meetings with them in the past. We sat down with them and their attorneys and told them why they should -- their officers should be taking mediation. We've only had one union who's been an obstacle or two.

CHAIR EMERY: And recently -- they rolled over for us recently.

MR. SIMONETTI: Because I arranged for the president to speak to Tracy on several occasions.

CHAIR EMERY: Let's go to -- unless there are anymore comments?

BISHOP TAYLOR: Yeah, just wanted to comment. I think that Rudy raised a great point with the CompStat issue. I think it should really be, to your point in terms of moving cases faster, something like CASESTAT,

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because the velocity of CompStat is a management operation tool.

CHAIR EMERY: Well, it's crime.

BISHOP TAYLOR: Well, I know, but I mean -- but the philosophy behind it is, you know, an organizational management tool. And I think that getting at where the cases are getting stuck, why they are not moving forward, is, you know, like you said our primary objective is to, you know, field these cases. So I think that's good that you guys started there.

CHAIR EMERY: I agree with that.

MR. SIMONETTI: Have we got any further information from the Department regarding the carve-out cases that they've been carving out?

CHAIR EMERY: Well, let me report on the whole sanctions discussions that I've been having and I'll elude to that, but later, in due course. All right, Tony?

So the Outreach Committee, who's the chair of that? Right, sorry Bishop.

BISHOP TAYLOR: Yes. So on the

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2 Outreach Committee, we have  
3 Commissioner Puma, Commissioner  
4 Janette Cortez and Dr. Khalid Mohammad and  
5 myself, and we have staff support by Brain  
6 Connell, Carlmais Johnson and Jessica Long.  
7 I'm not going to go through the report  
8 because the report has things that we've  
9 done and I want to mention that, you know,  
10 we have at this point about 30 volunteers  
11 from the Agency that are made up of APU,  
12 Investigations, Mediation Department and  
13 the Case Management Unit that actually  
14 assist outreach in going out, because we  
15 only have two people in this whole Agency  
16 of a hundred and sixty or seventy people  
17 that are designated for outreach. And I've  
18 made this point over the years that if  
19 people don't know what we do and what is  
20 available to them if they feel that their  
21 rights have been violated, then the Agency  
22 really, you know, sits still basically, as  
23 it waits to serving the community.

24 So I think that it's a point to be  
25 made that we have two people designated

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outreach and we have thirty volunteers which, again, takes these volunteers inevitably away from the work that they've be hired to do. As much as they do it on their own time and carve out more time, you know, it takes extended time to do the job that they already do. So the extended time that they would invest, they're doing it now for outreach, and we appreciate that, but there must be a priority on the part of this Agency to ring the bell in the fact that we need more capacity in outreach.

So having said that, I can tell you about all of the places we've gone into with outreach sessions and NYCHA developments in the LGBTQ communities, in some churches and some of the things that we're going to be doing in the future, but I want to talk primarily about our discussion at our Committee meeting.

We talked about prioritizing moving these public meetings to neighborhoods where people live in the high frequencies of complaints come in. And some of the

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concerns that came out of our meetings was  
A: Security safety for Board members; 2:  
Accessibility; 3: Neutrality; and 4:  
Intimidation. Now I'll break that down.

Safety: One of our Board members  
said, you know -- because I've been pushing  
let's go into NYCHA Community Centers,  
let's go into Urban Tracks where the people  
are. And I guess there was a concern on  
the Committee's part saying that if we're  
going into these high crime areas into the  
hood, you know, where I grew up, that will  
we be safe because we don't know how the  
public will respond, will we have officers,  
will there be any designation of safety.  
That was one thing, and I'd like to hear  
some feedback on that.

The second thing was accessibility  
of, you know, if we go to places  
like -- and this goes into intimidation and  
even neutrality -- if we go into a  
Courthouse or if we go into some boroughs  
like this borough, the Borough Hall, which  
this happens to be easily accessible to all

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the communities here in Staten Island and everybody knows where it is. But in other places like Queens Borough Hall which is in Forest Hills, who probably gets two complaints a year and, you know, people -- will they travel to have a public meeting in a place like that, or having in in Courthouse where when people think about a Courthouse, is that somewhere where I really want to go. I mean, does the public really want to go there.

And then the other point was neutrality. You know, in most of our Urban Tracks, the central place of gathering, and transmitting and receiving information are churches. And when we brought up having these outreach meetings in churches, you know, predominantly maybe larger churches that have maybe fellowship halls in the basement, or whatever the case may be, there's a lot of push-back on that. Now, I'm sorry that, you know, in the places where we get the most cases come from the places where these centers of the community

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exist that there's an issue because it's a church. We're trying to go to where the people are.

And then just to backtrack, we do have two meetings scheduled, one in Brooklyn and the next in the Bronx in the next couple of months. And so, you know, we're working, you know, feverishly to make sure that we can keep this outreach in the boroughs and people having access to it.

But I'd like to get some feedback from the public and from the Board.

CHAIR EMERY: Let me just say one thing in response to that and that is, I think in addition to the things you've said, we're looking at getting office space in the boroughs in areas where people can come at night and have night hours for CCRB functions, not only for the Board. In other words, for interviews, for complaints, for mediations, for all the things that the CCRB does when it interacts with the public and police officers, we want to have borough presence.

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The second thing is, I mean, my little idea which I'd like to pursue and see if there's money for, is the vans. You know, to have a van where people can see that it's CCRB and it goes to places exactly of the sort that you're talking about, and we don't hold meetings in it necessarily. I'm not sure we can have a Board meeting or a live stream, but we could have complaints taken and we can do investigation, we can hear investigative information to talk to witnesses and we can even have mediations potentially, we'll see.

BISHOP TAYLOR: Mr. Chair, I mean, that's so -- I mean, we talked about the van situation and people say where would you get the money, but think about this, the ASPCA has a van. Okay. I can talk about many other agencies that have vans, right, and here we are now, an Agency that is designed to serve the public when they feel their rights have been violated. The police have all kinds of vans, all kinds of

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unit vans that are on the street. We can't have one van like you're saying? Come on.

CHAIR EMERY: The other thing about safety is, I just -- I have no concern about safety. We live in the safest City of New York in the country. So, you know -- look, we're going to go where we go, it will be announced. I can't -- I just have no issue on safety. Maybe other people do and we should make sure that people feel comfortable and secure and we can get the appropriate security, whatever we need. I don't think it ought to be police officers because that's just counter-intuitive in this situation. So as much as we might have to rely on them in an emergency, which I can't imagine, at the outset we should make sure that people feel safe. But I don't think it should in any way change our plans with respect to where we hold meetings at night.

BISHOP TAYLOR: What about the neutrality?

DR. KHALID: Mr. Chairman, referring

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to the Bishop, the Bishop mentioned about meetings in churches. I do feel that churches are not the only place. We have other religion in this country that they are in large number and I think going to just hold the meeting is separation of church with the government, is not the right thing to do. We have so many other places that we can get that we can have a meeting.

DR. KHALID: So I think the right thing would be that -- I know you're a Bishop, you're looking at your viewpoint of view, but I think you should be looking at generally the City point of view who exist with other religion. Tomorrow, what are we going to have a meeting in a mosque? Are we going to have a meeting in any other churches?

BISHOP TAYLOR: I agree with you a hundred percent. Dr. Khalid, we had this in your committee discussion so I don't know why you're choosing to discuss it now.

DR. KHALID: Well, you brought this thing and I wanted to point out that the

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reason that we should not be going to -- I note there are people that are affected, but they're affected in any other religion, not only in the church.

BISHOP TAYLOR: But if I wasn't a Bishop, history tells me that the centers of communities that are filing these complaints are of black and brown decent. And I also -- you educated us on this in the meeting that if we wanted to have a meeting in a mosque, we could not, right?

DR. KHALID: No, no. I didn't say we could not. I only said that --

BISHOP TAYLOR: You said we'd have to take off our shoes, we'd have to sit on the floor. So we'd be all sitting on the floor at this point.

DR. KHALID: Well, there are religious issues that -- yeah, we would be sitting on the floor. That I can tell you.

CHAIR EMERY: Let me just say --

MR. GRANT, JR.: There is an important distinction -- Richard, if I may --

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CHAIR EMERY: Please.

MR. GRANT, JR.: There's a distinction that we have to draw here between having a Board meeting and an outreach meeting.

BISHOP TAYLOR: But I'm talking about Board meetings.

MR. GRANT, JR.: I know, Bishop. And I think the compromise is understanding that we do have an obligation to find the neutral site. I think we do -- just the fact that you guys are having this conversation --

CHAIR EMERY: I agree.

MR. GRANT, JR.: -- and it's a little elevated, shows, I think what the public would have if we were to have a Board meeting there. But outreach --

BISHOP TAYLOR: I want to hear from the public.

MR. GRANT, JR.: I know. I want to hear them too. But I'm just saying, I think we should be mindful of that distinction because we can have outreach meetings at

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churches and things and I think that's important to be able to do at mosques, whatever. But a Board meeting I think is a lot different. And if you're asking me, I --

MS. CATAPANO-FOX: We do a lot of our outreach programs in various religious communities, nongovernmental --

MR. GRANT, JR.: And that's a must. You're right, that's where the source is. But a Board meeting, it's a different animal.

CHAIR EMERY: And do you know what's funny, because I was in Bishop Taylor's group initially -- in his camp initially, and I -- we had this go-around about the meeting in a church in Brooklyn and the Corporation Counsel's office, I don't think it's saying anything out of school, said it was not a wise idea, and so I came around and we're here, and that's all well and good. And quite frankly, I sort of transformed my views on this and I think I'm with Al on this because at this point,

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because, and mainly because in all the same areas where, you're absolutely right, our complainants are centered and their community is around a church, there also are other facilities that are neutral that are available and the most obvious is Community Boards. You know, Community Board Rooms are just like this all over the City and there's no reason why we can't find the space in a Community Board Room that has live streaming capacity and that is contiguous, or very near a church or certainly in the communities that we're talking about.

The next one we're going have is in a Community Board in Brooklyn in Bed-Stuy.

BISHOP TAYLOR: I was -- I brought the points up that we talked about in Committee, but I was swayed to your side and to -- because of Dr. Khalid's comments to me about neutrality. But I just wanted to bring it up --

CHAIR EMERY: Fair enough.

BISHOP TAYLOR: -- because we had

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the discussion and I thought that it was relevant to the meeting and to have it publicly. And so -- but I totally agree. I mean, you know, I don't have any deference to a church or to -- my deference is being in the communities where people have access and where people are impacted the most. So whether it's a Community Board -- I don't think I would suggest going to Community Board 2 in Queens because it's really located off the beaten path.

