Public Board Meeting
Of the Civilian Complaint Review Board
Wednesday, May 11, 2016
7:00 p.m.
1000 Richmond Terrace
Staten Island, New York 10301

DEBORAH N. ARCHER, ESQ., ACTING CHAIR
MINA Q. MALIK, ESQ., EXECUTIVE DIRECTOR

PUBLIC MEETING AGENDA:

1. Call to Order
2. Adoption of Minutes
3. Report from the Executive Director
   Monthly Report
4. Assembly Member Dan Quart
5. Committee Reports
   Outreach Report
6. Public Comment
7. Old Business
8. New Business

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BOARD MEMBERS PRESENT:

Deborah N. Archer, Esq., Acting Chair
Bishop Mitchell G. Taylor
Youngik Yoon, Esq.
Lindsay Eason
Joseph A. Puma
Salvatore F. Carcaterra
Janette Cortes-Gomes, Esq.

Mina Q. Malik, Esq., Executive Director
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CHAIR ARCHER: Good evening, everyone. I'm Deborah Archer, the Acting Director of the CCRB, and I want to call to order the May 11th Board Meeting. We're going to start with an adoption of the minutes.

Can I have a motion to adopt the minutes?

BISHOP TAYLOR: I'll make a motion.

CHAIR ARCHER: Any seconds?

MR. PUMA: I second.

CHAIR ARCHER: Thank you.

All in favor?

(Chorus of Ayes.)

CHAIR ARCHER: Opposed?

(No response.)

CHAIR ARCHER: Abstentions?

MS. CORTES-GOMEZ: I'll abstain because I wasn't there.

CHAIR ARCHER: So the minutes are passed. And then we're going to hear from the Executive Director, Mina Malik.

MS. MALIK: Thank you.

Good evening. My name is Mina Malik.
and I'm the Executive Director of the
Civilian Complaint Review Board. I would
like to thank Renee Bushelle, the Manager of
Visitor Services at the Staten Island
Museum for assisting us in being here
tonight. Please note that the next meeting
will take place on Wednesday, June 8th, and
will also be located at the CCRB office at
100 Church Street.

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.

In figure number one, in April
2016, the CCRB initiated 381 new
complaints, which reflects a decrease from
453 in March. With regard to complaints
received by type of allegation, comparing
April, 2015 to April, 2016, complaints with
a discourtesy allegation have decreased by
35 percent; complaints with an offensive
language allegation have decreased by 6
percent; complaints with an abusive authority allegation have decreased by 2 percent; and complaints with a force allegation have decreased by 7 percent.

With respect to figure two on the screen, in April, the CCRB's total open docket was 1,080 cases. By the end of April, 652 of these cases were in the Investigations Division representing 60 percent of the total, up from 618 in March, 2016. Of the total docket, 302 cases were pending Board and/or Executive Staff review representing 28 percent, up from 284 cases pending review in March. The mediation program handled 108 cases representing 10 percent of the open docket, down from 130 cases in March. There were an additional 18 cases on DA hold in April. The April, 2016 docket includes 12 reopened cases, 8 of these cases are active investigations and 4 are currently pending Board review.

The CCRB continues to close its cases more efficiently. Of the cases that
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remain in the CCRB active docket,
95 percent have been open for four months
or less, and 99 percent have been open for
seven months or less. The docket numbers
continue to represent the best docket
numbers in the agency's 23-year history.

Investigators closed 542 full
investigations from January through April,
2016, compared to 710 for the same period
last year which resulted in 24 percent
fewer full investigations. Year-to-date,
the average days to close a full
investigation has decreased 56 percent from
2014 before the reforms. In April, 2016,
the CCRB fully investigated 37 percent of
the cases it closed and resolved 50 percent
of the cases it closed. The truncation
rate was 48 percent in April, 2016 which
was down from March.

I would now like to highlight other
key statistics for the month of April. In
figure number three, the April case
substantiation rate was 29 percent which
marked the thirteenth straight month that
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the CCRB has substantiated more than 20 percent of its cases it fully investigates. With regard to fully investigated cases allegations in April, the Board substantiated 5 percent of force allegations, 21 percent of abuse of authority allegations, 17 percent of discourtesy allegations, and no offensive language allegations.

