

Civilian Complaint Review Board
January 14, 2015

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PUBLIC BOARD MEETING
OF THE CIVILIAN COMPLAINT REVIEW BOARD

Wednesday, January 14, 2015
6:40 p.m.
Lehman College
250 Bedford Park Boulevard West
Bronx, New York 10468

TRANSCRIPT OF PROCEEDINGS

RICHARD D. EMERY, ESQ., CHAIR
BRIAN CONNELL, ACTING EXECUTIVE DIRECTOR

PUBLIC MEETING AGENDA
=====

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

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BOARD MEMBERS PRESENT:

Richard D. Emery, Esq., Chair

Brian K. Connell, Acting Director

Youngik Yoon, Esq., Commissioner

Janette Cortes-Gomez, Esq., Commissioner

Bishop Mitchell G. Taylor, Commissioner

Deborah N. Zoland, Esq., Commissioner

Lindsay Eason, Commissioner

I. Bennett Capers, Esq., Commissioner

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TESTIMONY GIVEN BY:

Chris Dunn

Benachuta Zen

Mr. O'Grady

Shannon Jones

Tatiana Gudin

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2 CHAIR EMERY: I'll call the meeting to order, if I
3 may. What's today, the 12th, right?

4 MR. CONNELL: 14th.

5 CHAIR EMERY: 14th, sorry about that. January
6 2015. Happy New Year, everyone.

7 The CCRB meeting is, I guess, now officially in
8 session, unless anybody has any objection.

9 The first order of business, I believe, is
10 adoption of the minutes from the last meeting which
11 has been distributed. Do we have a motion?

12 MR. CAPERS: I move.

13 CHAIR EMERY: All in favor?

14 (All agree.)

15 CHAIR EMERY: Any opposed?

16 (No response.)

17 The second order of business is, I guess, in
18 some ways our most important order of business
19 tonight and that's to welcome Deborah Zoland, who is
20 a Police Commissioner appointee to the board.
21 Deborah Zoland is sitting to my right and is a long
22 and distinguished member, actually a civilian
23 member, of the New York City Police Department. She
24 served in the Legal Bureau for several years and was
25 Deputy Managing Attorney and Managing Attorney of

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2 the civil section and became Executive Officer of
3 the Legal Bureau and then ultimately Director in the
4 Office of the Deputy Commissioner for Legal Matters.
5 She became Assistant Deputy Commissioner for Legal
6 Matters in 1999. She also was counsel to the Police
7 Commissioner and the Chief of the Department. She
8 was instrumental, interestingly enough I see, you
9 must have some real historical sense, in the museum
10 of the Police Department, which is terrific. She's
11 done a lot of granular work for the Police
12 Department on hiring decisions, on Civil Enforcement
13 Unit and on other long time -- of very serious and
14 important activities of the Police Department over a
15 long period of time.

16 So welcome, Deborah.

17 MS. ZOLAND: Thank you.

18 CHAIR EMERY: And Happy New Year to you. It's
19 going to be hard working New Year and I'm sure you have
20 now met everybody else on the board. You're going to
21 meet some of the people who regularly attend these
22 meetings. We're trying very hard to have meetings in
23 places that are in the communities that are served by
24 the board most frequently and so this is one of those
25 meetings in the Bronx, tonight. We're going to

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2 continue with evening meetings which is a new tradition
3 for the CCRB in locations around the city other than at
4 100 Church Street where meetings were traditionally
5 held, but are hard to attend. The effort is to get out
6 into the places where people can come and see us even
7 though they can see us on the web and likewise. But
8 welcome and thank you very much for your service.

9 MS. ZOLAND: My pleasure.

10 CHAIR EMERY: Thank you. Good.

11 I have only a few things to discuss tonight and
12 then I'll turn it over to our Acting Executive
13 Director for his report. I want to report that we
14 will go into Executive Committee later when we make
15 a motion to that effect. There are a number of
16 matters that we have to handle that are not allowed
17 to be handled in the public meeting. They are
18 personnel matters within the CCRB, just so you
19 understand. And they are matters on particular
20 cases which are -- concern confidential records and
21 the like so I just want the public to understand
22 that after this meeting is over, we'll go into what
23 will probably be a relatively short Executive
24 session, but we have a list of matters that have to
25 be dealt with by the full board which is rare. But

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2 on this occasion we have a bunch of them that we
3 have to take care of.

4 The thing I really want to report on tonight is
5 that our efforts at uniformity within -- for
6 policies on investigations and decision-making
7 within the CCRB have been enhanced dramatically by
8 the reorganization of the CCRB which has taken place
9 in the beginning of December. The reorganization
10 has essentially been characterized or can be
11 characterized by the change from a team system, a
12 six team system into smaller units we're calling
13 pods that are supervised by one person instead of by
14 six -- by four people on a team, the team
15 supervision system. We are having multiple pods so
16 the responsibility of the CCRB is being transformed,
17 doesn't change anything about investigators having
18 cases. But the general responsibility in the CCRB
19 is now being transformed or transferred from teams
20 to pods. Pods are led by individual supervisors so
21 that supervisors are now going to be responsible to
22 report on the productivity of their particular group
23 of people which comprises of five or six -- four,
24 five or six investigators. Each investigator having
25 the caseload of approximately the same amount, but

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it looks like it might be a little less than the prior caseloads, but that is yet to be determined.

The point here being, that these supervisors will be the primary focus of responsibility going forward in what we're calling CCRB Stat. They're meetings like Comstat, but within CCRB to look at particular productivity of each of these supervisors in groups and testing whether the cases are moving and being handled in the way that we are seeking to have them handled by the standards that have been imposed within the CCRB. The goal is to have an average of between three or four months before closing reports are prepared and panels decide cases. If we can achieve that it will be a monumental achievement given that in the past, most cases have taken about a year on average. Although the average is coming down, we hope to have this occur much more quickly and much more efficiently through this pod system. And we're setting benchmarks to achieve that.

Consistent with that, one of the biggest problems in the CCRB in the past has been a lack of uniformity in the methodology and the substance of decision-making. CCRB Stat and the uniform and

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collegial activity between the supervisors is going to address that lack of uniformity in policies and procedures.

The other methodology for addressing this is a whole new reinvigorated memo system. So whenever any investigator and supervisor of a pod comes up with a way of doing things that's better and it's approved by the Director of Investigations, a memo is going to be written and distributed to the staff, staff-wide. That again, will promote uniformity and at least creativity and the opportunity -- it will incentivize people to really put their creativity down on paper, pass it around and make sure everybody is aware of either conditions or procedures or other rulings that can achieve our benchmarks and achieve fair and much more expeditious resolutions.