CHAIR EMERY: Right. There's got to be Community Boards in the areas where we want to be.

BISHOP TAYLOR: Right. Yeah. So as long as their embedded in those neighborhoods, I have no deference to, you know, religion -- and I've been swayed as well, but I wanted to bring these things up.

CHAIR EMERY: Fair enough.

MS. CATAPANO-FOX: Mr. Chair, I just want to point out that thanks to the ideas

1 Proceedings  
2 of the Board in finding new places, we  
3 actually did a lot of research and work,  
4 and I wanted to thank Councilman  
5 Jumaane Williams office who contacted us  
6 with a bunch of different locations in  
7 Brooklyn, the YMCA in Flatbush, the Adult  
8 Rehabilitation Center, all of these  
9 different locations. And a lot of the  
10 council members have been very helpful in  
11 finding non-religious open community areas  
12 in the exact areas that you're looking for.  
13 So I think that in the future, we're going  
14 to have a lot more opportunities to meet in  
15 different communities that are hardest hit  
16 with complaints regarding police/civilian  
17 interactions.

18 MR. SIMONETTI: Every Community  
19 Board is coterminous with a police  
20 precinct, I mean, at least 76 of them.

21 CHAIR EMERY: Just so everybody  
22 knows and I don't forget it, the next  
23 meeting is going to be on October 13th, I  
24 believe, at Community -- at Brooklyn  
25 Community Board 3, Restoration Plaza,

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1368 Fulton Street, First Floor, Bed-Stuy,  
Brooklyn. So I mean, this is a --

MS. CATAPANO-FOX: October 8th.

CHAIR EMERY: What?

MS. CATAPANO-FOX: October 8th.

CHAIR EMERY: October 8th. Sorry.  
October 8th. October 8th is the second  
Wednesday, that's right. You're right.  
It's October 8th. My mistake.

DR. KHALID: Also, Mr. Chairman, you  
had mentioned in an e-mail that the  
following meeting would be on Thursday and  
you wanted a consensus of all the Board.

CHAIR EMERY: Yeah. Well, let's see  
what happens with that. We got a ways to  
go on that one still and whether -- I don't  
love the idea of the Bronx Courthouse. I  
would do it if we can't find anything  
better, but I think that it would be better  
to be in a Community Board in the Bronx.

MR. GRANT, JR.: Mr. Chairman, my  
only question was the time, whether 6:30  
was a sufficient amount of time, not  
because I was late today, but my wife is

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very much involved in the community and --

CHAIR EMERY: What time do you think would be better?

MR. GRANT, JR.: Well, I don't know, and I hope we can get some comment on that, if the 7:00 time is a better start for people that are coming from work. I don't know, but I don't know if 6:30 is a good time. That's the only concern I had.

CHAIR EMERY: I'm open to anytime that the people want to gather.

So anything more on outreach before we say a couple other things?

BISHOP TAYLOR: Last thing I have. I've been also in touch with Council member Barron and Council member Donovan Richards in Far Rockaway, and Councilman Richards says that he's more than willing to open up doors for us to have meetings in Far Rockaway, which often has been called the lost part of our City.

CHAIR EMERY: Okay. Good.

So Jim, let me do some stuff on reports in a minute or two, if I may, and

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then we'll go to you on reports. All right?

MR. DONLON: Sure.

CHAIR EMERY: And So what I hope with all these subcommittees that have reported is that we can aim for -- to have our own Internal CompStat on the subcommittees, right, aim for some -- that you could tell us some deadlines that your committee is setting for itself to write protocols on implementation of these policies that you have arrived at and that you want to present to the Board as policies to be adopted by the Board so that we can implement them as an Agency. So that this becomes a process that is not just -- you know, so that we have a granular process that will end up in a written protocol that the Board adopts that then is implemented by the Agency.

Does that make sense to all of you?

BOARD MEMBERS: Yes.

CHAIR EMERY: So I wanted to say that -- I wanted to announce some

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information about reports.

First of all, the much awaited mid year report is online now. It went online today. It will be printed up and be distributable I think next week as a printed form, that anybody who wants to look at it can go to the website and see the mid year report, which is obviously Board activities up through June 30th.

The -- I talked about the video report. I wanted to report on the chokehold -- progress on the chokehold report and then we can hear, if it's okay, we can hear Jim's -- anything you want to say about reports, and then we can have Tracy tell us where she is on the -- you wanted to talk about APU or -- let's leave that for now.

So with respect to the chokehold report, we have done, primarily Marcos Soler and his -- and people helping him, have done a lot of work on this. I think we expect it to be a very important report, and a very thorough report and a very

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2 profoundly probative report based on  
3 gathering of statistics and a lot of  
4 analysis that will show a lot about  
5 patterns and incidents. And also it's a  
6 report that is going to, I think, give this  
7 Agency a lot of creditability and I'll be  
8 surprised if people aren't very interested  
9 in it and that it doesn't generate a lot of  
10 discussion. I think it will have  
11 recommendations that are profoundly  
12 important for the Department, for the City  
13 and for us, but let me just say a few  
14 things about it.

15 Because we did announce it on  
16 July 19th and I did say that it would be  
17 done late August or early September and  
18 it's not done yet, but it's not done yet  
19 purely as a function of our desire to have  
20 it issued when it is of the highest  
21 quality, when it has been vetted in the  
22 most rigorous way so that the mistakes are  
23 minimized and the mischaracterizations are  
24 minimized. There will inevitably be some.  
25 It's going to be well over a hundred pages

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long and it's going to be very thorough and very carefully done. So we want to do it right and we're going to issue it hopefully within the next couple of weeks, and I certainly expect that we're driving hard to get it done.

Let me just say preliminary, some important findings that have emerged that I can say for the public purposes and to report to the Board. It turns out that it's pretty clear that what's going to be documented in this report is that there was a significant difference in the CCRB complaint histories of officers who had chokehold allegations compared to officers who had no chokehold allegations. So that's going to be, you know, a very serious finding I believe, and a potential red flag for training purposes and for NYPD purposes. We're going to do regression analysis with respect to those officers, so we look at which variables are associated with chokehold conduct in relation to other force complaints and other types of CCRB

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history.

We want to see whether this analysis is going to determine whether chokehold allegations are also predictive of future misconduct or if an officers complaint history is predictive of a potential chokehold, both ways in case. And we're looking at whether factors in officers complaint histories can be used, obviously to identify problem prone officers.

Second, there are extraordinary differences among the City's precincts and the numbers of chokehold allegations that arise from them and we found a strong correlation between the number of chokehold incidents per precinct and the number of force complaints. That seems fairly obviously, but it is still very important to document and to -- in other words, the more force complaints per precinct, the greater number of chokehold allegations, which are going to be documented in this report.

Third, when I accepted the position,

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I said I wanted to do a lot and try and effect some change in this Agency, as everybody knows. One of the ways we're going to do that is an appraisal of CCRB complaint handling methodologies. We're doing that now, but the chokehold report is also going to be an audit of the way the CCRB handled five years of allegations that some of which, 1,100 of which were chokehold allegations, but it turns out, probably, that many more of which should have been or likely could have been chokehold allegations. And so we're going to do our own audit of how the CCRB handled allegations that could have or should have been in a category of chokehold. And the audit is yielding troubling information, and one thing in particular is that in the Agency's investigative teams, there was a lack of uniformity in the way that allegations were categorized as chokeholds or not categorized as chokeholds. And that they -- the response to narratives of the civilians complaining that they were choked

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or put in a chokehold was very different within this Agency, depending on the teams that investigated, and that is not acceptable and has to be changed and we're working to define this problem more exactly and precisely.

At this point, I think that's all I should say. I think that you could see that this is a major and significant report and that when it comes out, we're going to have a public debate about it, certainly by the time of the next meeting, and all of everybody here and everybody else who wants to will be able to go online and digest it, comment on it, criticize it and tell us comments about the chokehold report, which I think will be frequent and substantive.

Yeah. Sure.

MR. GRANT, JR.: Will the report also include an analysis of how the NYPD has dealt with cases that were substantiated as chokehold allegations?

CHAIR EMERY: Yes. Absolutely. It will indeed. It's going to -- I don't

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think -- well, there may be some things that it doesn't deal with, but I can't think of them. It's a pretty amazing report so far and the key is now to create the focus that it should have so that it serves the purpose of training and organizing us to prevent this kind of activity from ever happening in the future.

DR. KHALID: Mr. Chairman, I have read four cases today's of intake, and four of them were chokehold complaints and four of them were uncooperative, the complainant was uncooperative. How do we handle that as -- a complaint that chokehold was used and there were four cases I read in detail, but at the end of the day, the complainant was not cooperative.

CHAIR EMERY: Well, that's an interesting question for the Investigation Subcommittee, it seems to me, and the Priorities Committee, and the issue that we raised earlier as to whether when a complainant is uncooperative we can pursue a case because we think it's important

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enough on our own. It certainly will go into a pattern, it certainly will go into CompStat, it certainly will go into pattern analysis, so it's not going to be lost that just because a police officer has alleged to have inflicted a chokehold and the complainant is uncooperative, maybe there won't be a sub, there won't be a substantiated complaint, but it's not going to be lost in the future. I'm afraid in the past it has been lost in our analysis and that's part of what I think we have to do to improve our functioning when it comes to chokehold allegations.

MS. CATAPANO-FOX: Dr. Khalid, on that point, there have been a couple of cases and I've seen them in the cases I review as well, what we're doing is we're asking the teams to go back and look at see if there's any independent witnesses, if there's any independent evidence --

DR. KHALID: I see.

MS. CATAPANO-FOX: -- audio, video, if there's NYPD cameras or store cameras in

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that location that might give us independent evidence to determine whether that happened, even though the victim or the complainant is no longer --

DR. KHALID: Although CCRB investigators have sent them letters, they have tried to get in touch with them and everything, again, they were uncooperative so.

MS. CATAPANO-FOX: Right. Before the Board decides, we're going to try to get you every piece of evidence we can that would possibly give you reasons to think that this either did or not happen based upon the preponderance standard.

CHAIR EMERY: I don't know whether we'll ultimately be able to go beyond taking action in cases where there are complainants, but I certainly am going to -- I, for one, and I hope the Board as a whole is anxious to exhaust the possibilities of our authority to do so in appropriate cases.

