

Civilian Complaint Review Board-Draft
November 16, 2015

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CIVILIAN COMPLAINT REVIEW BOARD

PUBLIC MEETING

November 16, 2015

6:30 p.m.

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City College
160 Convent Avenue
Shepard Hall, Room 250
New York, New York

B E F O R E:

RICHARD D. EMERY, ESQ., CHAIRPERSON

MINA Q. MALIK, ESQ., EXECUTIVE DIRECTOR

Reported By:

Therese L. Sturges

PUBLIC MEETING AGENDA:

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1. Call to Order
2. Adoption of Minutes
3. Report from the Chair
4. Public Comment
5. Report from the Executive Director

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* Monthly Report

PUBLIC MEETING AGENDA (Continued)

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6. Committee Reports

* Mediation Report

* Outreach Report

7. Old Business

8. New Business

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BOARD MEMBERS PRESENT:

Richard D. Emery, Esq., Chairperson

Lindsay Eason, Commissioner

Youngik Yoon, Esq., Commissioner

Salvatore F. Carcaterra, Commissioner

Janette Cortes-Gomez, Esq., Commissioner

Deborah L. Zoland, Esq., Commissioner

Deborah N. Archer, Esq., Commissioner

I. Bennett Capers, Esq., Commissioner

Joseph Puma, Commissioner

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Mina Q. Malik, Esq., Executive Director

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CHAIR EMERY: So let's call to order the November meeting of the CCRB.

First order of business is adoption of the minutes. Anybody want to move the minutes from the October meeting?

COMM. ARCHER: I move.

CHAIR EMERY: Any second?

COMM. PUMA: Second.

CHAIR EMERY: Any opposed?

(No response.)

CHAIR EMERY: All in favor?

(Board Members indicate by raised hands.)

CHAIR EMERY: The minutes are adopted.

I do not -- there's a listed Report of the Chair here tonight. The only thing that I wanted to comment on or, actually, ask for Board comments on is a draft memo. Well, a draft memo that was distributed about -- well, where is it now? It's in this material. We had it before, but we're just -- it's a draft memo on the outcomes. It's in

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2 executive -- oh, here, right.

3 Okay. It's actually in the
4 Executive Session Report, but I just
5 wanted to see whether anybody wanted to
6 discuss what my recollection was, that Joe
7 asked and Sal has asked several times
8 since, with respect to a beginning of a
9 look at our analysis of why panels do what
10 they do in the way of penalty. Not --
11 substantiation is not the issue here. The
12 issue is what factors go into what
13 penalties we decide as panels and whether
14 different panels, depending on the makeup,
15 vary, which is one thing we haven't looked
16 at.

17 So this very early processed
18 memo was distributed early today and I
19 know that people haven't had a lot of time
20 to look at it. We had e-mail troubles
21 over the weekend. So you would've
22 ordinarily gotten stuff on Friday before
23 the weekend, but there was a whole bunch
24 of difficulties in getting everything
25 together and I think we all apologize for

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that. But the real issue is whether we want to have any discussion on this; how far do you want to go on this; do we want to look at this; are people interested in this; and an analysis of how the CCRB panels operate.

Are we missing somebody? Oh, Janette. No, Janette's here. Who's missing? Oh, there's Bennett. Okay. He's here.

Sal, this is something you brought up. Are we...

COMM. CARCATERRA: Yeah, it wasn't -- and we just had a recent case. So, basically, we have a substantiation and we've had where -- well, I'll say, we're, kind of, all over the page with as far as what the discipline should be recommended, anywhere from formalized training to charges, so I just thought maybe we could tighten that up somewhat. I understand, you know, there are many factors that come in to the discipline in a case that we should look at, whether

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it's the record of the officer, whether it's the record of the complainant's alleged victim, if it's a forced case, what kind of force they used against the officer. There's many issues.

However, that aside, I think if you looked overall at the various panels -- and we looked at certain circumstances -- I think we would find that we're going to see, I think, too much of a variation in what the recommended discipline is. And I'd just kind of like to -- and we've had it with some of the panel members I've been on with and I think, maybe, that could be a little helpful, maybe just to tighten it up somewhat, so...

CHAIR EMERY: Well, I think knowledge is power in this context, right? So the first thing we have to do is analyze what we do --

COMM. CARCATERRA: Right.