In figure four, which represents the substantiation rates for full investigations without video, investigations with video evidence substantiated allegations in 36 percent of cases compared to 26 percent of substantiated cases in which video was not available. The discipline rate for non-APU cases was 88 percent in April, for cases in which police misconduct was substantiated by the Board and sent to the Police Department Advocate's office with penalty recommendations. The Department decline to prosecute rate for non-APU cases for this time period was 6 percent.
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In April, the Police Commissioner finalized penalty decisions against seven officers; two of these were guilty verdicts, one by our Administrative Prosecution Unit. And the APU has conducted trials against 54 officers year-to-date with -- and trials against six officers in April alone.

That is the Executive Director's report for the month.

CHAIR ARCHER: Thank you.

Does anyone have any questions?

(No response.)

CHAIR ARCHER: Unfortunately Assembly Member Dan Quart couldn't join us and hopes to be with us at our June meeting. He's going to talk about a bill he's proposing that relates to the categorization of footage made by body worn cameras, and we're looking forward to hearing from him at our June meeting.

Next we're going to have the outreach report from Raniece Medley.

MS. MEDLEY: Thank you.
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Good evening. April was a banner month for the outreach team. Outreach staff completed 95 events, raising the 2016 total events for the year to 328, which is the highest on record for the agency. Of those 95 presentations, we completed 26 in Brooklyn, 25 in the Bronx, 22 in Manhattan, 21 in Queens, and 1 on Staten Island.

Year-to-date, of the City's 77 precincts, only 13 remain before we've touched all corners of the City. Only four of the precincts yet to be covered this year are considered high complaint precincts, which we classify as those in -- with 50 or more complaints in 2015.

Of the 95 events, the majority of those events were community and education events, primarily high school and higher education. There were nine Precinct Council meetings, three of which were at NYCHA PSA precincts. Further regarding NYCHA, we conducted five presentations at NYCHA RA meetings, and we covered the NYCHA Brooklyn West Council of Presidents.
Proceedings meeting, which comprises 27 developments. The meeting that was Chaired by the Council President Raymond Ballard, and attended by more than 20 RA presidents, has allowed us to schedule NYCHA family day events in the coming summer months, as well as the resident association meetings in developments where we've not had a presence.

On April 16th, we conducted a tabling session and workshop at the HMI or Hetrick-Martin Institute, hosted LGBTQ youth forum. This was -- or Youth Summit, excuse me -- co-sponsored by City Council speaker Melissa Mark Viverito, and Council Members Rosie Mendez, Corey Johnson, and Carlos Menchaca. We also had the opportunity to further our outreach efforts through social media. I participated in a taping of a weekly talk show with Stretching Far and Wide Global Ministries. That was broadcast on YouTube. It was a great opportunity to provide information about the work of the CCRB, as well as to
give information about civilian rights and responsibilities during police encounters.

Thank you.

CHAIR ARCHER: Thank you.

Does anyone have any questions?

(No response.)

CHAIR ARCHER: No. Okay. Thank you very much.

And that takes us to public comment.

Is there anyone who would like to come forward to make a comment?

MR. O'GRADY: In the interest of time, I have been omitting the disclaimer.

I disclaim any dishonest person taking my testimony or excerpts thereof out of context. I thank three unknown contributors. I thank the unknown judge.

There was one typo in the March 9th, 2016 transcript; page 34, line 25. It should read, "Indian woman menstrual flow." Squaw is spelled S-Q-U-A-W. Menstrual is spelled M-E-N-S-T-R-U-A-L. This information is provided -- this information or allegation
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is provided by the health food industry section.

A Chairman David Zornow, male baton, their leadership; WPIX, WABC, W -- Fox, F-O-X, Channel 5, NBC, CBS, Channel 2 television. Three-legged television mounts, Spanish language. They found a way to crowd a jam-packed -- those three-legged mounts -- all of those channels used to crowd in there in that small space, altogether at the same time. Three-legged mounts, television mounts, they used to crowd in there. They found a way to crowd in there.