MR. GRANT, JR.: Mr. Chair, one

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thing that I will ask and I have every confidence in you, but I think it's important for us to just put it out there that for the chokehold report, that you build in your time frame an opportunity for the Board to be able to review it and read it.

CHAIR EMERY: Absolutely. That's already -- that's definitely built in. The Board will get it at the same -- you know, when the typos are out.

MR. GRANT, JR.: No, because there were things that you raised today that were very concerning to me because this is the first time I'm hearing it. And, you know, this is the thing that I'm concerned about, you know, as a Board member with responsibilities for operation of the CCRB not knowing of these things before they're announced, that's a real concern for me, Richard. So I just want to make sure you build it in so that we have an opportunity --

CHAIR EMERY: There's no question

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that -- the problem -- the reason that it hasn't been distributed is because it's not in a form to distribute.

MR. GRANT, JR.: I appreciate that.

CHAIR EMERY: And as soon as it is, you're going to have it. That you can be sure of.

And with respect to what's being talked tonight, what I tried to do was take some things out because it's more delayed than I had hoped it would be, to make sure that people understood how rigorous the process is that's going into this production is, and so that it's not just saying oh, we're doing a great job, we're moving forward. I want the people to understand that this is a substantive, very serious undertaking and that we're making progress, and we've even made certain findings that are tentative and they, you know, they may be -- the Board may look at it and say, no, those findings are not legitimate. You know, but that's why we're going to do it in draft and we're going to

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have comments, and we're going to have comments from the Police Department, we're going to have comments from the Mayor's Office prior to it being made public, and we're going to vet it. We're going to vet it in every rigorous way we can.

So Jim, is there anything else on public reports that you want to talk about?

MR. DONLON: Well, I was planning on saying that the semiannual report was being reviewed by the Committee and was going to be on the website shortly, because I wasn't aware that it had been approved.

CHAIR EMERY: I'm sorry. That should have been communicated. I don't know how that happened. I really felt terrible about the fact that it hasn't been put out before this meeting.

MR. DONLON: I understand that. It was sent to us within the past 48 hours, I think.

MR. SIMONETTI: I thought we always have an opportunity to get a draft copy to look at before it came out.

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MR. DONLON: The draft was sent out but it was just sent out, I would say within the past 48 hours.

MS. CATAPANO-FOX: We haven't published it. What we did was we put out a draft for the review of the Board, and the review, it's on the website with the idea of getting public comment before we do a finalized version that would then be published in hard copy.

MR. DONLON: It has not been printed, no.

MR. SIMONETTI: Has it been sent to the Police Department, the validation of the stats?

CHAIR EMERY: It has been -- the Police Department was notified of its placement on the web.

MR. SIMONETTI: I mean, we've done this historically, just to make sure the stats are right.

CHAIR EMERY: Well, we've had a big internal vetting of the stats and if the stats are wrong, it's a draft report that's

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on the web which will then be corrected.  
There's nothing terribly controversial in  
the report. Although people can make points  
about it, but I don't -- I think if the  
stats are wrong, we'll get those fixed.

MR. SIMONETTI: And Jim, the  
vignettes have been left out?

MR. DONLON: Well, as I recall,  
there's no vignettes in this semiannual and  
I don't think there were any in the last  
annual report. And this is something that  
they seem to have dropped off the template,  
if you want to call it a template for these  
reports, without really -- you know, the  
Committee hasn't really discussed it and it  
might be something that we should have  
discussed with the staff. But I found them  
to be useful in a sense that they, you  
know, they don't identify parties or  
locations, but they -- they're based on  
actual complaints and they illustrate the  
various, if you want to say typical  
complaints, and the various outcomes that  
arise. And I think they're instructive, so

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I think we should reinstate them or at least the Committee will -- should discuss it or the Board should discuss whether we want to put those back in. But that's for future, you know, future reports, obviously. We're not going to do them for the semiannual because the semiannual has been -- at this point, it is overdue so.

Aside from that, I think the Chair referred to the report on recording, video recording and allegations that arise as a result of either parties or complainants or witnesses video taping or otherwise recording encounters with the police and, you know, how those generate complaints and so on. But that's -- that report was issued to the Committee. I think it might have been circulated to the full Board, but obviously that's going to being expanded and, you know, we have no problem with that.

And side from that, I think, you know, one of the areas that we might look at, I think, are entry and search of

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2 premises complaints where an I-Card was the  
3 basis for the initial contact. Those seem  
4 to be problematic in that a lot -- we seem  
5 to see a lot of cases that come out of  
6 those. And then obviously, you have  
7 complaints from arrest warrant cases and  
8 search warrant cases, but I think the  
9 I-Card is one that we could start with it.  
10 So aside from that, I think --

11 CHAIR EMERY: I wanted to propose to  
12 the Committee that we think about a report  
13 going forward, and I don't have a schedule  
14 for it, on the issue of officers in either  
15 in under oath or otherwise not telling the  
16 truth in documents. That is a very big  
17 issue on the police discipline hierarchy,  
18 and it seems to me we have a lot of  
19 evidence of that that the Police Department  
20 never gets the benefit of and the public  
21 never gets the benefit of, and that is a  
22 potentially productive report to find out  
23 under what circumstances and why, perhaps,  
24 and what the conditions are and what's  
25 related to what might seem obvious to some

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but I don't think is going to reveal itself as obvious, if one really takes a hard look, a neutral look, an objective look at the circumstances when it appears that police officers aren't telling the truth.

MR. DONLON: Well, I think that's obviously an area that we do have other misconduct noted for making false statement under oath to a CCRB investigator. I think those cases are very small in number, so if you're going to expand to areas where it appears that the officer may be less than truthful, I mean, that could open a whole new category. But that is -- certainly that's part of what the investigators do, assess creditability and it's certainly, you know, an area that that could be looked at.

CHAIR EMERY: Nothing else on reports?

MR. DONLON: No, I think that's it.

CHAIR EMERY: Thank you.

MR. DONLON: Thank you.

CHAIR EMERY: Let me just report

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2 quickly on ongoing meetings with the Police  
3 Department in an effort to what I think  
4 both the Police Department, and Dan Gitner  
5 and Roger Smith and I are calling an effort  
6 to rationalize the disciplinary process.  
7 We have an agreement that there will be no  
8 discussion of what goes on until we come up  
9 with a product and I don't want to violate  
10 that agreement, but I can say that this is  
11 very hopeful that they are thirsty for  
12 change of the current system which they  
13 view, as do we, in terms of the way that  
14 the agencies relate to one another  
15 as -- broken is too strong a word, but it's  
16 pretty close. And they very much want to  
17 rationalize also the agreement about  
18 sanctions and the agreement about process,  
19 that is our process interacting with their  
20 process. As we all know, the Police  
21 Commissioner has the final authority over  
22 discipline. That's not going to change.  
23 It shouldn't change in my view, because the  
24 authority has to lie where the  
25 accountability is. I don't want the Police

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Commissioner saying oh, the CCRB didn't do anything about that officer whenever something happens.

So in my view, given the fact that the absolute reality is that the Police Department -- the Police Commissioner has the ultimate authority and responsibility for -- and accountability for discipline, we have to mesh with that process in a way that serves effectively to get public trust over the process of making complaints and having them processed -- having them investigated and sent to the Police Department with the right kinds of investigative analysis and factual findings, and the right kinds of recommendations for sanctions, and they're meaningless if we don't get traction with the Police Department on both counts. And so that's the process we're engaged in. It's actually, I think, remarkably hopeful that it's going to improve things, but it's yet to be determined the outcome. There are a number of meetings going forward and

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all we can do is work hard to make it work.

MR. GRANT, JR.: Mr. Chair, I really appreciate the efforts that you are making and the direction that we're heading, and this is fantastic that we're having these discussions. But -- and maybe it's just me. If the other Board members were aware of it and I was out of the loop, then fine. But this is the first time I'm hearing about the meeting of the sanctions discussion that you're having with NYPD, another Board member, Roger from the staff. I never heard of this and then you're talking about there's no discussion on any agreements. These are important aspects of what we do, Richard, and the Board needs to be apart of this because ultimately when this decision is rendered, it is what the CCRB did, and this is the first I'm hearing about it.

Look, I don't want to be a hindrance to anyone, but I have an obligation here. When I was designated to be a member of this Board, I have an obligation to know

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these things. And if I'm speaking out of line, you guys need to check me right now and I'll shut my mouth.

MR. SIMONETTI: Al, before you came in, I brought up the exact same issues.

MR. GRANT, JR.: With all respect, Richard.

CHAIR EMERY: I understand your point. I understand your point and I'd love to respond to you. It was brought up at the last meeting, I announced that I was having this ongoing process to look at sanctions. It was discussed in length, you can look at the transcript and --

MR. GRANT, JR.: I remember us discussing that either we would come up with a decision either you or someone else would be involved in that process or subcommittee, we discussed that we would have a discussion about who would attend this process. I remember having that discussion and that was outside of the actual Board meeting that we had that discussion. And quite frankly, to me it's

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common sense that if you're having a meeting with the PD on sanctions, things of that nature, that -- you know, you have some diversity on that subcommittee, right? Was there anyone from PD, were any of you guys there; were any of you guys aware of this meeting?

MR. SIMONETTI: I tried to get invited. I didn't get invited.

MR. GRANT, JR.: I'm just saying for respect. Richard, I understand you are moving ahead and it's fantastic, but we've got an obligation here to know what's going on.

CHAIR EMERY: And I think --

MR. SIMONETTI: Just one comment, please.

CHAIR EMERY: Sure.

MR. SIMONETTI: 18 years that we've met with various Police Commissioners at different times, every time we met with a Police Commissioner or a police representative, we came back here and we

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divulged exactly what took place at those meetings, okay, and what progress we were making in terms of getting access to databases and how they were cooperating with us. We talked about the dupe cases. Okay. That's another thing. We got three people, we sit as a panel of three. We're pretty intelligent people, I mean, I guess we're average intelligence at least. We've been around the block a few times and I must tell you the panels that I sit on, the current panel that I sit on, we did two panels this week. We devote a lot of time to have discussion because we don't -- we very rarely agree whether it's on the classification of the allegation or the penalty that we should mete out. We had a long discussion about that and a lot goes into it.

First of all, I resent the fact that we have to put it in writing why we're voting now.

UNIDENTIFIED SPEAKER: Oh, he resents it (laughter).

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MR. SIMONETTI: I don't want to put anything in writing when we're voting that way. That's number one.