CHAIR EMERY: -- and see if we can isolate some of the factors behind our

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2 decisions, whether that's for individuals,
3 combinations of individuals, or, you know,
4 more generally, and I don't think we know
5 yet enough. This memorandum explores some
6 of those issues, and, I guess, the only
7 questions I have for the Board is whether
8 we want to pursue this a little further.

9 I think Sal's goal is to have something in
10 the nature of a matrix. Nothing binding,
11 but a matrix of guidelines for the factors
12 that might go into various penalties.

13 COMM. CARCATERRA: Yeah. I --
14 and, again, anybody who wasn't there,
15 we've had a few cases where I would think
16 if you'd look at them throughout the City
17 and different police officers and we say,
18 Okay, we substantiate this case. However,
19 one panel may say, Okay, I think this is
20 an A, reformed training, and somebody
21 else would say, No, I believe this is just
22 a charges case right off the bat. And a
23 charges case is a serious case and that's
24 where it should be utilized for. And I
25 say that because I think you kind of water

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down the Board and what we're trying to do if, A, you underutilize it when it's supposed to be, but more if you over utilize it when it kind of -- it becomes white noise, so to speak.

That's what my fear is, where -- I don't know if anybody has any thoughts, but I think maybe we could tighten that up a bit.

CHAIR EMERY: Anybody else have thoughts about this issue?

(No response.)

CHAIR EMERY: The one other thing I would add to it, Sal, because I agree with your basic desire to have more coherence about what we do, it's been my suspicion -- and I'm hoping that the policy department will pursue this. I think they will and look at this, and we're asking them to. It's been my suspicion that when we vote charges, the end result over at the Police Department is less discipline than when we vote CDs. And as a result -- and I don't know if

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this is true or not, and I want this explored because, quite frankly, that would be a little bit Alice-in-Wonderland-like and it would mean probably that we're not getting agreement on our charges cases.

You're saying almost as much when you were just saying in your last comment, and that worries me because, if we're voting too many cases with charges and they're being diluted either by plea agreements or by acquittals or by the Police Commissioner reducing the penalty to a level which is at the CD level or less, or low CD levels, we're not really using the charges disposition very effectively. And I think that's what you're saying in a way.

COMM. CARCATERRA: Right. That's kind of my fear in that if you go to that level too often and where in certain cases it shouldn't rise to that level, and that's, I think, what you're seeing. I think we need a little more

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2 information to look into that.

3 CHAIR EMERY: Right. It takes a
4 bit of information, some of which we are
5 starved for, to put it bluntly, and that
6 is what has happened over at the PD. We
7 are -- and we did look at this and we're
8 getting very, very little information back
9 over the last year. Just so you are
10 aware, in our CD cases, the preliminary
11 results are that we have not received back
12 from the PD 80 percent of the
13 substantiations we've sent over as CDs and
14 formalized training, actually. So in
15 order to do this analysis, we're going to
16 have to get more information back too.

17 So it's a complicated problem,
18 but I really do agree with you that we
19 should explore it, and I'm concerned that
20 our whole penalty matrix is not calibrated
21 to have the affect it's intended to have
22 when we vote the penalties in panels. But
23 that's an aspect of what you're saying.
24 You're saying what we should do in the
25 first place, that's one thing, and then

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the second thing is what actually happens and whether we're accomplishing the mission of meting out discipline which is fair and reasonable and predictable.

COMM. CARCATERRA: Right.

CHAIR EMERY: Yeah. So, I do think this is a very interesting and deep problem.

Debbie, you want to...

COMM. ZOLAND: I do. I think it is an interesting problem, but I think that I would frame the question just slightly different. I'm not sure if it makes that much difference, but the issue is what factors, once we've found the conduct to be substantiated, should we consider when determining the penalty as opposed to, like, these are -- so it's not like influences. We've already made determination that a conduct has been substantiated. Then what else do we look at?

And I think the biggest thing that probably is not here is precedent,

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like what we've voted in similar cases over time, and then the softening or hardening of the recommendation based on the officer's history within the Department, which most of these can go into.

CHAIR EMERY: Mm-hmm.

COMM. ZOLAND: So I think that it's a good beginning, but I think that if we really need some kind of -- although I wouldn't call it a matrix. I would call it, like, precedent and guidance as to what things should be considered and what we've done in the past. And very often since the panels meet separately, we may or may not know. Although, we do have rotating panels, so we get -- but I have seen, also, cases where it seems similar but we've voted differently.