The other thing that I want to report on just quickly is that we've started a procedure within the organization and it's actually mirrored with our relationship with the Police Department after panels through the investigative process of a new form of openness. In the past, investigators and teams have had no access to speak of to panels and have not

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2 been able to understand or it's not been transparent
3 why panels do what they do in their decision-making.
4 It has been kind of a badge of infamy when there has
5 been what's called an FI, further information,
6 handed down from the panel back to investigators.
7 In other words, cases would be processed, there'd
8 be closing reports, there'd be -- there would be
9 recommendations made on each of the allegations. And
10 they would go to a panel, and as far as
11 investigators and the teams were concerned, they
12 would then disappear. Nobody would know really what
13 happened or why. We've changed that dramatically.
14 Now, there is a sense of transparency between the
15 staff, investigations and the panel work. The
16 investigation -- the investigators will prepare the
17 closing reports, prepare their recommendations, they
18 will go to panels. Panels will then make decisions
19 based on what they see in the closing reports or
20 send the case back without any negative implication
21 from that for more information and more work to be
22 done on a specific area if the panel thinks that's
23 necessary. If the panel also changes a
24 recommendation now, instead of the investigators
25 being at sea and not knowing why that occurs, there

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2 will be some -- there will be an explanation of why
3 it occurs. And the investigator will be encouraged
4 if he or she thinks that there's something missing
5 or the panel made a mistake, or there are some facts
6 that ought to be added or some considerations of
7 law that ought to be added, then the investigator
8 will have an opportunity to address the panel
9 members directly, through e-mail or any other
10 appropriate means and ask the panel for
11 explanations. There will be a dialogue between the
12 panel and the investigators before any panel
13 decision is absolutely finalized if it is not an
14 affirmance -- if there's not complete agreement
15 about the panel situation.

16 Of course, the investigator can not question
17 the panel if he or she sees the justification or
18 rationale for the panel's decision. But we do not
19 want to have a situation where investigators know
20 that a panel made a mistake because they omitted
21 something or -- which could easily happen because
22 you have a panel of forty cases in a sitting where
23 there are serious concerns that have to be discussed
24 and the panel members can have overlooked something.
25 We do not want a situation where investigators know

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2 of a fact or a principle or an idea that would
3 change panel members' ideas, but they're afraid or
4 somehow inhibited or somehow the system has made it
5 impossible for them to communicate these facts and
6 ideas and principles to the panel to make a
7 difference in the way the case is decided. I think
8 this will enhance justice. It will enhance the
9 sense of buy-in by the staff on the panel's
10 activities. It makes the panels much more
11 understanding of the staff's concerns and ideas and
12 the facts as they've developed. My sense is the
13 quality of these investigations and certainly the
14 quality of the results is going to be improved
15 dramatically by this allowance for a back and forth
16 between the staff and the panels, which has never
17 existed in the CCRB, to date.

18 Similarly, we're going to have a back and forth
19 between the Police Department, the DAO and panels
20 and the CCRB when there are issues that come up that
21 the DAO may know something about before they
22 finalize any results, they're going to come back and
23 ask us for reconsideration. They're going to come
24 back and enlighten us with what they think is
25 important and if we think it's important, we agree

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2 with them. We'll have an opportunity to adjust our
3 decision-making in accordance with that. And if we
4 don't, we'll stick with our decision and they will
5 do with it what they will. But at least we will have
6 opportunities to understand their concerns about any
7 particular case or any particular disciplinary
8 recommendation that goes over their -- either in the
9 APU context, that's a little bit simpler, but more
10 often in the straight DAO context with CDs and
11 instruction findings.

12 I just want to report that these changes are in
13 effect now. They're part of the new reorganization
14 with the pods. I think the best thing about it
15 actually, which is interesting, I've spent a lot of
16 time with the staff in the last month and they are
17 totally excited about this. This seems to be the
18 most important thing that's happened in their
19 careers in a long time because they're getting to
20 have access to the people who they're trying to
21 influence and have been for many years and never had
22 any sense of why whatever happens, happens. So it's
23 a very exciting moment for the staff, I think. And
24 I think we're going to see the results of that and a
25 kind of energy and accuracy, which I hope promotes

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2 the results that we are searching for and we're
3 hoping to get in front of -- from these
4 investigations. Also from the Police Department.
5 Instead of us just recommending it over there, and
6 it disappearing in the Police Department, we're
7 going to have a back and forth with the Police
8 Department so if the Police Department tells us when
9 they think something should be considered that we
10 haven't considered or and then we tell them why we
11 did what we did and why we're sticking with our
12 position or what our position is based on what
13 they're saying.

14 So is there any discussion or questions about
15 these changes? Because I happen to think that they
16 are actually quite dramatic and it's going to be a
17 qualitatively different agency. I hope within a few
18 months where we statistically will see the results,
19 but will also see the kind of product that we can
20 all be more proud of than we have been in the past.

21
22 BISHOP TAYLOR: Mr. Chair?

23 CHAIR EMERY: Sure.

24 BISHOP TAYLOR: Our team has experienced the
25 interaction with the staff and investigators and it's

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2 proven to be very helpful. A very healthy exchange of
3 discourse as it relates to cases. I think we're
4 moving certainly in the right direction. It's actually
5 very exciting to be able to collaborate with people
6 that are really putting in the hard work to deliver to
7 us a comprehensive summary of sorts of what we're
8 actually trying to decipher. So I think it's really
9 good, really good.

10 CHAIR EMERY: Great. Others have any experiences
11 with us yet and so forth?

12 Anyway, it's always a work in progress. There
13 are always adjustments that can be made. Nothing
14 here so far is written in stone. We'll refine it as
15 we go along and continue to make it better.

16 With that, shall we go to the Executive
17 Director's Report unless there are any other
18 comments or thoughts that anybody wants to add.

19 MR. CONNELL: Good evening, everybody. Before I
20 get started, I just want to thank a few people that
21 went through the hard work of reserving this space and
22 accommodating us. I'd like to thank Lois Myers of
23 Campus Reservations. Milton Santiago, who is the
24 Director of Internal and Government Relations and
25 Migdio Dominguez, who is the Manager for Media and

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Tech. Services.

Good evening, again. We are glad to be here at Lehman College located within Community Board 7, City Council District 11, and the 52nd Precinct. First, I will provide you with some citywide statistics, complaint statistics and, then, those specific to the 52nd Precinct. I would also like to turn your attention to a few slides that we have that show these statistics graphically.

In 2014, the CCRB received 4,779 complaints within its jurisdiction. That's on Chart 1. This is an 11% drop in complaints compared to 2013 when we received 5,338 complaints. Last month, we received 283 complaints within our jurisdiction, which is the lowest monthly total for the year. Sixty-one complaints, 22%, occurred in the Bronx, but none of them occurred in the 52nd Precinct. Complaint activity has been trending downward after reaching a calendar year high in June of 2014 when we received 483 complaints per month. That's on Chart 2.