Secondly, three people, we decide to substantiate and prefer charges, and the next thing we know we get the report back, the case is duped. That happens on many occasions, many occasions. Maybe not with the current, it happened on many occasions. And it's frustrating, let me tell you, after spending all this time, doing all this work, having these discussions. And I must tell you the panel -- I happen to sit on the panel with Al and with Dan and we take this stuff very serious, you know. And that's my feeling on that.

MR. GRANT, JR.: I'm just being asked to be kept in the loop. That's all.

CHAIR EMERY: I understand your point, Al.

MR. GRANT, JR.: Thanks, sir.

CHAIR EMERY: Let's -- we announced the next meeting.

Tracy, do you want to give the

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report that -- plan for you?

MS. CATAPANO-FOX: Great.

Good evening, everyone. Thank you so much for coming tonight. I know it's warm in here, so bear with me, I'll try to keep this short.

In August of this year, the Agency received 408 complaints within its jurisdiction. This was 88 fewer complaints than was received in the same period of 2013 when the CCRB received 496 complaints. The total intake for the month of August of 2014 was 1,129 cases. In August, the Board closed 536 cases, which is 3,444 cases from year-to-date. In the first eight months of this year, the Board has closed 1,291 full investigations, which includes 196 substantiated complaints, and our year-to-date substantiation rate is 15.2 percent, which is consistent with prior years.

In August, civilians and officers mediated 20 cases. Year-to-date, the CCRB has mediated 117 cases, and in August, the

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CCRB closed 22 cases as Mediation attempted, and for the eight months of this year, the Board has closed 123 cases as Mediation attempted.

The numbers for July of 2014 have been adjusted. We initially reported that we received 442 complaints and we now report that we received 430. The numbers for the year in total have also been adjusted to reflect that the total number of complaints received from January to July of 2014 was 3,131 and not 3,145 as it originally reported. The reason for that again, is that during the course of an investigation it can be determined that some of the cases actually fall outside of the jurisdiction of the Agency and so they are referred out and the numbers are continually adjusted.

From January through August of 2014, the Agency received 3,539 complaints, which is 19 fewer complaints that had been received in the same period of 2013 when the Agency received 3,558 complaints.

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Year-to-date, we've had a drop in complaints of .5 percent.

The detailed monthly statistical report continues to show two forms of reporting. We've been talking about the idea of a truncation rate verses a case resolution rate. So if you look at page eight verses page nine of your report, you will see the two different stats and again, that reflects the difference between the complaint withdrawns we included in the truncation and not included in the case resolution.

So from January through August of this year, the amended truncation rate excluding cases closed as complaint withdrawn is 48 -- I'm sorry, 46 percent. In the same period for 2013, the truncation rate was 57 percent, and the case resolution rate for the same period, from January through July -- I'm sorry, January through August of 2014, the case resolution rate was 44.5 percent, and in the same period in 2013, the case resolution rate

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was 34 percent.

At the end of August, the Agency's docket was 2,473 cases. This is a 5 percent decrease over the month of July when we were at 2,605 cases. Measured by the date of the CCRB received the complaint, 95 percent of our complaints are of our open investigations stem from complaints filed within the last year, and 66 percent of our cases were filed in the last four months.

Of the 2,473 open cases, 495 are awaiting Panel review; that's 20 percent of our docket; 1,784 are being investigated, that's 72 percent of the docket; and 194 cases were in the Mediation program, which is 8 percent of our docket. By date of incident, 9 cases in the CCRB's open docket are 18 months or older. This is a .4 percent total of our open docket, and it's 3 fewer cases than in July of 2014 when we had 12 cases.

The breakdown of August, 2014, the statute of limitations expiration cases is

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as follows: None of the cases are currently pending Board review, all 9 cases are open investigation for which the statute of limitations crime exception applies in the 6. Out Of the 9 cases, 3 cases are on DA hold, 5 cases were filed months after the date of incident and 1 case was reopened months after it was originally closed.

In July of 2014, the Police Department closed 12 substantiated cases involving 14 officers. Of the 14 officers, 1 officer pled guilty and forfeited 52 days; 8 officers received instructions and the Department declined to prosecute cases against 5 officers. And before you asked me what happened with that case where they forfeited 52 days, that case involved other non-FADO, non-CCRB cases. So, they were grouped together.

In July, the Department's disciplinary action rate was 64 percent, and 60 percent year-to-date. Our year-to-date ratio where the Police

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Department has declined to prosecute cases is 27 percent. In August of 2014, the Board substantiated 22 cases with a recommendation of charges and specifications. These cases were forwarded to the APU, our Administrative Prosecution Unit, and at the end of August, the open docket of APU involved 338 officers. Of the cases, dispositions were modified by the Police Commissioner for 2 officers and were awaiting final disposition; 25 pleas were entered and are awaiting approval by the Police Commissioner; in 9 cases involving 12 officers, the trial verdict is rendered and is awaiting approval by the Police Commissioner; 19 trials involved 29 officers and were completed but are awaiting verdicts; 9 trials including 13 officers were commenced but haven't been completed yet; 48 trials involving 77 officers have been scheduled; 30 cases involving 42 officers have been calendared for court appearances; 40 cases involving 61 officers are awaiting their initial

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court appearance after charges have been served; in 19 cases involving 33 officers, charges have been filed and are awaiting service, and 27 cases involving 44 officers are awaiting filing charges.

We are reporting final dispositions in APU cases against 38 officers. With regard to 14 of these officers, the Police Commissioner dismissed the charges that formed the basis for the plea agreement between the APU and the officer. For 2 of the 14 officers, the Police Commissioner disapproved the plea, dismissed the APU charges and imposed no discipline. For 12 of the 14 officers, he dismissed the APU charges and imposed discipline in lieu of charges as follows: 7 officers received a schedule B Command discipline, 3 officers will receive formalized training at the Academy, and 2 will receive instructions at the Command.

The Police Commissioner retained jurisdiction under paragraph two of the MOU on cases involving 13 officers. He

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2 notified the CCRB that he did not intend to  
3 imposed any discipline against 6 of the 13  
4 officer. The other 7 officers whose cases  
5 were retained will be disciplined as  
6 follows: 5 will receive formalized  
7 training at the Academy, and 2 will receive  
8 instructions at their Command; the statute  
9 of limitations expired against 4 officers  
10 before their cases were assigned to APU;  
11 charges were not filed against 1 because he  
12 had died before this case was sent to APU,  
13 and against 2 others because they retired  
14 before charges could be served; charges  
15 against 1 officer were dismissed by the  
16 APU.

17 In terms of some updates, we are  
18 working on a complaint tracking system for  
19 the public online. The Your Case System is  
20 something that will allow members of the  
21 public to see the status of a case, pending  
22 either in Mediation, Investigations, APU  
23 and it will give not specific information  
24 about the complainant or the officer, but  
25 it will give the details of where the

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case -- the status of the case, whether it's being investigated, whether the Board is reviewing it, and it will be open to the public.

We are also working on a 311 app, the idea being that New York City has a number of agencies that have a 311 app and we are hoping we will be able to get that up quickly so that we can have complainants file complaints online and also potentially in the future be able to upload a video.

I'm happy to say that a number of our staff, including one of our Board members, has been attending the Columbia Law School Mediation Program. It's a two-week program, a very intensive program given by one of the former board members, Carol Liebman, who is a professor at Columbia Law, and she offers us each year the opportunity to attend the class. And it's been -- I've been going, and I think it's an excellent experience. I'm sure Mr. Puma would say the same thing.

MR. PUMA: It has been fantastic.

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MS. CATAPANO-FOX: The APU quarterly report, the second quarterly report has been delivered to the Police Commissioner. I believe it is up on the website. The Board has gotten a copy of it and it gives the statistics with regard to APU's docket and what's occurred during this past time.

Other than that, do you have any questions?

CHAIR EMERY: Okay. So are we up to the point where we can have public comment?

MS. CATAPANO-FOX: I believe old business is --

CHAIR EMERY: We sort of gone over old business.

MS. CATAPANO-FOX: And new business. Anyone --

MR. MARTIN: Mr. Chairman, could we just talk a little bit about the open meetings because we had subcommittee meetings that we had scheduled but we cancelled because of a little bit of confusion --

CHAIR EMERY: Let me say that we've

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had advice that contradicts from  
different -- one contradicts the next.  
We're trying to get a definitive ruling on  
the subcommittee activities. There is some  
case laws that says they should be open  
and/or reported, and there's other  
authority that says they need not be, and  
we are going to get a definitive ruling on  
that before we go forward with subcommittee  
meetings.

And so, I do think that we  
will -- well, we're going to operate under  
the best advice we can get from both  
internally from our lawyers and from Corp.  
Counsel. So it's a non-answer.

MR. MARTIN: It's an answer  
nonetheless.

CHAIR EMERY: Right.

Are we okay with starting with  
public comment?

(No response.)

CHAIR EMERY: So I think the first  
person who wants to speak is Jose LaSalle.

Do you want to go to the microphone?

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MR. LASALLE: You don't mind if I stand here, right? I'd rather be closer to y'all.

CHAIR EMERY: I'd prefer if you would stand up there. We put it there. You can pull it forward if you want.

MR. LASALLE: I really want to talk to y'all. There ain't nobody really in the public here. My concern is to y'all.

MS. CATAPANO-FOX: Mr. LaSalle, we have someone typing it so we just want to make sure she can hear everything you're saying.

MR. LASALLE: I'll be loud enough. One of the things that I'm going to touch upon is dealing with -- I know this is the Civilian Complaint Review Board, but when y'all talk about people going through a hassle because of y'all calling them down, y'all really don't talk much about civilians. I heard y'all mention about police going through so much problems to be part of this mediation or be -- you know, saying to be part of the investigation, but

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I don't know hear -- I ain't hear nothing about civilians and what they have to go through to be able to be part of this, and the struggle and the obstacles that they are being placed through. Because in reality, this -- what I thought it was, heard him saying, was about more the civilians than worrying about how police feel or how much hassle they got to go through because in reality, the reason y'all exist is because of civilians and y'all should be more focused on that, and they should be the priority, not the NYPD. So that's one reason why many people, like myself, look at y'all like, you know, toothless and really -- since y'all been in existence have not really accomplished much to tone down police brutality, police harassment, dehumanizing that's taking place every single day, the families that's being left traumatized --

(Applause.)

MR. LASALLE: -- the assaults, the criminalization of people and also the

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murder of people. Y'all have done nothing -- I mean, it's been rising. Crime has been going down, police brutality has been going up, so y'all need to recheck yourself on that. That's one dealing with that.