So is it, you know -- and it could be just the way -- and it should be that way because although the conduct looks similar, nothing else was similar regarding the officer or the circumstance.

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So I think this is a tough nut, but I think it's a good start.

CHAIR EMERY: Right. And so, you know, we'll look to Mina and Robia and the policy unit to try and develop this and think about the best ways to mine the data, also to get the data from PD because that's important too, because I do think it's not only what we do, it's what actually takes hold that counts, and we should be taking that into account for what we do. So there's kind of a -- it's a two-way street here. We want to influence what the PD does, but we are bound by what the PD does in that anyway. So we want to make sure that it's a viable approach in our recommendations.

COMM. PUMA: May I ask a question about this?

CHAIR EMERY: Yes, please. Please.

COMM. PUMA: As far as -- I forget what the latest statistic is regarding the concurrence of -- the rate

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of concurrence of the PD when it comes to our recommendations of discipline. Is that something that either somebody on the staff has readily accessible? I'm just -- as part of this discussion, I think that that is an important thing too.

CHAIR EMERY: Well, we have it in the Executive Director's report --

COMM. PUMA: Okay.

CHAIR EMERY: -- that, to date, as I said before, we have a lot of cases missing over the past year, as it turns out. So I'm not, you know, it's interesting. I mean, what we do know is that it's over 90 percent when you take all into account, but that's for what we know has come back. But this project, it's kind of like an internal checklist that I think is a good thing to develop.

Just let me say one more thing about the rotating panels. I think it's incredibly healthy and it's been, at least, great from my point of view to serve with different people on panels.

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It's been really worthwhile. I also wish that I could serve with my mayoral -- fellow mayoral appointees in some of the panels. You know, I think it's -- I think the principle that a police commissioner representative is on each panel is a very good one. I'm not sure if it makes that much difference whether it's a mayoral or City Council appointee that is on each panel. I do think it makes a difference that there's a police commissioner appointee on each panel because of the experience that he or she brings to it. This is just my own feelings -- I would love to hear other people's views -- but I think it would be great to think about being able to have a mixture of panels perhaps with two mayorals on one panel and a police commissioner, or two City Council people on one panel with a police commissioner appointee, as opposed to just having one from each, which is what we are doing now. I put it out there because our rules do not prohibit it. They recommend

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that we have one from each appointing authority, and I think the Board could take it upon itself if it wanted to mix this up even a little more than it's mixed up now. And I just put that out there for you to think about. I don't want to try and bring it up for a vote or anything tonight, but I do think that it would be an interesting idea or an interesting experiment for us to -- and maybe this could be informed by more of what is going to come out the policy unit's analysis of the way panels operate now, but it seems to me that if -- it would be a good thing if there could be even a little bit more mix without diluting the issue of police commissioners representatives on each panel.

Okay. I don't have anything more from -- well, the report from the Chair. Let's -- should we take public comment now?

EXECUTIVE DIRECTOR MALIK: Sure.

CHAIR EMERY: We only have one

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person tonight, Grady -- Mr. O'Grady from
the -- who -- come forward, Mr. O'Grady,
and we'll take your comment and then we'll
move on to the Executive Director's
report.

MR. O'GRADY: There are typos
from the statements of last month.
However, the certiorari challenge, the
attorney, my attorney, he directed me to
e-mail him the information given to me by
66 John Street, but the printer I chose to
e-mail him -- he was just about to go on
Rosh Hashanah -- and he owned the shop.
He owned the printing shop, but evidently,
he didn't know how to operate the machine
because he hit the wrong button and he
told me that the e-mail was sent and the
attorney said it was not sent. So the
attorney told me to send the certiorari
challenge to him by United States mail.
And I thought that the Board should see
the stuff that 66 John Street gave me. I
don't know if you could make a copy and
send my --

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CHAIR EMERY: Sure.

Brian, could you take a copy of what Mr. O'Grady is offering --

MR. O'GRADY: For the Board.

CHAIR EMERY: -- and see if -- make arrangements to get back the original to him and make copies tomorrow at the office for the Board, or you can actually scan it and e-mail it.

MR. CONNELL: Okay.

CHAIR EMERY: All right?

MR. CONNELL: Yeah, sure.

CHAIR EMERY: And then give him back the original. Get him back the original.

MR. O'GRADY: You can't do that tonight, can you?