Of the 4,779 complaints received throughout all of 2014, 1,014 of them, 21%, occurred in the Bronx and 62 of those complaints were from the 52nd

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2 Precinct. Now, a single complaint can, and often
3 does, include more than one allegation of
4 misconduct. In total, there were 180 allegations
5 which stemmed from these 62 complaints. There were
6 63 allegations of force, 84 allegations of abuse of
7 authority, 25 allegations of discourtesy, and 8
8 allegations of offensive language.

9 In 2014, the board closed or completed the
10 investigation of 5,281 cases: 1,922, 37%, were
11 fully investigated, 387, 7%, were mediated, and
12 2,907 of them -- I'm sorry. 2,972 of them, 56%,
13 were truncated. The Board closed 83 cases from the
14 52nd Precinct in 2014. Of these 83 cases, the Board
15 fully investigated 32 cases, mediated 1 case, and
16 truncated 50 cases. Of the 32 fully investigated
17 cases, the Board substantiated 5 cases, and that's
18 16%. This substantiation rate of cases from the
19 52nd Precinct is consistent with the aggregate
20 substantiation rate citywide which is 17%.

21 There were 23 cases from the 52nd Precinct that
22 were suitable for mediation. The CCRB offered
23 mediation in 14 of those cases, of which the
24 civilians agreed to mediate in 10 cases and rejected
25 mediation in 4 cases.

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The CCRB's open docket has 1,788 cases, of which 1,125 cases are in the Investigations Division. Since July, the CCRB has reduced the open docket of the Investigations Division by approximately 40% from 1,833 cases to 1,122 cases -- 25 cases, sorry. Of these 1,125 cases currently under investigation, 24 of them occurred in the 52nd Precinct.

The CCRB's Administrative Prosecution Unit has prosecuted two officers and is presently prosecuting seven officers from the 52nd Precinct who were found by the Board to have committed misconduct. The misconduct in these cases involved abuse of authority and excessive force.

These and other statistics can be found in our Monthly report on our website. That concludes my report.

CHAIR EMERY: Okay. Let's go the Committee Reports unless there are any questions or discussions about the Executive Director's Report.

Any Committee Reports, I think, Janette, do you want to report from your -- the Training Committee and the like?

MS. CORTES-GOMEZ: So I have the two committees.

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2 I'm Chair of the Mediation. We don't really have
3 anything to report other than the number of cases
4 coming to mediation has actually decreased. I don't
5 know if that's just because the overall number of cases
6 has decreased or if there's a decreased -- I guess --

7 CHAIR EMERY: Well, I think that the change over
8 from the team system to the pod system and the new
9 intake has yet to actually adjust to the new criteria
10 for mediation.

11 MS. CORTES-GOMEZ: And it's possible.

12 CHAIR EMERY: And there's also been, as you point
13 out, a very big drop off over the last month for a lot
14 of reasons. I mean, all the inactivity of the Police
15 Department, the crisis that occurred -- the crises that
16 occurred during the demonstrations and also, of course,
17 the tragedy of assassination of the two officers. So I
18 think that that's largely the immediate effect, but we'll
19 see as it goes forward. We've expanded, as you can
20 report --

21 MS. CORTES-GOMEZ: Correct.

22 CHAIR EMERY: -- the criteria.

23 MS. CORTES-GOMEZ: Correct. We expect it to
24 balance it.

25 CHAIR EMERY: We expect there to be more

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2 mediation.

3 MS. CORTES-GOMEZ: Correct. So we're still
4 hopeful that we can get the increase in cases that are
5 mediation eligible and that are accepted into mediation
6 and that are successful in mediation. We are still
7 making our efforts in terms of trying to locate more
8 mediators in the event that we do have an increase in
9 cases. So that's the only thing that I have to report
10 with regards to mediation.

11 In terms of the Training Sub-committee, I am
12 one of two co-chairs, myself and Joseph Puma, who
13 just came in from out of the country today and
14 unfortunately could not make today's meeting. So I
15 will be giving that report. With regards to the
16 Training Sub-committee, we did participate in the
17 OMB budget request. It is our hope to have more
18 money going towards training in terms of staff, in
19 terms of software, in terms of everything that we
20 anticipate needing to make training more stronger,
21 if you will, in the agency. And so we're awaiting
22 word as to whether or not our request has been
23 accepted.

24 With regards to the CCRB stats that were
25 mentioned by the Chair, we are hopeful to have

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2 training as part of the strong participation in that
3 when there are meetings, when it is determined that
4 there is an issue, there's a problem, overall, that
5 it is hopefully going to fall in the lap of the
6 training committee and the training staff in order
7 to address any issues that may come up. To address
8 it with each and every investigator across the
9 board. I believe one of the things mentioned by the
10 Chair is uniformity. Uniformity across the agency
11 so that when an issue is raised, we don't just have
12 the team that it was raised in addressing it. We
13 have everyone in CCRB, all the investigators across
14 the board, to know what the issue is and how we
15 would like it addressed.

16 With regards to in furtherance of training, we
17 have Ms. Nicole -- I'm going to forget her last
18 name.

19 CHAIR EMERY: Junior.

20 MS. CORTES-GOMEZ: Junior.

21 CHAIR EMERY: Nicole Junior.

22 MS. CORTES-GOMEZ: Nicole Junior, who should be
23 arriving maybe possibly she was prepping a witness, but
24 she's in our APU Unit and she's been working very hard
25 with respect to the training. She provided me with

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some information which is somewhat long. So I'll try to either speak quickly or make it brief.

We are thinking of having a training consisting of five workshops that will assist investigators with conducting effective interviews. This will be mandatory for all investigators. It will likely begin in March because in February it is the hope to have Nicole train the presenters who will be conducting the actual training. Once the presenters have been trained, then we can actually do the training of the investigators. Every investigator will attend every workshop.

Now in term of that, there's emergencies that come up, things that come up, appointments that come up. They may not be able to attend so we're going to be working with our MIS staff to try to have these training sessions recorded and live-streamed like these meetings are live-streamed. So that it is also part of the process and part of the work that is being done by the sub-committee. All training again, will be videotaped so that the participants can review their work and assess themselves. We are also looking into having, in addition to the larger group settings, larger training, having on-on-one

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because sometimes things may get lost in a group of twenty or so. So having one-on-one where you perhaps have a mock interview, you can have more in-put directly from the trainer as to what I may have said that may be said in a different way or asking questions that you may not have thought of that may facilitate the investigation investigation further.

The benefits include enabling individuals who can not attend training due to scheduling conflicts to later watch, allowing individuals to watch a live stream of training from their desk, and our long-term hope is to have some type of ability so that people who are not at the actual training session can participate. So in addition to the live streaming, we have participating from people who would not be at the actual training session. So that's what we have in terms of what we're working with. We're hopeful that the budget will allow us to expand the way that we envision it and that's it.