Now, number two is dealing with Bishop Taylor talking about churches and also Mohammad Khalid talking about mosques or religious places. People in the community no longer have faith in religious churches, no longer have faith in anything, especially that deals with Bishops and deals with Clergymen or things of that nature. So you're definitely not going to get a show up of people there because including myself, we feel like we've been sold out by a lot of these churches and in reality it has happened. And I'm speaking on behalf of the people in the communities because that's where I live and that's where I'm at every single day and I'm still living in this community. And I believe that these meetings should only be hold in a space where there is no type of obstacles

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dealing with religion, no type of obstacles  
dealing with courts, no type of obstacles  
dealing with police officers present,  
somewhere where people could feel  
comfortable to go and express themselves  
without feeling like they're going to be  
retaliated in some way or they're going to  
be looked down upon by their clergy leaders  
from their -- who are actually supporting  
more the police station and the NYPD.  
Because I go to every meeting, basically  
that the precinct and council's put  
together, and I listen and I'm there  
expressing my concern about police  
brutality and everybody there is one-sided.

So, I feel that these meetings  
should never be held in any religious or  
any place like this where people has to go  
through so much hassle to get in. Us  
getting in downstairs, I mean, we was  
being -- I mean the security was on us like  
we were bringing in some type of bombs or  
something. So we shouldn't be feeling that  
type of pressure to come here and let y'all

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know what's going on in our community.

The third thing I want to talk about is outreach. You spoke about outreach, you spoke about outreach, you spoke about outreach, I think -- one of y'all anyway, spoke about outreach. That's very important, but the problem that -- we do outreach in communities. We put a table out there, we have CCRB forms, it has the IAB, you know, all the things on top wherever you want to send it to, and we stand out there and a lot of people come to us and say why am I going to waste my time with that? You know, why am I even going to sign this up to go and see these people, go through the mediation if I want to, which this mediation, a lot of people believe is nothing but a way to save the police officer from having some kind of case following him around. And a lot of people feel uncomfortable about your existence. A lot of people believe that y'all shouldn't even exist because y'all really not doing nothing to help the

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problem that people of color are facing every single day in a community of color. I mean, no one believes y'all doing anything.

So dealing with the outreach, you have to have -- you have to come to the communities who are really affected. Y'all call it high crime areas, we call it community. They are disfranchised or forgotten community that police officers say these are the communities, we can go in there and do what we want to these people because ain't nobody going to say nothing about it.

And we have a Police Commissioner who actually don't give two crap about what their officers do and it proves it by 25 percent of your recommendation, he took those things and threw them out the door. He kicked them out the door. He said to every single one of y'all, that, you know, in other words, if I don't accept it, if I don't look at it, if you don't bring it to me to the point where the person itself is

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here with a broken leg, or with a piece of his arm hanging or with a stamp on his head saying police just hit me or an NYPD stamp on his head, then don't bring these cases to me. So what does that show us, that shows that y'all don't have no muscles. That shows that it is reality what y'all put in here. For me it's a puppet show because it is not doing anything, anything to help the community.

And I want to touch on two more things. So now, that was outreach. Number four, we was talking about -- oh, yeah. Number four we was talking about your private meetings and so called Tosano and Alphonzo having no idea that these private meetings are taking place. I mean, I'm not part of the Board and I know these meetings are taking place. I mean, these are things that are being put out through the news media. Unless you live in a recluse cave somewhere and you only come out for this --

(Laughter.)

MR. LASALLE: -- I mean, there's no

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way that you cannot know about this.

So, you know, I don't believe -- to be honest, I don't believe what y'all saying that oh, you're doing this and we're not part of it. That's a whole bunch of hogwash for me because I believe that every one of y'all know exactly what's going on here and every one of y'all is part of this, just like Bill Bratton is also part of this.

(Applause.)

MR. LASALLE: So I just want -- that's number -- and then the last thing I want to touch upon which is feel is very important is -- all right. Now, dealing with statistics. It's funny that you talk about the chokehold and the -- close to a thousand chokeholds that y'all had no choice but to bring out after Eric Garner was murdered right here on Bay Street, was murdered by a police officer from the 120th precinct, Daniel Pantaleo. That is the only reason that y'all decided to bring all of a suddenly all these

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complaints about chokeholds. So all of a suddenly now, you come here to us. Well, I'm not saying the community because majority of these people ain't even part of the community. But you come here to some of us who are part of the community to tell us that you have no report on it and that you still need more time. Do you know how long these things have been sitting on your desk? Especially you, you've been here 18 years so you shouldn't even have an excuse. In 18 years, I don't see what changes you've seen because I haven't seen any.

So it's, to be honest, I created a cop watch patrol unit. I have hundreds of documentation of police violating our rights as we document police violating peoples right in my community. I mean, I have hundreds of these videos in existence, you know. Every police officer within this precinct know who I am, because we CPU Unit are because we are up in their houses. We're making sure that we bring it into

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their houses. We're making sure that we let them know that if this Board here, CCRB or the IAB or the new Inspector General, the NYPD Inspector General, they're not going to make them responsible, then we're going to do our part. We're going to embarrass them. We're going to make sure that everybody sees what kinds of ignorant people are in our community patrolling and serving. They are servants to me. In reality, I am their employers and they're my employees, so I have the right to watch my employees. And if they're out hand, I have the right to discipline my employee and we're doing that by making sure that we embarrass them through YouTube, through social media, which we have a very large network.

And the reason I'm saying that is because we need to take this fight even to y'all. We need to let y'all know and let the people out there know, right, what is going on here, and let them know and show our statistic that they talk about all this

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they have done, but let me show you what is still happening in the community of color, let me show you how people are still suffering every single day. You know, people get out of the train station and get harassed, people in front of their building getting harassed, old ladies getting harassed in front of their own building. You can't even walk to the store without being harassed. This is the type of world I live in. Not this world that y'all creating.

So I want y'all to look deep into yourself, do you know what I'm saying? In reality, a lot of this bull crap that I feel that y'all over here spitting out to us, y'all need to start changing because there's going to be brothers like me or sisters that's going to come into these community meetings, and not only that, we're going to take this out there and let them see the true color that lies within each and every one of y'all. Peace.

(Applause.)

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CHAIR EMERY: Mr. Trujillo. I can't read the first name. I'm sorry. It says Miss. or Ms. Trujillo -- Mr.

MR. TRUJILLO: Mr.

CHAIR EMERY: Thank you. Is it Jus- --

MR. TRUJILLO: Josmar.

CHAIR EMERY: Josmar. Thank you.

MR. TRUJILLO: So I'm going to assume you didn't have a response for me, Jose, nobody on the Board. But so I just want to just start off by saying, I mean, everyone in this room knows we're here, in Staten Island specifically, because of what happened to Eric Garner. And to all of Jose's points about, you know, the fact that I'm hearing suggestions on the Board that we need to somehow take the bias out by concealing the history of an officer during an investigation or that somehow we need to make the process easier on police officers right to his point, I think is a slap in the face to this community, it's a slap in the face to the next community

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you'll go to, to the one in the Bronx -- oh my God, the complaints there you'll find are even, you know, probably even worse than Staten Island.

But, you know, we were at the meeting before last, and during the public comment section, members of the public talked to every member on this Board about a sense of urgency and there is still no urgency left -- I mean, there's no urgency coming from this meeting, there's no urgency coming from any of the reports -- anything that I'm seeing. And you can go to -- you can have night meetings, you can go to different locations, you can get a van, two vans, three vans, but if you don't change your mentality, nothing is going to change with how you guys are affecting the NYPD.

And the fact that today, Mr. Emery, that you said that you still believe -- that you think that the Commissioner should still have ultimate authority. Like if it were up to you, as

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toothless as this organization has been, as this Agency has been, that even if you had the choice you would still want the Commissioner to have authority, I mean, I'm surprised that Commissioner Bratton doesn't throw a hundred percent of the recommendations out of the door because he -- we think the Agency is a joke, but he must think it's an even bigger joke.

But let me get to the good parts because there was a lot of good stuff. I mean, I know we're talking about reforming the Agency and kind of a fresh start, right. The new administration is talking about doing it right this time, you know. And I'm sure Commissioner Simonetti believes you, you know, and that's why he's concerned, but I don't believe you and that's why I'm concerned.

And I will speak, with all due respect, I'm going to speak directly to you, Chairman, because one of the things we're looking for, I think in our communities is from our oversight bodies is

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independence. And you've spoken already to the fact that you have a personal relationship with Commissioner Bratton. I know that you -- I've read that your son's Godfather is John Miller, who is Bratton's kind Counterterrorism guy. And I know that you raised -- you donated or raised campaign funds for Mayor de Blasio. So you seem to have some very specific personal ties to no only one PP, but to City Hall, and that to me says that this Agency, which I'm guessing it's most or not, maybe all of these members are from the Bloomberg era, but even our new Chairman who's coming in and saying all the right things that there is not enough independence here, and I don't know what the solution is. I know you're here, everyone wants to give you a fresh start, but I don't have faith as a public member and you can see here that there's not that many public -- you know, members of the public here. We still don't have faith in you and if you're not even willing to take the authority from

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Commissioner Bratton, if you're not willing to speak truth to power for our communities, if you're going to err on the side of the being friendly to the officers, then I think Mr. Simonetti should be completely confident in you because I'm not confident, and I think that's where the problem lies.

CHAIR EMERY: Let me just say one thing in response to what I consider to be very articulate comments that you're making. This Agency has prescribed powers under the Charter, under the City Charter. The power is to investigate civilian complaints and make recommendations. It has no power to discipline officers. The process has a lot of power. The fact of the matter is, when officers have to come in and justify themselves, that's in fact a lot of power in some sense and I think we use that power quite well. We bring officers in on virtually every case.

But, you're right. We do not have the right to discipline them. And when I

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talk about the divergence between the authority to discipline and the responsibility for the Department, that's really my point. I don't think this Agency or any Agency other than the DA's or ultimately the Mayor who can fire the Police Commissioner, has the power to discipline. There's no administrative agency that I can think of, there's no agency that I can think of that doesn't have the administrative power over discipline for itself. That's not to say that there isn't other forms of response that's appropriate, if they violate the law and if there is things -- and I'm not saying that every case where a police officer violates the law is prosecuted, but that's not something that we're responsible for. That's something the legal system has to undertake.