CHAIR EMERY: I don't think we can scan it here; we don't have the capability to do that.

MR. O'GRADY: Oh.

CHAIR EMERY: But, is that all right? Can we --

MR. O'GRADY: No, no. I have a

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post office box.

CHAIR EMERY: Okay, good. As long as he can get it back to you.

MR. O'GRADY: Yeah, yeah.

CHAIR EMERY: All right.

MR. O'GRADY: So about the typos, page 34. Page 34, line 17: The word is P-R-O-D-S, "wooden prods." Line 12: "HPD payee," P-A-Y-E-E, "payee contractor." Line 20: "Seventh Avenue," that's Powell, P-O-W-E-L-L, Boulevard; and also line 22: Powell, P-O-W-E-L-L, Boulevard. The politicians changed the name from Seventh Avenue to Powell Boulevard.

I guess it would be line 35 -- page 35, line 18. No. Actually, it's line 17: "Responsible for bringing black Americans out of the Republican Party." I don't know, maybe it was throwing them out, but I don't think I said "throwing them out." They were brought out by -- they were attracted out by Franklin Delano Roosevelt. This is what I was told by the

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people in the 28th Precinct.

Page 36, line 7: "All Negro trial jury." She said P-R-O-U-D, it should be T-R-I-A-L, "trial jury." Line 15, "right behind the judge's chair." It's 15 -- I guess, 15 and 16, "behind the judge's chair."

CHAIR EMERY: Mr. O'Grady, I have a suggestion.

Thank you very much.

I have a suggestion. You are just, you know, you are terrific at fixing these minutes every meeting. I think the best way for us to do this in the future, which I encourage you to do, is to make the corrections in writing on the minutes that you get and submit them to us and then we'll make the corrections. So you don't have to go through them one by one, unless you really want to; it's up to you.

MR. O'GRADY: Yeah, but --

CHAIR EMERY: If there's a point to be made, if you want to talk about some specific point, then you're welcome to do

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that. But if it's just a question of the typos, maybe the thing to do is write them in and just give us the document.

MR. O'GRADY: Yeah. Well, you know, as I mentioned, Commissioner Kuntz, he said that he disagreed that I should stop speaking to the Board. One of the Commissioners, former Commissioner, had told me that it wasn't necessary that I stop -- that I continue speaking to the Board, but Commissioner Kuntz said, he told me -- I saw him recently in Brooklyn. He lives in Brooklyn, you know?

CHAIR EMERY: Yeah, I know.

MR. O'GRADY: And Commissioner Kuntz said he wished he hadn't heard Commissioner Gonzalez tell me to stop speaking to the Board.

CHAIR EMERY: Listen, you have an absolute right to come in here and speak to the Board, I'm not trying to stop that in any way. I'm just saying that, with respect to the typos, we can handle them better if you put it in writing and

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submit it to us. Anything else you want to say, you're welcome to come up and talk.

MR. O'GRADY: You know, a typo can, you know, be a lot of misleading stuff.

CHAIR EMERY: Of course, and that's why we're happy to correct them.

Thank you very much.

MR. O'GRADY: Okay.

Thank you.

CHAIR EMERY: We just got another submission. Ayisha Irfan, if you would come to the podium. We're trying to limit comments to about five minutes at most. Thank you.

MS. IRFAN: That's all right. I'll take thirty seconds.

CHAIR EMERY: Take your time. Thank you.

MS. IRFAN: All right. Thank you so much for having me. I just briefly wanted to introduce myself. My name is Ayisha. I am a policy analyst with the

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Manhattan Borough President's office. She sends her hello to the Chair and the Executive Director. She really wanted to share what a fantastic job she thinks the CCRB is doing in substantiating claims of abuse and thinks that this is really how we move forward with improving police-community relations.

I have cards. I'll be sitting there. Anyone in the audience, you want to talk about, kind of, ideas moving forward, legislative ideas, ideas for the CCRB, I'm here.

CHAIR EMERY: Well, Ayisha, let me say one thing.

MS. IRFAN: Sure.

CHAIR EMERY: I read the report that Gale Brewer, Norman Siegel and others did about police-community relations after the many hearings that you held.

MS. IRFAN: Yes.

CHAIR EMERY: First of all, are you by any chance the person who wrote the draft of that report?