CHAIR EMERY: Thanks a lot. Any other Sub-Committee Reports?

BISHOP TAYLOR: Yes. With Outreach.

CHAIR EMERY: Yes.

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2 BISHOP TAYLOR: So Outreach has been very, very
3 busy and I'd like to say that with limited resources,
4 our Outreach team has been very active and I want to
5 give a shout out to Carlmais and her team that has
6 really done a fantastic job in -- with the limited
7 resources that we have at this moment, getting the
8 message out to many different venues. In 2014 we
9 presented 340 presentations to a variety of schools,
10 educational facilities, government agencies,
11 non-government agencies and religious groups. In 67 of
12 the City's 76 Police Precincts, we've also made
13 presentations in the five boroughs. This represent a
14 167% increase from the number of our presentations
15 given in 2013 and a 314% increase since 2012.

16 And I might add that this is largely in part
17 because of Carlmais and her team, which is a team
18 of two actually has worked nights, early mornings,
19 weekends and Sundays and it's really an amazing
20 thing, a very passionate effort on the part of the
21 Outreach committee. I really, again would like to
22 advocate as Chair on having adequate resources so
23 that people can really work normal hours and be a
24 little more effective with their time.

25 Outreach has also worked with expanding a

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2 number of programs of Outreach to widen the scope
3 of civilians who receive this information. It
4 gives them additional access to the agency. This
5 is met in addition to regular presentations that the
6 Outreach committee has participated in: street fairs,
7 educational panels, forum discussions. We went to 38
8 of the City's 59 Community Boards this year and we
9 did ten off-site sessions in six locations, in the
10 outer boroughs to allow civilians to file
11 complaints. So they don't necessarily have to come
12 down to the agency at 100 Church and we did it at
13 unconventional times when it would be more
14 convenient for them as well. We have our
15 Ambassador's Program which is a youth engagement
16 program to allow teenagers to understand the
17 Civilian Complaint Board process and to also
18 understand deescalation techniques and being able to
19 do presentations with other youth groups so that
20 this peer-to-peer interplay can educate our youth
21 population.

22 2015, of course, we put some things in place.
23 We have regular meetings. Our committee consist of
24 Janette Cortes, Commissioner Lindsay Eason,
25 Commissioner Puma and myself and we're meeting on

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2 Mondays at eight a.m. in the morning along with
3 Brian, Carlmais and the team and we are putting
4 together a real comprehensive plan in 2015 in
5 anticipation of more resources coming in and I can
6 go forward with a lot of the other minutia. I
7 think another highlight is our work with the City
8 Council Speaker Melissa Mark-Viverito to open up the
9 district offices of the City Council so that we can
10 have on-demand sites for complainants that again,
11 can't come into the CCRB, can't come during 9 to 5,
12 but can come at unconventional hours to file
13 complaints and things of that nature.

14 Last, but not least, on January 2nd, 2014,
15 Outreach staff teleconferenced with the NYC Digital
16 regarding the CCRB use of the social media, such as
17 Twitter. We learned that there are several issues
18 to consider specifically resources -- resource
19 limitations and the impact on complaint filing
20 procedures and it was recommended that the agency
21 not establish a specific Twitter account, but
22 instead funnel out information through NYC Digital
23 which offers a platform for information sharing, but
24 not necessarily interplay between the public and the
25 agency as to compromise any case privacy. So we're

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2 still looking into that and we'll have a broader
3 discussion with the full Board on how we will engage
4 further in social media platforms.

5 CHAIR EMERY: Thank you, Bishop. I want to
6 reemphasize what a wonderful job Carlmais has done.
7 It's just remarkable the amount that you have done in
8 the last -- she's sitting over there. You have done in
9 the last year. It's astounding the degree to which you
10 have inserted yourself into the entire City in your
11 group. And I think you deserve enormous credit and
12 accommodation for that. You've done that very much on
13 your own initiative and it's very impressive.

14 Any comments? Any thoughts among other Board
15 members at this point? Okay. So that's the end of
16 the Committee Reports, Old Business, New Business.
17 Any Old Business, New Business? All right. I think
18 we're going to go to public comments. I think,
19 Chris, you're the first speaker listed on the list.

20 MR. DUNN: Okay. Good evening.

21 CHAIR EMERY: Good evening.

22 MR. DUNN: Should I come up here?

23 CHAIR EMERY: If you may, if you would. Thank
24 you.

25 MR. DUNN: I wouldn't choose to, but --

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2 CHAIR EMERY: Oh, well. You know, it's decorum.
3 I wouldn't choose necessarily to be right here either.

4 MR. DUNN: That wasn't quite what I meant. Okay.
5 So first, Debbie, let me welcome you. For those of you
6 who don't know, Debbie and I have known each other for
7 a very long time. Usually, on the opposite sides of
8 fight, but they have been civil fights. I have a lot
9 of respect for her, her long tenure with the Legal
10 Borough. I think you'll be terrific on the CCRB. So
11 welcome to that.

12 MS. ZOLAND: Thank you.

13 MR. DUNN: You showed up at a time when the
14 meetings are getting a lot shorter. This is the
15 shortest meeting Richard has had in his entire tenure.
16 I'm not quite sure what that tells us is going to
17 happening going forward, but I really do appreciate it.

18 I want to start with some information on the
19 stats. Brian, I appreciate you doing some charts.
20 Those numbers can get a little deadly at times.
21 Starting with some good news, I just want to say
22 that I see there's a significant improvement in the
23 age of the docket. That plainly is a product of a
24 concerted effort to deal with the older cases and
25 it's quite pronounced this month and that is a huge

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2 improvement. I also see in the terms of the 18-plus
3 cases, you're essential down to zero cases. You've
4 got, I think, five DA hold cases. That's been a
5 real problem and that's a huge improvement to get to
6 there.

7 A couple of things of note, though. We do now
8 have year-end figures. I'm a little surprised there
9 wasn't more of a discussion about we now have year
10 end figures from much of the CCRB's activities. I
11 realize the annual report will be coming out
12 relatively quickly.

13 CHAIR EMERY: Yes. The annual report will not be
14 delayed this year. It will be done within the next --
15 well, it's going to be distributed to the Board. I
16 should have said this myself within the next couple of
17 weeks. And it should be finalized very shortly
18 thereafter. This is going to be certainly before the
19 next meeting, you will have well before the next
20 meeting, the annual report which you can evaluate and
21 comment.

22 MR. DUNN: I understand that. There's been --
23 this is all before the time of pretty much everyone
24 here, with the exception of three people. You know the
25 annual report was coming out in July, August,

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2 September, last year it came out much earlier. This
3 year, I know that you're on track to do it much sooner,
4 so that's great. All I'm saying is we now know by
5 virtue of the monthly report because you have
6 year-to-date statistics, what a lot of the figure are
7 for the year.