This is a process that's between the Police Department and the public to adjudicate investigations only, not ultimate discipline, and we don't have any

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power to go beyond that. I've been a civil rights lawyer, I've handled abuse cases for 40 years -- more. And the only reason I took this position is because I thought and I still think, and I'm still optimistic, that putting my money where my mouth is, which is not getting paid to spend a hundred and sixty or seventy hours last month and probably this month working on this Board, has the potential to turn around an Agency that hasn't had any public support or any public confidence, with good reason in my view, into one that does. And all I can do is try and increase the integrity of our investigations and the integrity of our results, and if the Police Commissioner doesn't respect them at that point then he has a problem and he's going to have a problem if he doesn't respect those outcomes once we are improved to the point where we have the integrity and the high ground to make those recommendations.

And that's going to be all open.

The whole point here is that this is

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transparent. You're going to be able to come to every meeting, you're going to hear debates like you never heard before, just; like you heard tonight. There's not agreement on this Board. Everybody disagrees with everybody else, they disagree with me. That's healthy, that's good. I want that.

So what we're going to do is make it transparent. It's going to be a process and if in two years we can't have -- I'm not going to say you're going to be confident in two years, I'm not going to say you're going to think we did a good job even. I am going to say though, that we will be incrementally or substantially better than we are now with the integrity of our processes, with the outcomes of our investigations and with the recommendations, which is all we have the power to do, to the Police Department to discipline.

MR. TRUJILLO: I'm going to just finish because I know there's a lot of

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people. I'll just say then your Op-Ed in the Daily News today shouldn't have said how we're going to to police the police. It should have said how we're going to try to police the police.

CHAIR EMERY: I did. I said I'm going to endeavor, I'm going to try to do the things --

MR. TRUJILLO: It's very different --

CHAIR EMERY: I didn't write that.

MR. TRUJILLO: Your Op-Ed was very different today because you're talking about we're going to police the police and everything that you were saying here, you're already giving yourself a lot of leeway.

CHAIR EMERY: Do you know what, you actually have a good point. I didn't write the headline. I wouldn't have written that headline. That was the Daily News that wrote it. They tried to get you to read it. See.

Chris Dunn from the NYCLU.

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MR. DUNN: I really don't want to stand behind this.

CHAIR EMERY: Consider it the second circuit on bank.

MR. DUNN: It's not the second circuit.

CHAIR EMERY: All right.

MR. DUNN: But thank you very much. I always like to start with some good news. So it's terrific you're out in the community. You could do much better than that, but it's great that you're out. And the 18 plus month report and this months statistical report looks much, much better except the statute of limitations problem has greatly improved. Good for you.

Okay. Let's turn to the things that aren't so good. And I don't want to go through a lot of details here, but there are two major things that you have talked about, Richard, and others, that I think are alarming.

This first is this mediation

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business. And I'm going to say to you, when I hear the Board talking about mediation the way you are, I just have this image of this big hole getting dug next to 100 Church Street, and all your complaints getting dumped into it. It is not acceptable to take the position that what this Agency's about is mediating the cases. Cops will love that. Mediation is the best thing in the world for them. They come in, they sit down, they have a meeting, they go home. There's no discipline, there's nothing.

And Tony, you've said this before, and I say this in all due respect, you don't like calling it mediation because you think it's too threatening. I mean, what are we going to call it? I mean, I've said this before, you know, I mentioned it before, we can just call it the overtime maximization program. If we don't get them to come, what are we talking about here, folks?

You guys have two roles, primary

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roles: To investigate complaints so that officers who have engaged in misconduct can be disciplined, and to make from the complaints that you get what you can, are possible policy and practice recommendations. You can do neither of them. It's a default position and the presumption is cases get mediated. Discipline does not happen. It's out the door categorically across the Board.

And secondly, because you don't do an investigation, you don't understand anything behind the complaint. Tracy, I hear you saying you'll have statistical information about the precinct, about race, about age. Yes, you will have that, but you won't have an interview with a cop, you won't have interviews of witnesses, you won't have looked at video tape, you won't have listened to radio transmissions, you won't know anything that counts when it comes to figuring out whether or not there is a policy or practice problem.

So what I'm saying to you and,

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Richard, I understand your instincts about this, but you guys are going to be inviting a war if what you start doing is saying our business is to mediate complaints. It is not your business. It is not your business.

Okay. At the tail end, on discipline, there continues to be a dupe problem, a significant dupe problem that continues this month. But the thing I actually find much more alarming is what's happening with the APU cases. And Tracy, I'm only seeing this tonight and you've read some things, but I see two big things, which is the Police Commissioner is choosing not to discipline or not to accept the recommendation in a number of cases that are coming through, and then you have all these cases where he has retained the case, dismissed the case and has imposed no discipline. I mean, I see them in your report them describing training as a form of discipline. That's not discipline. Nobody thinks that's discipline.

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Instructions are not discipline.

So this is really the first time as I understand it, that we have seen cases finally coming through the pipeline at the other end, and we are seeing what the Police Commissioner is doing with your completed APU cases, and this is an alarming, an alarming indication of where this is going.

And Richard, I have to tell you, I mean, setting aside people's unhappiness which can I relate to and I understand, is that I didn't know about your meetings either and I'm really kind of disappointed you didn't invite me to come along. But setting aside people's alarm about that, I think there is every reason to worry about what is happening on the Police Department's side about discipline, and if this is any indication where Commissioner Bratton thinks you should be going, this is an indication you should be deeply worried about because I see him just getting rid of your cases. We had the dupe

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problem, it is now just flipping over to the APU side. And you know, these 13 officers who have retained cases this past month, that's a very, very bad sign.

A couple of final things and then I'm just going to sit down. The issue about prioritization, I said this last time and I'll say it again, I do not think it is appropriate for the CCRB to be deciding which complaints are more or less important. And I understand you may not agree with that characterization, but when I hear about this prioritization business that's what I hear and that's what complainants are going to hear. If there are some small number of cases that need to be fast-tracked, I get that you already have that at some level, but this whole notion of trying to categorize all complaints in a way such that some are going fast and some are going slow, I think that's a mistake. I think the much bigger focus should be making all investigations go faster. The investigations go way too

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slowly and it may well be that the -- getting information out of the Department is the single biggest barrier. Richard, I fear you will regret having said, "If I don't get the data from the Department quickly, I will quit", because the Agency has been slugging that out with the Police Department for as long as I can recall and Tony will tell you it's been since the beginning of time. And there's no question about it if you could get stuff immediately where you had access to it -- and you certainly have better access now than you had even five years ago. If you could get that stuff in the first week, which you should be able to get, all of a sudden the investigation timeline looks radically different.

I said this last meeting and I will say it again, there is no reason why virtually all of the complaints that you investigate, keeping in mind most of the complaints or almost half of the complaints

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you do not investigate, there is no reason why the complaints you investigate cannot be completed within three months. You should get the information, you've got the complainant in there right from get-go, you bring the cop in and there's not that much more to be done.

And, you know, people have talked about changing the culture of the Agency and there is a whole culture change that is required in terms of relations with the community, and there also has to be a culture change in terms of how quickly things can get done.

I will close by noting that there's one very good precedent for that. The annual report used to come out every year, seven, eight, nine months into the year. The annual report this year, I think came out, Jim, in February?

MR. DONLON: It was early.

MS. CATAPANO-FOX: Yeah, we had it February and then it was March where it comes to the public.

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MR. DUNN: Okay. It came out very quick. Because, you know, we talked about it, we suggested some things that actually you could do instead of waiting until January 1st, and low and behold, the annual report all of a sudden came out, within, you know, six weeks of the end of the year. There is no reason why complaints could not be investigated much, much faster. It's

good for the Agency, it's good for the complainants, it's good for the cop, it's good for the prospect of discipline, and it gets you out of this box where what you are trying to do is rejigger complaints in the name of the prioritization, and what you should be doing is trying to expedite the entire process. Okay. Thank you.

CHAIR EMERY: A couple of brief comments I have. Anybody else want to?

(No response.)

CHAIR EMERY: The first thing is, I find it utterly ironic that you, knowing you and also knowing the NYCLU position,

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take the paternalistic view that complainants who want to mediate shouldn't be given that opportunity. They don't have to agree. Mediation is not -- you're not forced to do anything. All you're asked to do is come to a meeting. You don't have to even do that. You can turn it down. But the notion that an individual is going to be deprived of that opportunity when we can make it available is antithetical to every civil liberty's principal known to man.

MR. DUNN: I didn't hear myself saying anything about that, Richard.

CHAIR EMERY: Well, you did.

MR. DUNN: I said the Agency should not make it the default position, as Jules said, that mediations would happen. If the complainant want to do mediation, they can do mediation, of course.

CHAIR EMERY: I understand that, but as a practical matter, if it isn't offered, they're not going to do it. The whole point is to offer it right up front to

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schedule it and then they can opt out of it. That's my view. I think it's paternalistic for you to impose your view that mediation is so destructive to our function that we can't do what we're suggesting.

Secondly, with respect to the APU, there are -- there's a lot of change that's hopefully going to happen. If it doesn't happen, you're going to be right about the carve-out rate and all the response rate of the Police Department to the APU charges and specs that that don't ever get to a trial. That I agree with you has to change, but there are a couple of hopeful signs on the horizon in that respect.

First of all, there's a huge distorting factor in all these cases that come from the stop-and-frisk cases, and the fact of the matter is that over 30 to 40 percent of the cases where charges and specs are coming down from the panels and going to APU are search

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cases -- stop-and-frisk related cases of some sort. Those are going to obviously diminish greatly given the new stop-and-frisk statistics that we know about. Maybe that will change in the future, but as of now, we have a holdover from '12 -- 2012 and 2013 of stop-and-frisk cases that are still going to APU and going over to the Police Department. The fact of the matter is, if you think about it, Kelly was ordering people to do stop-and-frisks. There's no way the Police Department is going to discipline line officers for doing something that they're being ordered to do. And likewise, I suspect, and I don't know this for a fact, that Bratton is not going to hold officers or going to try -- often not hold officers unless there are aggravating factors, to stop-and-frisk when they've been ordered to do it. So --

MR. DUNN: That's not what these are.

CHAIR EMERY: Some of them were stop-and-frisk. A number of them.

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MR. DUNN: Three of them are and the rest are not.

CHAIR EMERY: Well, there are a lot of stop-and-frisk relators -- in any event, the reductions and penalties, the stop-and-frisk is driving a lot of the statistics.

In any event, what I'm hopeful is, is that the communication on hierarchy of sanctions that is acceptable to both Agency's is going to have an ameliorative effect on this unacceptable, I agree with you, unacceptable rate of lack of respect for our recommendations on both sides. We're going to do better charge, we're going to do better outcomes and we're going to do better recommendations, and they're going to respect them more if our processes are changed sufficiently to warrant the respect that we believe they should have.