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MS. IRFAN: I helped edit and distribute. And we also wrote an accompanying letter, and so I'm happy to share the -- I have one copy of the report. I'm happy to share a link of the report, and specifically, our letter. So our letter was more of a summation of specifically the Manhattan hearings that we held and our specific recommendations pulled out from the Brooklyn --

CHAIR EMERY: I just wanted you to tell Gale when you see her that I thought that report was superb. It's really well written and really well thought out and there are a lot of very impressive suggestions and ideas in that report that are worth...

I think the policy -- I meant to mention this before -- that the policy unit ought to look at it, if you haven't already, because it's got some very creative and interesting ideas in it and it's a very lengthy -- it's a big, voluminous piece of work and it took a lot

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of doing.

MS. IRFAN: Yeah.

CHAIR EMERY: And so -- and I must say I was very impressed by it.

MS. IRFAN: Thank you so much.

CHAIR EMERY: And so, I think it's worth us incorporating it into our thinking and the work we're doing.

MS. IRFAN: Awesome.

And we're meeting with the Commissioner the next week or so to follow up on the report; happy to share our updates as they come.

CHAIR EMERY: Great. Thank you very much.

Okay. Just first, before the Executive Director's report, I wanted to thank everybody for being here. This is the full complement of the Board these days. We're missing a few people on this board and I'm working very hard to get appointments, but it is like beating my head against the wall. I don't know why it's so difficult to get appointing

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authorities to get the work -- get this done, but it is extremely hard. And so, all of us have to work that much harder with the number of cases that are coming about.

But I can say, and Nina Mickens is here to confirm it, I hope -- yeah, there she is -- that we are keeping up with the investigations that result in closing reports, and that's what is important to me. You know, we keep our -- pretty close to our three-week schedule after our panels populate and we are doing that and there are no closing reports that are sitting by backing up. So even with a short-handed composition of the Board we're doing okay, but I certainly would like us to get relief. But thank you all very much for being here and thanks a lot for all the hard work.

The Executive Director's report.

EXECUTIVE DIRECTOR MALIK: Good evening, ladies and gentlemen. My name is Mina Malik and I am the Executive Director

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of the Civilian Complaint Review Board.

I would first like to thank David Covington, Director of the Office of Events Management, and Matthew Albanese, Manager of Events at the City College of New York, for assisting us in being here tonight, as well as Athena Moore from Manhattan Borough President Gale Brewer's office. Please note that the next Board meeting on December 9th will be held at the Staten Island Museum, which is located at 75 Stuyvesant Place in Staten Island.

I will discuss matters pertaining to the operations of our agency and provide you with highlights from our monthly statistical report. For a full review of the Agency's monthly statistics, please visit our website.

Year-to-date, civilian complaints against the police have decreased by 11 percent. From January through October 2015, the CCRB received 3,759 complaints compared to 4,200 complaints for the same time period in

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2 2014.

3 By category of allegation,
4 year-to-date discourtesy complaints have
5 decreased by 21 percent, force complaints
6 by 16 percent, offensive language
7 complaints by 16 percent and abuse of
8 authority complaints by 9 percent. From
9 January through October of 2015 the Agency
10 has received a monthly average of 376
11 complaints compared to an average of 420
12 complaints per month for the same time
13 period last year. In October the CCRB
14 opened 466 new cases, up from 406 in
15 September and up from 343 in October of
16 last year, yet complaints are down 11
17 percent year-to-date 2015 from the same
18 period in 2014.

19 In October, the CCRB's total
20 open docket was 1,261 cases. By the end
21 of October 698 of those cases were in the
22 investigations unit, representing
23 55 percent of the total, up from 659 in
24 September. And there's actually a
25 PowerPoint presentation -- I direct all of

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you to your right -- regarding the open docket. Of the total docket, 367 cases were pending a Board and/or Executive Staff review, representing 29 percent, which was down from 370 cases pending review in September.

The mediation program, handled by Lisa, handled 186 cases, representing 15 percent of the open docket, up from 170 cases in September. There were an additional 10 cases on D.A. hold in October. The October 2015 docket includes 12 reopened cases; 7 of them are active investigations and 5 are pending Board review.

The CCRB continues to close its cases more efficiently. Of the cases that remain in the CCRB active docket, 93 percent have been open for four months or less and a record 99 percent have been open for seven months or less, both higher than last month's agency records, continuing the trend from September. These docket numbers continue to be the

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best dockets numbers since the creation of this office as an independent agency from the New York City Police Department.