8 CHAIR EMERY: I just want you to know some of
9 those figures we just generated as of the last couple
10 of days.

11 MR. DUNN: I understand.

12 CHAIR EMERY: That's why there hasn't been much
13 analysis of it or report on it.

14 MR. DUNN: That's fine.

15 CHAIR EMERY: I'm happy to have your view of it.

16 MR. DUNN: All I'm pointing out is that there's
17 some significant figures in there. The truncation rate
18 continues to be, in my view, astronomical. It is
19 something like 56% for the year.

20 CHAIR EMERY: Yes.

21 MR. DUNN: And, Richard, you have spent a lot of
22 time talking about improving agency process and that's
23 great. And I think that the fact that the agency is
24 functioning more effectively is an important thing.
25 But I'm going to say what I've said many, many, many

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2 times before. The biggest problem you have with your
3 investigations is that more than half of them never get
4 completed. There has got to be some way that you're
5 getting a handle on the fact that more than half of
6 your complainants never end up with a full
7 investigation. I understand some people are going to
8 walk away from investigation and I understand some
9 people change their minds, that's a course right. 56%,
10 that is just a number that's completely unacceptable.

11 The second thing is --

12 CHAIR EMERY: It's very funny. You want to
13 comment on that because I have some views of that. We
14 can state them publicly. There's no reason to not
15 respond. I'm learning a lot more about truncation in
16 the course of this, personally. I don't know what
17 other people think. But the reality is that an awful
18 lot of people have interaction with the police and they
19 complain about them initially and then for an array of
20 reasons, they decide not to go forward.

21 One of the reasons is inexcusable from the CCRB
22 point of view, which is that we don't get in contact
23 with them enough or that the cases take too long.
24 That's really two reasons. Getting in contact with
25 them quickly is something we are focused on and it's

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2 down to the people who get in contact with now, it's
3 within eight and a half days. We're getting in
4 contact when it used to be thirty days. So we're
5 making huge strides in that regard. How long
6 they're taking? You know I've addressed that.
7 We've been trying to shoot for the three or four
8 month so I think -- but truncation is driven largely
9 by factors totally of out of our control, often
10 criminal prosecution, often lawyer's advice, often
11 other peer advice among the people that originally
12 complained. Phone calls and the website are the
13 source of the complaints and then when you actually
14 try and get people to follow up on the complaints,
15 the whole dynamic changes. I'm optimistic about
16 truncation rates coming down, but I'm also -- I
17 don't think I or any of us are going to be as
18 successful as I originally hoped in that regard.

19 MR. DUNN: Well, I don't want you to lower your
20 expectations to quickly, Richard. I'm going to tell
21 you --

22 CHAIR EMERY: I'm not giving up.

23 MR. DUNN: I know your not giving up. As I said,
24 I understand some people walk away, but this is
25 something we've talked about for years and it's

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2 something that you are now addressing. Although every
3 meeting there is an announcement about this and I'm
4 waiting for it to happen which is there is still a huge
5 geographical gulf between where most people are who are
6 complainants, where they have to go to give a
7 statement. I know that you're dealing with that. I
8 know there's a plan to deal with that.

9 CHAIR EMERY: Well, it's more than a plan. The
10 district offices are the first level of that plan.
11 Quite frankly, we are pushing very hard and we're
12 getting by in by the City Council people, but it's
13 slower than I wish.

14 MR. DUNN: I'm looking forward to the ribbon
15 cutting ceremony. I'll be there with you.

16 CHAIR EMERY: Okay. Good. I do think we've
17 already done some district offices so maybe you have to
18 go back and cut ribbons that have already been
19 shredded.

20 MR. DUNN: That's all right. I can re-enact it.
21 The other thing is the Dup Rate. The Dup Rate for the
22 year is 20%. It is better. And for those of you who
23 are new to the game, the Dup rate is the department
24 rate by which they dismiss cases that you have
25 substantiated. They just throw them out. The Dup Rate

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2 historically has been one, two, three, four percent.
3 Six or seven years ago, it shot up to the twenties and
4 then the thirties. It is now back to 21% for the year.
5 That is still a huge number.

6 CHAIR EMERY: Just so that you are optimistic. I
7 think you're going to see soon numbers which we will
8 put out. We're not quite ready to do it that since
9 September, since we actively got involved, in
10 working with the Police Department on coordinating
11 sanctions and getting their respect for our
12 recommendations, the Dup Rate is going to plummet and
13 has plummeted. So there'll be new numbers which will
14 look at the end of the year versus the beginning of the
15 year which are dramatic. You'll see them soon.

16 MR. DUNN: All right. Well, I see the monthly
17 reports. I see what the Dup Rate is on the monthly
18 reports in recent months. I also see those numbers are
19 very, very small and there continues to be an issue
20 with inexplicably some very small number of cases
21 coming back from the department. There was a
22 precipitous drop earlier this year and all of the sudden
23 20 and 30 cases a month turned into six and seven cases
24 a month. So I look forward to seeing that, Richard. I
25 know it's about some of those numbers. My only point

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being that if you look at the year, there's some good things happening, but there also some very troubling things happening and maybe the Board will discuss that at the next monthly meeting when there is an actual formal annual report. I am simply pointing out that you now have year-end statistics in many areas.

Okay. The other thing that I guess subsequently that I wanted to mention though significantly, before I get to that, a couple of things. Richard you have gone back and pointed out two things tonight that I know that you acted on in the last meeting. I apologize, I missed it, but I did watch the video today. You all looked very good, those of you that were here. The mediation, Janette, you mentioned that. I am simply going to restate what we said in our letter and what I said in November when you voted on this, but I'm saying it for the benefit of the new people on the Board and that's primarily you, Debbie, since you were not here then. The agency's continued focus on mediation, I think is a mistake. I feel like you are simply walking away institutionally from doing investigations. I think investigations are the heart and soul of what you do. And Janette, I guess

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2 I should be heartened by your report, but
3 notwithstanding the fact that you made everything
4 mediatable like guns drawn, weapon fired, physical
5 force, people being hit with night sticks, that the
6 number of cases actually going to mediation has gone
7 down. And I will tell you, I am fine with people
8 choosing to do mediation if they want to. I think
9 this agency should be in the business of
10 investigating cases, not mediating them. I look
11 forward to hearing what happens with the numbers as
12 you go forward.