A couple of other things, but I'm not going to go into them now, too long.

Let's have Beatrice Reilly, please, who's the next person on the list.

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MS. REILLY: Hi, everyone. I just want to read to you what happened to me being an Irish-American married to a black man. So it does happen to white people so everybody understands, but that's the undertone.

On March 20th, 2013, a young man who lived with my family and I, I raised him, he was of African-American descent, came up to visit me from Virginia, which he does every one in awhile. He called and said, I'm coming up. I said all right, we'll make some dinner, you sit down with my husband, my girls, we'll have -- we simply were rehashing old times growing up. I said Will, do you want to see Bria's car, because the last time he saw Bria she was a freshman in high school. So he said yeah. See we all went outside, my husband went to the gas station, I went outside to my daughter's car. He looks in the window, the police officers detectives surround him, asking me -- and I'm getting upset because -- where's the drugs; where's the

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guns? I said, excuse me? Where's the drugs, where's the guns, where's the weed, where's the molly's? The molly's?

In any event, he told me to get out of the car. I got out of the car, he told me to put my hands like this, he dug in my pockets (indicating). I had on pajamas, the New York Knicks, not that it matters, but I was going to St. John's while I was leaving to pick up my daughter from the shuttle bus. He goes in my pockets, he pulls out my crumpled money. He throws it in my daughter's car and tells me that I'm a drug dealer and that was drug dealer money because it was crumpled, not that I took it off my dresser. I was in my pajamas and running, come on, Will, I'll see you later, I'm going to get Cara, look at Bria's car. None of that.

So from that, they took me and had me on the back of my daughter's vehicle, with Will, the kid that I raised, had my hands spread, asked me where's the drugs, where's the guns, where's the molly's, et

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cetera. He took my key, broke the ignition on my car, didn't realize it was a 1988 Camry, you have to press the button to release the key, nor did he give me a chance to tell him that he's breaking my daughter's car. He told me to shut the -- whatever the case may be, I was verbally abused.

Not only was I verbally abused, emotionally -- I teach my children about racism every day. My daughter's going to be a doctor, Columbia University, and my other daughter computer engineer, because I told them when they were young, if anybody ever calls you minority, you tell them your mother said there's nothing wrong about you. But they do have an X on their back because they are Irish and African American. So I always inspire them with education as my college-educated husband and myself are.

So they -- but anyway, my daughter witnessed this. This is why it's bothering me because I teach these children since

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they were babies respect everyone. Always when they were little I put their phone number inside the collar of their shirt, if you ever get lost, please look for a police officer. There's your phone number, tell them it's on the inside of your sleeve because people like to kidnap kids. Never in my wildest dreams did I think I would have to go through this, what I went through.

After that, I got searched in front of the Catholic School -- I live in a Condo building. I was searched in front of my building with every other condo owner looking out the window. If it wasn't for the doorman who witnessed it, who called my daughter to go get my husband, I wouldn't have had no witnesses because as we all know, the police -- it's a union, anybody who knows about a union, they stick together like this (indicating). I didn't see it. Did you see it, Paul? No, Charlie. You saw it? No. It's a union. I was in the union and I was a supervisor,

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so I know exactly what union staffs do and what supervisor staff do.

I want to get to that in-servicing because that's going to be next. Anyway, through the whole situation that I went through, they took the keys, they broke the ignition. After, he tells me, where do you know him from, I said I raised him. We're like the blind side, if you guys ever saw that movie. I took him in. He said yeah, okay. You have green eyes, I guess you's are related because he happens to have green eyes. I said excuse me, that's a racist remark, that is my family. My husband's black, my children are biracial, although they can pass for white, but that's another story. You are telling me that -- I'm telling you that's my family and you're telling me you can tell, oh yeah, what is it the green eyes? That has nothing to do with what's going on here today. They were verbally abusive to me. They wasn't physical, but they were physical to Will. They had the handcuffs

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on him, I said please, you're hurting him. Why did you have him in handcuffs? Around his wrists he had marks -- he sent me pictures from Virginia through an e-mail. He said D, look what they did to my arms. And I said, please, can you unloosen up before you give the guy -- you cut off his circulation, his blood pressure? He can have a heart attack, anybody can; you, me, the next guy.

To make a long story short, my daughter, which she should have filmed it, but she didn't -- but, I mean the doorman was there -- they, in this whole situation, told me okay, I'm free to go. You're free to go. I said well, why did you illegally search the trunk of my car and why did you break my ignition? We didn't break your ignition. I said I need new keys. Now I live on a hill in a condo building where you can't see when you're going up or going down. I need my keys to move the car. Mind you, my daughter's at St. John's waiting for me all this time from the

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shuttle, where's my mother, my mother, my mother. I go to the 120th precinct and say I need my keys to the '88 Camry, I have to move the car because someone is going to get hurt driving up the street because they're not going to see that car there.

In the mean time, while I was there, my brothers put cones around the car. They don't know where my keys are, they don't know who the guys were, blah, blah, blah. It was freezing on March 20th, 2013. It was freezing. My kids were locked out of the house because of course my daughter ran out, the other one, and saw what they were doing to her mother.

I go back to the precinct, they have the nerve to tell me listen, you're going to have to wait until tomorrow until they come in from their tour. I said wait, I wasn't even charged with anything. They accused me of everything in the world because I wasn't driving while being black, I was driving while knowing black and that's a damn shame.

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When I left from out of there and went home, I had to call Pop-A-Lock. I paid \$300, \$300 to have them fix my car, fix the ignition. The next day I was out, and it's a good thing I was because I probably would have been arrested for the first time in my life. The detectives came to my house and told my daughter, the one who witnessed her mother being harassed and threatened -- they told me if I didn't shut up, if I didn't -- but I knew my rights so I was speaking, and because when you're white you have a better chance of speaking to the police than when you're black. I noticed that. I've been with my husband for 26 years. When you're white, you have a better chance of speaking with the cops and you do tend to get away with a little bit more than a black man asking what are you arresting me for, oh, why did you do this.

In any event, the detective came, two of them, knocked on my door, my daughter opens up the door, they said is

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Beatrice here? She said no. Now my daughter started shaking because of the ordeal that they put her mother through yesterday. I always told her to have faith in police, have faith, always have faith and have respect. I raised my children with all of that. My daughter says no, she's not, why? Here's the keys. Tell your mother we're very sorry about what had transpired yesterday. They're very sorry that they tarnished who I am in front of my neighbors, my condo owners, the church, the Catholic Church. I grew up Catholic. I got searched by a female detective they called to searched me right there in front of the damn Catholic school to see if I had anything. And I was more than -- I was like, here, do you want my pants down, I'll show you everything right here because I know I didn't do anything wrong. But I had a family member who was black and he looked in the car to see the whole interior because the outside was rusty, and I said, Will, the outside of her car, it's her

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first car, it's a little rusty, but the inside is smooth and it's 32 thousand miles, so it's her first car. College, computer engineer, she works, this will be good for her. Little did we know that him peeking in the window like this, peeking in and saying wow, she is going to like this one, it would cause a disruption in my life for the rest of my life and in my daughter's life, and in the doorman's life who watched the whole scenario take place and all my neighbors who were totally -- Beatrice? She's retired, she's a grandmother, she -- Beatrice? She's always going to the store, playing the numbers for this woman, helping a blind lady in the hallway with her clothes -- Beatrice? Exactly. That's how I felt. Beatrice. But for the first time, I knew what it was like to be of a different color, even though I'm in the skin I'm in. So something has to be done, something.

And as for the in-service, I was a supervisor, I was also a union member. On

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Richard's part, I have to stick up for him because I was in the union and I was a supervisor, when you're in the union, there's a whole bunch of steps, verbal written verbal, verbal, verbal, verbal, written with one-day suspension, written with two-day verbal suspension, there are numerous steps that you go through as a supervisor, and I was on the Human Rights Incident Review Board. When we have incidents brought to us, we were only able to make recommendations as to what should be done. Now, what the supervisor does is submit paperwork, instructional in-service. That's the best thing for everybody in this world when they get in trouble, it's called in-service with the minutes. First let the person sign their name that they attended this in-service while you provide it to the Incident Review Board that yes, they did have the in-service and they know that they cannot do this, not let's give this guy a two-day suspension, whatever, because there's guidelines that you have to follow

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in the union. And on behalf of him, he has no control if Bratton has to follow what that KKK guy that runs the police union -- we all know who he is.

(Laughter.)

MS. REILLY: He's Irish just like me, but we know -- I know as an Irish woman.

Any way, I'm going because I have to pick up my daughter from college and she's probably saying where's my mom, I hope the NYPD didn't give her a shakedown, but I do hope that there's some type of change. And as for transparency, please don't say that word. Leave that shit in Washington because its been said -- it's a political word. Nobody sees transparency. And what ever happened to the cop on the corner when I was a kid? He would say go home, the lights are on. He knew us. He knew everybody. Go home, the lights are on. Not sitting here saying shut the -- right now, you -- where's the drugs? How dare you, how dare you do that, demoralize me.

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In that case, I hope there's something good to come out of this.

CHAIR EMERY: Thank you for your comments.

MS. REILLY: You're welcome.

CHAIR EMERY: Chris, you're not leaving?

MS. REILLY: Yeah, I'm leaving.

CHAIR EMERY: No. Him.

Hold on a second. We have a line here of people.

Chloe Drew is next on this line. Are you -- okay.

The other person that says yes on this line is Albert Nickerson. Is Albert Nickerson here?

(No response.)

CHAIR EMERY: The next is Donna Fagan.

MS. FAGAN: Thank you for calling me. I actually have something a little off topic, but I did want to be here tonight and I got here late from another meeting. I am a Staten Island resident. I am a

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resident of the 122 precinct. I do lots of community work, charity work and fundraising and I'm just here to compliment and say thank you to my precinct where I live and I do work with a lot of youth in the area, and I can't say enough about them that they do their job very well in my precinct, which is the 122. And I thank you for moving the meetings from borough to borough, and that's basically it. Just a compliment to the way they conduct themselves and conduct business. Thank you.

CHAIR EMERY: You're welcome.

Gary -- I'm sorry, it's hard to read this -- Phanrof. Is that you? How do you say your last name?