Investigators closed 1,849 full investigations from January through October of this year compared to 1,466 for the same period last year and resulting in 26 percent more full investigations. Year-to-date, the average days to close a full investigation has decreased by 22 percent from 2014, before the reforms, to 2015.

In October of this year, the CCRB fully investigated 38 percent of the cases it closed and resolved 47 percent of the cases it closed. The Agency continues to face the challenge of truncations, with a rate of 49 percent for the month of October.

I would like to highlight a few other key elements and statistics for this month, for the month of October. The October 2015 case substantiation rate of 28 percent is the second highest in CCRB

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2 history. This is unprecedented. October
3 marks the seventh straight month that the
4 CCRB has substantiated more than
5 20 percent of its cases that it fully
6 investigates. The CCRB also substantiated
7 17 percent of its allegations, which is
8 also one of the highest percentages in
9 CCRB history.

10 With regard to fully
11 investigated allegation in October, the
12 Board substantiated 7 percent of force
13 allegations, 24 percent of abuse of
14 authority allegations, 13 percent of
15 discourtesy allegations and no offensive
16 language allegations. Investigations
17 using video evidence substantiated
18 allegations in 48 percent of the cases
19 compared to 18 percent of substantiated
20 allegations in which video was not
21 available.

22 In October, the discipline rate
23 was 91 percent for 22 cases in which
24 police misconduct was substantiated by
25 this board and sent to the Police

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1 Department Advocate's office with penalty
2 recommendations. The Department
3 decline-to-prosecute rate for this time
4 period was 9 percent. In October, the PC
5 finalized verdicts against 16 officers,
6 eight of these were guilty verdicts, one
7 by the CCRB's Administrative Prosecution
8 Unit, which prosecutes the most serious
9 allegations of misconduct. The APU has
10 conducted trials against 101 respondent
11 officers year-to-date and trials against
12 three respondent officers in the month of
13 October.
14

15 Finally, we've added new
16 features to the monthly report and it
17 continues to progress. Each month the
18 report will now feature case abstracts of
19 four complaints closed in the prior month
20 that serve as examples of what the
21 different CCRB dispositions mean in
22 practice: Substantiated, unsubstantiated,
23 exonerated, unfounded and officer
24 unidentified. The abstracts can be found
25 on pages 13 and 14 of this month's report.

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And in addition, the report now provides information on truncated and mediated cases by both complaint and allegation.

CHAIR EMERY: Okay, great.

Pretty darned good news, I would say. The only interesting -- the only, sort of, blip in terrific performance in some ways -- that has nothing to do with our performance -- is the fact that complaints are up compared to last year this month, but I'm not sure that means very much unless you look at the whole thing. And overall, complaints are down 11 percent. So it's an interesting dichotomy and we'll have to just sort of watch these trends.

Oh, someone else wanted to speak?

EXECUTIVE DIRECTOR MALIK: Yes.

CHAIR EMERY: Well, do we mind taking somebody out of order who wants to speak who's put in their matter late?

(No response.)

CHAIR EMERY: All right.

We're going to limit -- it's

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Najieb Isaac.

Please come up and speak. Let's
limit it to five minutes if possible.
Thank you.

MS. ISAAC: Somebody short was
here (adjusting microphone).

My name is Najieb Isaac and I'm
from the group Bronxites for NYPD
Accountability. You're used to speaking
to my colleague, Shannon Jones; she'll be
here shortly. But this is the first time
that I've spoken before the Board.

I've reviewed the videos in
previous Board public meetings and I see
that pretty much nothing has changed from
the beginning to now, so as a fellow
Bronxite and also someone who is a sworn
law enforcement officer, I'd like to
express my displeasure at the lack of
transparency by the Board.

I'd also like to express that
we're called Bronxites for NYPD
Accountability, and accountability and
transparency is very important in gaining

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2 the trust of the public. And presently
3 I'm not here as a LEO, law enforcement
4 officer, I'm here as a citizen. I'm here
5 as a New Yorker. And I'm here to say that
6 the lack of teeth that this board doesn't
7 have is why the City doesn't believe in
8 you. Week after week Ms. Jones has made
9 herself available, going over the stats,
10 exhaustive stats that I'm sure even some
11 of you are tired of reading, and cutting
12 up.