13 The other thing on the DAO referrals, Richard,
14 I saw the discussion last month about this. I
15 understand you want to have more conversation with
16 DAO about why they don't like aspects of your cases.
17 I will simply say that I feel like you've taken a
18 significant step back because for years and years
19 and years this agency was fighting to establish the
20 position where it was responsible for cases. It was
21 the one that was going to pursue the cases. It got
22 the APU. And by opening the door to DAO to take
23 three months to come back to you and say, "No. No.
24 No. We don't like this case." I just feel like it
25 totally sends the wrong signal. We'll see how it

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2 works out, but I feel like that has just
3 fundamentally taken a step in the wrong direction
4 and, you know, we'll see how that works out.

5 The final thing I will say and then I will sit
6 down is that and again, Debbie, I address this in
7 part to you because you are new, but I address it to
8 the entire Board, many of whom are new. We are
9 living in a moment where there is more public
10 discussion about policing than any time I can
11 recall in the 20 years or the 15 years I've been
12 coming to the CCRB. I mean, its a free-for-all out
13 there. And, you know, it's everything from Eric
14 Garner and the aftermath from that. We have a
15 police force that has rebelled over the last month
16 and has ceased engaging in enforcement activity. We
17 have indecisive union. We have the governor coming
18 in. We have the mayor who's in the middle of a lot
19 of controversy about this. We have an Inspector
20 General who just issued a report, that frankly in my
21 view, spends much less time focusing on the Police
22 Department and much more time criticizing the CCRB,
23 which is a mystery to me and I do not understand why
24 that is the case. There are all these things happening
25 and yet the people from the community who may come

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2 to a meeting like this, they don't hear any
3 discussion about the substance of policing. And
4 I've said this many times before and I'm going to
5 say it again. Yes. You guys have an agency to run
6 and there are investigations to be done and there's
7 business to be conducted in running an agency, but
8 you also are the independent agency that reviews
9 policing in New York City. I hope that the meetings
10 in the future -- they're a half an hour longer
11 because people here want to talk about policing.
12 Not just about committees, not just about processes,
13 not just about pods, but about policing. My guess
14 is that many of you are here on the Board because
15 you care about policing and that's something I'd
16 like to hear some more discussion of in the future
17 meetings. Thank you.

18 CHAIR EMERY: Benachuta Zen.

19 MR. ZEN: I just have a really quick question
20 about the CCRB -- does the CCRB have any official
21 comment about the policy recommendations that were made
22 in the chokehold hearing -- in the chokehold report
23 that was released -- I just have them right here. The
24 chokehold report that was released about two days ago.
25 The four policy recommendations were increasing

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2 coordination between the NYPD and CCRB to reconsider
3 and refine disciplinary systems for the improper use of
4 force.

5 Clearly, the CCRB is to add value to the
6 disciplinary process for use of force cases. Its
7 recommendations must be predictable and consistently
8 enforced.

9 Number Two is ensure the Police Commissioner's
10 disciplinary decisions are reasoned, transparent,
11 and in writing. Particularly, when they depart from
12 the recommendations of the CCRB.

13 And then thirdly was expand the Internal
14 Affair Bureau's access to newly filed complaints and
15 substantive information on use of force cases
16 filed with the CCRB. Those are the three.

17 CHAIR EMERY: Well, let me just say that Number
18 Three is inaccurate because the Police Department does
19 have access to the database of the CCRB to view our
20 complaints at any point they want. They can't affect
21 our database, but they can view it. So Number Three, I
22 tried to correct that long ago, but they didn't seem to
23 listen to me.

24 And the other two, I can only speak for myself,
25 I basically agree with the other two, but other

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2 people have to weigh in as to what they think on the
3 Board because the Board hasn't adopted any
4 resolution and the agency, as a group, passed on
5 those particular recommendations. We have our own
6 chokehold report which was issued in October. And
7 quite frankly, my view is that this report is a tiny
8 slice of our report. It says very little more -- we
9 said everything in our report, but this report
10 says -- and even criticized the CCRB itself, for
11 underreporting and under-prosecuting or
12 investigating chokehold allegations. So we are very
13 much aware of -- I think nobody has done the work
14 that the CCRB staff has done, in particular Marcos
15 Soler, and the report that the staff put out more
16 thoroughly on chokeholds than we have. And we
17 continue to work with the Police Department to come
18 up with a viable approach to stemming what we view
19 as a continuing tide of chokehold complaints. And
20 those complaints keep coming to us and there are
21 apparently more this year than there were last year.
22 So we're very much on top of the chokehold issue and
23 we are working as the recommendations articulates
24 with the Police Department to do what we can and
25 what I think will be effective to limit if not

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eliminate chokehold as a mechanism for police restraint.

MR. ZEN: Okay. Thank you.

CHAIR EMERY: There are no other speakers at this time.

MR. O'GRADY: I have one.

CHAIR EMERY: Okay. Our friend.

MR. O'GRADY: I just have some typos. Page 78.

CHAIR EMERY: We should take these down because we always have typos.

MR. O'GRADY: Page 78, line 5. Rita Dumain is not spelled that way. Rita Dumain is spelled R-I-T-A, Rita. Dumain, D-U-M-A-I-N. She's a Bankruptcy Director at 100 Church Street. I'm pretty sure you guys know about that.

Line 7. Rita Dumain is not spelled like that. R-I-T-A, Rita. Dumain, D-U-M-A-I-N. Dumain, Bankruptcy Director.

Line 25. Line 25. Rita Dumain is not spelled like that. She spells it, R-I-T-A, Rita. Dumain, D-U-M-A-I-N.

CHAIR EMERY: That will be corrected throughout.

MR. O'GRADY: You know, that could cause a lot of confusion, you know.

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2 Page 76. Line 20. Page 76, Line 20. The name
3 for this organization was seen in 1953. According
4 to the charter, what I read, I guess it was under
5 Giuliani. I don't know if he's a republican or a
6 democrat. But, it's not name, it's the need. It's
7 N-E-E-D. It's not -- the need for this organization
8 was seen in 1953. A woman citizen reported, she and
9 her husband worked for a military contractor during
10 World War II. That's before my time. The woman
11 reported police officers stopped her husband on the
12 way to work every morning and extort \$2 -- extort
13 \$2 from his lunch money or threaten her husband with
14 a larger ticket.

15 CHAIR EMERY: Thank you.

16 MS. JONES: May I come up to the podium?

17 CHAIR EMERY: Sure. Would you state your name
18 when you come up to the podium, please?

19 MS. JONES: Sure. I would.

20 CHAIR EMERY: Than you so much.

21 MS. JONES: Good evening, everyone.

22 CHAIR EMERY: Good evening.

23 MS. JONES: Hello. My name Shannon Jones,
24 S-H-A-N-N-O-N. Last name Jones, J-O-N-E-S. I would
25 like to just thank the Board for allowing me to address

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2 this evening and then I'll just proceed. I know some
3 of the information has already been stated and covered
4 so this evening I won't double dip the chip.