MR. PHANROF: Good evening. Thank you, Mr. Emery. My name is Gary Phanrof. I live two blocks in the South Shore from officer Pantaleo. And I want to invite everybody -- I want to recognize Ed Josey of the NAACP, Silvia over here, my friend Doug who has been everyday since the

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chokehold, the death of Eric Garner, here in what the Daily News referred to as the precinct from hell.

Mr. Emery, you insist upon the chokehold legality with Mayor de Blasio's full backing. This, in the wake of Eric Garner. What a PR disaster. By coming here tonight, you are too clever by half. You think it's business as usual. We shall see. Apparently one Ferguson is not enough for you to wake up from your collective stupor common to those privileged enjoying life at the top.

Mr. Simonetti, I believe that for a very long period of years, you were the leader of the 120 precinct from hell, correct?

MR. SIMONETTI: I was the Commanding Officer of the 120 precinct in 1979, yes, sir, and I'm very proud of it.

MR. PHANROF: Well, they call it the precinct from hell at the Daily News. This is not a communist newspaper, this is not the final call put out by the nation of

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Islam or, you know, something offbeat,  
something out there in, you know, left  
field. It's the Daily News run by  
Mortimer Zuckerman, who's always, you  
know -- well, anyway, enough about -- so,  
Simonetti, you were there for and you say  
you're proud. Jocose, Simonetti.

You go way back with Molinari and  
Molinaro and Donovan, and we demand that he  
be removed from this case now. Why? He  
gets money from the police unions, and not  
just that. Molinari, Molinaro and Donovan,  
your friends, right; your friends, right?  
They gave a job in this building to the  
wife of the convicted Chuck Schwarz, right,  
during the trial of Louima verses Schwarz,  
remember that? See Volpe lived in my  
hometown, Justin Volpe, the man with the  
stick up -- I don't want to say it. And so  
jocose, Simonetti, jocose. You're proud,  
you're proud of the precinct from hell.

MR. PHANROF: I rest my case  
(laughter). You're proud.

CHAIR EMERY: Sir, yes. Tell us

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your name.

MR. STEVENS: My name is Frank  
Stevens.

CHAIR EMERY: Frank Stevens. Yes,  
Mr. Stevens.

MS. STEVENS: This is for Ms. Tracy  
because you was the director of the  
Criminal Civilian Review Board.

May 15th, 2012 I got ran over by the  
police in front of my house. I got my  
ankle and my leg broken, and I got falsely  
arrested for impersonating myself. I got  
the papers right here, I got the medical  
papers rights here. And you wrote me back  
and told me everything was unfounded. How  
is that possible? I got my leg broken, my  
ankle broken and I got falsely arrested. I  
got everything right here and you wrote me  
back and told me everything was unfounded,  
unsubstantiated. How is that possible?  
Y'all had the medical report, y'all had the  
criminal complaint, how can I get arrested  
for impersonating myself?

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MS. CATAPANO-FOX: Sir, would you want to make copies of this and I can look at it?

MR. STEVENS: And I've been trying to get in contact with you for two years. I called you, and you know, you never answered. How is that possible? You never gave me an explanation. You just ignored my calls.

MS. CATAPANO-FOX: Sir, I didn't work here in 2012.

MR. STEVENS: Is your name Tracy Catapano?

MS. CATAPANO-FOX: No, it is.

MS. STEVENS: Ain't this you right here?

MS. CATAPANO-FOX: Yes, sir. Yes.

MS. STEVENS: So you had write me that letter?

MS. CATAPANO-FOX: Yes, this was last year.

Sir, I am happy to look at this.

MS. STEVENS: Yeah, but when I tried to talk to you on the phone and have a

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meeting with you, I asked how can it be possible -- I got arrested for impersonating myself. My name's Frank Stevens. They locked me up for impersonating myself after they ran over me, broke my leg and broke my ankle. Here's the medical report right here.

CHAIR EMERY: Sir, can we look at this and get back to you?

MR. STEVENS: Yes.

CHAIR EMERY: I appreciate it.

MR. STEVENS: And I wrote you a couple of letters. And one of your complaints -- I know you didn't investigate it because I only said it was two officers and you said it was three officers. So that tells me y'all couldn't have investigated it when y'all had all the evidence.

MS. CATAPANO-FOX: Sir, I am happy to look into this, and contact you. But can you put all of your contact information here.

MR. STEVENS: The name and

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everything is on there.

MS. CATAPANO-FOX: No, I know. I'm just saying could you put your phone number or an e-mail, whatever is the best way to reach you, sir?

MR. STEVENS: Yes.

MS. CATAPANO-FOX: That would be wonderful and I can contact you tomorrow with some information.

BISHOP TAYLOR: Are these the only copies you have?

MR. STEVENS: No, I got other copies, I got other copies. They had overseen the file and I think my file got lost in Sandy.

CHAIR EMERY: Let us take your name and number where we can contact you. Okay? What is it? We'll put it on the record.

MS. CATAPANO-FOX: Thank you so much, sir.

CHAIR EMERY: We are -- I think that's the rest of the public business. That's the end of the public business.

Do you have a comment?

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Sorry, this gentleman and then you can comment, sir. All right? I just saw him first. Sorry.

MR. COSTANTINO: Mr. Emery, thank you. Just a question and a comment. Firstly, you had mentioned earlier something to the fact that the -- by the way, I'm Anthony Costantino, First Vice Chair of Community Board 1, and I just -- I'm asking for a clarification so I can better understand. You mentioned use of -- physical use of authority -- power, rather, would eventually, I believe, lead up to the choke type abuse of power and vice versa. I was just wondering if you're using departmental or private psychologists to develop this theory?

CHAIR EMERY: It's purely statistical. The findings that we expect will come out in the chokehold report show that there's a disproportionate number of physical abuse complaints and CCRB complaints generally for those officers where there are chokehold allegations. And

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that's really the point I was making.  
There's no underlying psychological  
analysis of it.

MR. CONSTANTINO: Simple enough.  
Thank you.

And if you'd like to, as the First  
Vice Chair of Community Board 1, we cover  
from Verrazano Bridge to the Goethals  
Bridge, everything off the highway, the old  
geographical area of the 120, which is now  
120 and 121. And we have -- under my  
committee, I could host you if you'd like  
to have a meeting at One Edgewater Plaza in  
the future and we can accommodate a larger  
space upstairs also, I believe.

CHAIR EMERY: Well, we're going to  
continue to do this so that's a great  
offer. So Brian, Brian Connell ---

MR. CONSTANTINO: I'll give you my  
card upon completion.

CHAIR EMERY: Please. Great,

MR. CONSTANTINO: I have a sore  
throat, so pardon, me. Thank you.

CHAIR EMERY: Thank you very much.

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Sir, you wanted to make a comment?

MR. BRENSON: Yes. My name is  
Doug Brenson. I'm a long time resident of  
Staten Island, like 38 years, and like 20  
years along Victory and Bay alone. I just  
want to pick up something that the  
gentleman said just now. I just want to  
say one thing about the Citizen Review  
Board that you always use the word  
unfounded. You used the word twice with me  
with an incident that I had with my  
grandson. They made my grandson -- the  
police officers made my grandson sit in an  
invisible chair. Oh yeah, an invisible  
chair. He had to sit there for maybe an  
hour just because they were punishing him.  
I put in a complaint to the Citizen Review  
Board, they found it unfounded. Are you  
ever going to find another word besides  
unfounded?

And to kick on something else with  
Officer Pantaleo, which I think should be  
locked up right now in jail for murder.  
His name has come up on a few occasions and

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it even came up today. My friend told me an incident where she was called downstairs by her friend and she went downstairs, her friend gave her a bag of fish. She was going back upstairs, and while she was going back upstairs, some officers see her. They followed the young lady upstairs, she got her pajamas on, they want ID. She don't have any ID. They searches her up. She's a female, they searched her up. She had a napkin and she had a little bud in there, so the officer starts going crazy saying, okay, that's enough -- that's enough to take you in, we're locking you up. Officer Pantaleo is his name. This guy has been wilding for a long time. I don't understand how can an officer can get to be so wild and so crazy and everybody know it and y'all don't say nothing until he kills somebody. He murdered my friend and he's still working. He had a lot going against him. He shouldn't have been there. When does it stop? When does y'all take the time to say okay -- I don't understand

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what the Citizen Review Board is for. You just look at cases and say unfounded but you don't -- you don't penalize nobody? You just have people like me saying you guys don't do nothing and that's what leads into this.

So we get a City Councilman, Debbie Rose and I tell her my problem because I was locked up by, if I'm not mistaken, Officer Pantaleo that told me to stay off of Victory Boulevard when they let me go the next morning, stay off of Victory and Bay. I went to my City Council and I told her what happened. Even when when it happened to Eric Garner, I told him to go to Debbie Rose and tell her what happened so maybe she'll do something about it. I mean, why do you go to your leaders if they're not going to say nothing about what's going on until it ends up until somebody's dead? He went to her. Nobody done nothing. What are we left out here alone? We have nobody to help us, nobody to protect us when we go to them with

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problems that we have from our  
community -- the police in our community  
which is all white. I've been in this area  
for over 20 years, never seen a black  
officer posted. What's wrong with black  
officers? I mean post them up so we can  
see them. I mean, they might be bad like  
the white officers, but at least we got  
them. Okay. I mean, let us see them.  
Where are they? Are you hiding them?  
Where are they? I mean, I don't understand  
why is it going on like this, and it's been  
going like this for awhile. And once they  
single you out, you're done. And they  
singled me out on Victory Boulevard. They  
locked me up and told me to stay off of Bay  
Street. The only thing that took the  
pressure off me was Eric Garner. When they  
seen him, they got off of me. Okay.

Now, something should have been done  
when I complained about it. My City  
Council should have because I stepped to  
her with a problem I had and it didn't go  
no further, and that's what happened to

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Eric Garner. You know, I just want y'all to know that. Y'all got to do a better job. If you can't do a better job, you need to get off the pot.

CHAIR EMERY: Thank you.

( Applause.)

CHAIR EMERY: At this point, we're going to adjourn. We're going to have an Executive Session for a short time if everybody is willing to stay a little bit longer. It's late, but there are personnel matters that we have to discuss in an Executive Session. And we can do that here after the room is cleared, I think.

(Time noted: 9:18 p.m.)

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C E R T I F I C A T E

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

I, JENNIFER CASSELLA, 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 foregoing  
transcript is a true record of such proceedings  
to the best of my ability.

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 29th day of September, 2014.

\_\_\_\_\_  
JENNIFER CASSELLA

**Civilian Complaint Review Board - Final  
September 10, 2014**

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