13 We're at the point in New York
14 City where the NYPD is engaging in very
15 deliberate tactics of oppressive behavior
16 towards black and Latino people and other
17 "minorities." We have seen video after
18 video of NYPD officers engaging in
19 improper conduct, from verbal threats to
20 people who participate in protests,
21 peaceful protests which are our right, to
22 out and out attacks physically.

23 The 47, which is where I live,
24 is one of those precincts where there's an
25 increase in CCRB complaints. I'm sorry

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for my lateness, but I went through some of the stats and on your Outreach. I noticed there's no Outreach in the 47. No Outreach in the 47. None. So how do you know that there's an increase in an area and you refuse to address it by giving those people a voice?

I talk to the young people all the time, and pardon my language, there's a reason why they say "F- the police." They don't believe that the Board, even though it's been saying, Oh, well, we're separate and, you know, the APU, most of your cases don't reach APU. And when they do, who knows which cases those are. Coming up this month there's a use of force case from the 47. Does that family or the supporters of that family or the person involved in that case know, Okay, this is a case that we need to show up to in order to offer support?

Also, I have an issue with these APU trials taking place at One Police Plaza. Why are APU trials taking place at

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One Police Plaza? If this is supposed to be something where the people have to feel comfortable to come forth and express their displeasure with NYPD, the last place they're gonna go is One Police Plaza. I feel as though that's a psychological form of intimidation, and I really would think that the CCRB Board would've taken that into consideration when setting up how they do business.

So once again, accountability, what is the time frame in which we'll see a change in where these APU trials are located? Is it something that you've even thought about? The same way you go from borough to borough in order to give people opportunities to come out -- and I travel borough to borough; some people don't have the luxury of doing that, but I make it my business to do so. Maybe you need to talk about community forums in which to hold the APU trials, because it's very inappropriate that they're taking place at One Police Plaza, and you're talking to

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2 somebody who's from -- in law enforcement.
3 It's not. I'm very aware of what LEOs do
4 in order to put intimidation on citizens.
5 I'm very aware of it and so are you, where
6 some of you have -- having very close ties
7 to the NYPD, but Ms. Jones has covered
8 that in previous meetings.

9 So, once again, I'm going to put
10 on the record, I'm making a formal
11 request, at least for the people in my
12 precinct, the 47 in the Bronx, that we
13 want a change of venue in the APU trials.
14 We would like to see a tracking number in
15 order for us to track these officers who
16 have sometimes multiple complaints against
17 them. Multiple. The same number for the
18 same officer, just like their tax ID
19 number. We don't want people who have
20 been cracking people over the skull in Bed
21 Stuy, East New York, Brownsville, we don't
22 want them in the 47. I don't want them
23 anywhere in New York City. But at least,
24 if y'all don't have the balls to request
25 that they're fired, we need to track these

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people.

CHAIR EMERY: Ms. Isaac, your
time is up.

MS. ISAAC: Thank you.

CHAIR EMERY: Thank you very
much.

The committee reports, any
report from -- actually, Bishop's not
here. What am I saying? Where is Bishop
Taylor? I was wrong about everyone being
here, I apologize.

The mediation report, any report
from mediation?

COMM. CORTES-GOMEZ: I believe
we heard from Ms. Malik in terms of the
mediation report.

CHAIR EMERY: Okay. Great.
Outreach report. That's usually
Bishop Taylor.

COMM. CORTES-GOMEZ: Bishop,
yes.

CHAIR EMERY: And we heard also
about -- we have, actually, stats in the
materials about Outreach.

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Is that also publicly
distributed?

EXECUTIVE DIRECTOR MALIK: Yes.

CHAIR EMERY: Yeah. So the
public -- there's been a public
distribution on the Outreach events by
month as Ms. Isaac approved of them, and
that will continue. The Outreach Unit has
expanded in a lot of public activities,
but we heard you and we'll work on that.

Old business. New business.
Anything else? Because I think we have
covered everything except for Executive
Session.

(No response.)

CHAIR EMERY: Okay.

Motion to go into Executive
Session?

COMM. CORTES-GOMEZ: I motion.

CHAIR EMERY: Second?

COMM. EASON: (Indicates by
raised hand.)

CHAIR EMERY: All in favor?

(Chorus of ayes ad raised

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hands.)

CHAIR EMERY: All right.

Meeting is adjourned. We're going to go
into Executive Session.

Thank you.

(Time noted: 7:19 p.m.)

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