5 So what seems to be outstanding is. I promised
6 the Board in October that I will take the thorough
7 review of the new statistical models that would be
8 available on the website going forward from
9 October's meeting. You guys remember that? How can
10 you forget a face like this? So I did have an
11 opportunity to do that and have been doing it going
12 forward. But what was very regrettable was there
13 was a hold on that information actually until today.
14 The final quarter was not available until
15 sometime -- the final month was not available on its
16 home page of statistical information until around
17 the afternoon today. So that prevented me from
18 being able to review it and put it in context in
19 order to be participatory. So that's regretful. I
20 would hope going forward that the Board also be able
21 to provide that information in a timely manner to
22 the community.

23 And also another comment with respect to the
24 statistical reporting, again, I said this in
25 October. It's fine for me because I took Advanced

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2 Statistics, but for someone in the community that
3 needs to be able to do what? I want to know about
4 the police officers where I live, where I work or
5 where I frequent. That is not an easy touch in
6 order to be able to contextualize the information.
7 If I live, I'll use my own self as an example. I
8 live within the confines of two Precincts. The
9 Public Service -- the Police Service area 7 and also
10 the 42 Precinct. If I want to know about those
11 Precincts, I have to look at several levels of
12 reporting and statistical numerical data to tell me
13 simple things. How many officers have complaints in
14 my Precinct? How does that fit in with the
15 population, in total? As your reports put it, per
16 10,000.

17 CHAIR EMERY: Ms. Jones, are you aware of our map
18 app that went up on the website?

19 MS. JONES: Yes.

20 CHAIR EMERY: Okay. Good.

21 MS. JONES: It gives a mapping, but you have to
22 look at the map.

23 CHAIR EMERY: Yes.

24 MS. JONES: Then you have to look at the
25 complaints by Precinct data to look at raw numbers.

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2 CHAIR EMERY: That's right.

3 MS. JONES: Right?

4 CHAIR EMERY: Yes.

5 MS. JONES: And then after you do that, you can be
6 on the home page and look at it in its totality. Then
7 you have to look at the monthly statistical report to
8 see if how many substantiated or unsubstantiated claims
9 were made. Then also how many mediations may have
10 taken place in the Precinct. How many APU cases there
11 may have been for that particular month in that
12 Precinct. So now I'm talking about six or seven
13 different places that I need to go to gather a
14 comprehensive picture about where I live, or where I
15 work, or where I am of concern.

16 CHAIR EMERY: I want to urge you, to the extent
17 you're willing, to write us whatever you think is
18 appropriate as to how you think that mapping function
19 ought to work more effectively. We are -- that is a
20 work -- this is the first effort that the CCRB has ever
21 made to have mapping access for the community to the
22 geographic areas of complaints and lots of other
23 information about the complaints and the type of
24 complaints and the like. We want to refine that. We
25 want to make it better and we want to make it

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2 interactive. So if you have ways to think about
3 simplifying it and making it more informative to anyone
4 who wants to use it, I would appreciate, I think
5 everyone would appreciate very much your ideas in that
6 regard.

7 MS. JONES: Right. Now, the IG's report with
8 respect to the chokeholds cases. The reason why it's
9 significant as compared to the 1022 that you guys
10 reported on in October, the reason why it's significant
11 is because those were the substantiated ones. And I
12 guess that's what the community is primarily concerned
13 with. I would like to know or feel as though if I'm
14 abused or believe that I'm abused, by the Police
15 Department, whether it be use of force or abuse of
16 authority, or any type of discourtesy, that's there a
17 possibility for these charges to be substantiated and
18 not only substantiated, the officers be disciplined
19 appropriately by the Commissioner of the New York
20 Police Department. So that's the reason why that ten
21 was so significant.

22 And another reason why it was so significant is
23 as I mentioned before, I live within the confines of
24 the Police Service Areas 7 which is a NYCHA Police
25 Station. And just reading, the Bronx was

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1 significantly mentioned there in terms of the
2 activity that involved those substantiated
3 chokeholds. NYCHA was also involved in those
4 substantiated chokeholds. So what the gentleman
5 from Civil Liberties was talking about is that pith,
6 that tooth, in that the Review Board is evaluating
7 on a on-going basis, not just contextualizing raw
8 data, by saying, "Wait a minute. It looks like
9 these policies and practices of a particular agency,
10 the NYPD, are not necessarily conforming to the
11 communities' needs." I need to be able to know that
12 if I invite a guest to my NYCHA project building,
13 he's not going to be harassed and asked for ID and
14 put in a chokehold and taken down as was
15 substantiated by the Board. Not, you know, any type
16 of outstanding allegation. I'm going by what has
17 already been substantiated. I need to know that
18 that's not going to happen. And God forbid if it
19 does happen, the appropriate officers will be
20 disciplined and that was what the gentleman was
21 speaking about. You guys need some teeth because if
22 you don't have teeth, and you don't grow any going
23 forward, then I will have to view it as a
24 misappropriation of my tax-payer dollars because it
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2 doesn't affect anything. There's a lot of work
3 being done, whether it's with good intent or not,
4 but if DAO is not following any recommendations, if
5 the Commissioner of the Department then dismisses it
6 as fodder, then you guys have a problem. So we need
7 to insure in terms of the community that there's a
8 lobbying done to make sure that your Board has that
9 tooth. So that's significantly important.

10 I want to make sure that I'm not forgetting
11 anything before I step away from the podium, bear
12 with me people so sorry.

13 Okay. Yes. Reviewing the statistical data
14 which I will again say that was only made available
15 today, I do appreciate the fact that the statistical
16 report actually breaks down the number of officers
17 that have numerous complaints. That's something
18 that the community has always been concerned about.
19 A gentleman that was here before in the October
20 meeting spoke about having an outstanding Civilian
21 Review Complaint that at that time was about eight
22 months old and had to enter in a second one dealing
23 with the same individual. Now, how will the
24 community know which Precinct that officer belongs
25 to because if there are two officers with more than

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2 -- with eight complaints just for one year, I want
3 to make sure that's not the person I run into when I
4 step out of my house because apparently whether that
5 was an administrative problem, a training problem, a
6 personal problem, an aggression problem, that's for
7 the appropriate authorities to figure out. I don't
8 want to figure that out the hard way. So that's
9 something that I would be interested in knowing.
10 Obviously, Union prevents us naming those
11 individuals and I wouldn't suggest that that's
12 ridiculous, but are those two officer from PSA 7?
13 Or are they from the 42? Because on that regard, I
14 would have to address the Commanding Officer and
15 say, "Look, you have a problem. Your people under
16 your purview are out of control." So the community
17 needs to be able to have that access to information
18 and I just want to underscore that fact that with
19 the mayoral administration in total. There needs to
20 be more transparency and statistical data that
21 allows the community to interpret it, even a project
22 girl, like me. I need that information.

23 So you guys have a great evening. I appreciate
24 your time. Thank you very much.
25

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2 CHAIR EMERY: Thank you, Ms. Jones.

3 (Applause.)

4 CHAIR EMERY: Next -- sorry. One more?

5 MS. GUDIN: My name is Tatiana Gudin.

6 CHAIR EMERY: From now on when people want to come
7 here, sign up on the list. We have a list for a
8 reason, but go ahead.

9 MS. GUDIN: I spoke to you guys at the last meeting
10 and I just, you know, I know you told me to do certain
11 things and I've done them and I've tried to follow-up.
12 Well, first I have a few questions about your new
13 program with the council, with the District Council
14 persons. Are you guys simply just going to be using
15 their office or are they actually going to be involved
16 in facilitating investigation or --

17 CHAIR EMERY: We're going -- we will use our
18 resources to do the investigation. We can not delegate
19 that to anyone else. That's our responsibility. We
20 will be using their offices, but they will help us
21 arrange meetings with people who want to make
22 complaints there, or who are witnesses or who can't
23 come to 100 Church Street. And quite frankly, we'll be
24 present in those offices, I don't want to put anybody
25 through the burden of coming to 100 Church Street when
it's

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2 much more convenient to do it off-hours or in
3 locations, like District Offices.

4 MS. GUDIN: I mean, it's a great idea. I'm just
5 wondering is it something that's voluntary or every
6 council person will kind of --

7 CHAIR EMERY: No. The council people will have
8 discretion to decide whether they participate or not,
9 but I think many of them are participating.

10 MS. GUDIN: Do you guys have a list at this point?

11 CHAIR EMERY: We will. Brian, we have a couple of
12 people participating already, but I don't think the
13 list is yet complete. It wouldn't be fair to put out
14 the list until everybody is given the opportunity to
15 participate and make a decision.

16 MS. GUDIN: Will you guys have like the same --
17 I'm assuming you have a court at your office,
18 everything is recorded and will you have the same --

19 CHAIR EMERY: Yes. Same procedures.

20 MS. GUDIN: Okay. Like I said, I have five
21 complaints that I filed that are connected to a really,
22 really serious situation which you guys -- that
23 involves corruption. You turned it over to Internal
24 Affairs for covering it up.

25 CHAIR EMERY: We, you know, we gave you a long

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2 time last -- at the last meeting to describe that. I
3 really -- we have a -- we have to have time before 8
4 o'clock when one of our members and we're going to lose
5 our quorum has to be here for the Executive Session so
6 I'm going to limit you to just a couple more minutes
7 and then we have to adjourn the meeting.

8 MS. GUDIN: Okay. So the five complaints that
9 are -- again, you turned it over to Chief of
10 Department, but it is -- you guys initiated the
11 complaints and are involved in because it fits within
12 whatever it is you do. Those complaints are --
13 because again, they are connected to the situation
14 that's being buried. Those complaint are getting
15 bounced around, getting the run around for going on
16 like four months now. And I called the Chief of
17 Department and they said they handed it to this, you
18 know, on and on in a vicious circle. So I mean there's
19 two things. (A) we obviously know why it's happening,
20 but more importantly, the fact that it is happening
21 that can kind of -- I'm just surprised that somebody's
22 not looking into it to make sure that it doesn't happen
23 in the future with other, you know, because the
24 inefficiencies of --

25 CHAIR EMERY: This is really an issue for the

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2 Inspector General. This is really an issue about --
3 because the Inspector General has jurisdiction over
4 areas that we don't have jurisdiction on. We only have
5 jurisdiction over complaints involving force, abuse of
6 authority, discourtesy, and offensive language. We do
7 not have jurisdiction over other types of complaints
8 and the police response to it. This is exactly what
9 the Office of the Inspector General should be
10 investigating, if there's any substance to it.

11 MS. GUDIN: There's quite a bit of substance to
12 it.

13 CHAIR EMERY: That's where you should be going to
14 voice your complaint.

15 MS. GUDIN: I already have. They're not -- you
16 know, again, I just explained to you, well, last time.
17 It involves some really, really high up people so
18 they're, you know.

19 CHAIR EMERY: They're being careful. they're
20 supposed to be careful.

21 MS. GUDIN: Yeah. So the question I have for you
22 is -- so again, this procedural -- like is there any
23 way that I can have somebody follow up on the five
24 complaints that you guys did initiate and turned over?
25 Because what's the point of turning it over to them if

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2 they --

3 CHAIR EMERY: Well, let me just say, Dennis
4 McCormick is here. We will look into your complaints
5 and we will determine whether they were handled
6 properly in the referral process.

7 MS. GUDIN: They weren't handled at all. You guys
8 did your job. You know what I am saying?

9 CHAIR EMERY: I understand.

10 MS. GUDIN: But the problem is you guys did your
11 job, you turned it over. When they disappeared off the
12 face of the earth, you resubmitted them, but again --

13 CHAIR EMERY: We just don't have jurisdiction over
14 it beyond that. If we turn it over and it's properly
15 turned over, we have nothing to say about what happens
16 thereafter.

17 MS. GUDIN: I have a question for you about when
18 you said you guys can prosecute officers in certain
19 instances. Is that only in excessive -- like
20 criminally prosecute?

21 CHAIR EMERY: Only within the jurisdiction I just
22 described. We have to stop now. I appreciate very
23 much your participation, but this is out of our wheel
24 house, as they say. Thank you very much.

25 Next month we have a meeting -- the date of the

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2 meeting is?

3 BISHOP TAYLOR: It says here Wednesday. February
4 the --

5 MS. CORTES-GOMEZ: The 11th.

6 CHAIR EMERY: February the 11th. Sorry. February
7 11th, Wednesday, in Long Island City at the Jacob Riis
8 Neighborhood Settlement House. And please come and
9 attend. Is there a motion to go into Executive
10 Session?

11 BISHOP TAYLOR: Yes. I make a motion.

12 MS. CORTES-GOMEZ: I second it.

13 CHAIR EMERY: All in favor?

14 (All agree.)

15 CHAIR EMERY: Any opposed?

16 (No response.)

17 CHAIR EMERY: Okay. Right. This meeting is
18 adjourned and we'll move into Executive Session. Thank
19 you very much for attending.

20 (Time noted: 7:50 p.m.)

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

STATE OF NEW YORK)
) ss.
COUNTY OF WESTCHESTER)

I, MARGARET PRENDERGAST, Court Reporter and
Notary Public within and for the County of Westchester,
State of New York, do hereby certify:

That I reported the proceedings that are
hereinbefore set forth, and that such transcript is a
true and accurate record of said proceedings.

AND, 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 26th day of January, 2015.

MARGARET PRENDERGAST

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