Tracy Catapano-Fox indicated her family had voted to relocate to the State of Florida. My CCRB investigator Stephen J. Rackmill, I was told relocated to Florida. Winsome Thelwell I was told inherited or was assigned Stephen J. Rackmill's case work -- case load work. Winsome Thelwell inherited his case load. My attorney told me to tell Winsome Thelwell the attorney wanted to
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speak to her. I had this strange kind of feeling Winsome Thelwell was evading contact with my attorney. Chairman Chu, Daniel Chu and Marcos Soler indicating they would be dealing through the attorney.

Stephen J. Rackmill indicated he wanted to interview the Sheriff's manservant. I asked the Sheriff manservant would he take a call from Stephen J. Rackmill at his home. The Sheriff manservant indicated he would take a call from Stephen J. Rackmill. This is terminology of the criminal procedure law rule.

I do not recommend or advocate the use of the double G spelling pronunciation of the "N" word due to the provocative element. Niggery -- niggery divorcee woman involved in real estate cursed out a New York criminal court judge -- cursed out a New York criminal court judge five to six times in his courtroom. On the five to six times she cursed out the judge, the criminal court judge ordered or signed the
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warrant for her arrest. The Sheriff manservant, our manservant job to provide a detailed description of the woman; race, height, weight, color, age where she can be found for the police arrest team.

Stephen J. Rackmill, CCRB investigator, did interview the Sheriff manservant, our manservant. Manservant, our manservant.

This is the CPLR, the Criminal Procedure Law Rule. That's their terminology.

Manservant, our man servant. An unknown judge ordered this niggery divorcee woman, real estate woman, bank account garnishee. The unknown judge ordered this niggery divorcee real estate woman bank account garnishee. Money taken from the niggery -- divorcee woman -- real estate woman bank account and put into a tenant bank account.

I thank the unknown judge. The Sheriff manservant, our manservant, CPLR, that's criminal procedure, terminology again, they could have used that word man -- they could just call him a
manservant. A job to go to niggery divorcee real estate woman bank and get the money out of her account and put money into the tenant bank account. The share, high share indicated niggery woman -- divorcee real estate woman walked into his office and cursed him out for taking money out of her account and giving it to the tenant bank account.

CHAIR ARCHER: Thank you very much.

If there are no other public comments, is there anything else that other Board members would like to raise?

BISHOP TAYLOR: Yes, I would like to raise something. I'm so sorry.

CHAIR ARCHER: Bishop.

BISHOP TAYLOR: I'm so sorry. So the monthly statistics report on the website is not updated. It has April's statistics. It doesn't have -- or the previous month's statistics. We're showing April --

MS. MALIK: You mean March?

BISHOP TAYLOR: March, yeah. So I
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don't know if -- I tried to refresh it but
it didn't refresh.

MS. MALIK: It should be updated.

CHAIR ARCHER: We'll check on that
and make sure the most recent statistics
are up.

BISHOP TAYLOR: Also too, I
remember, I don't know if it was in
December of last year or January of this
year, when we talked about the taser
report. Do we have any update on where
that is or when that's going to be
released?

MS. MALIK: So we're hoping to
release it soon. We're actually waiting
for some additional feedback on it and
we're looking to release it as soon as we
receive some feedback and finalize the
entire report.

BISHOP TAYLOR: So how long has it
been in review?

MS. MALIK: I would say -- by the
Board?

BISHOP TAYLOR: No. I know we've
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already reviewed it, but I thought it was
going to be released by now. It had to go
from us to where now?

    MS. MALIK: Well, it goes from us
and we share it with different agencies so
that they can have -- provide us with some
feedback regarding the information that we
put into the report. So they've taken some
time to read our report, but they should be
providing feedback for us, I believe it's
by the end of this week. They've asked for
a little bit more time to review it.

    BISHOP TAYLOR: So it's been six
months since we've completed it, right, or
five months?

    MS. MALIK: I don't think it's
been -- I don't think it's been that long.
I think the taser report went to the Board,
I believe in March.

    BISHOP TAYLOR: Okay. So it's been
kind of languishing since March?

    CHAIR ARCHER: I think that
there -- I know I've given feedback after
March, so as additional feedback comes in,
then the Policy Unit is working on revising the report to address whatever concerns are raised. So I think it's been, not languishing but being -- it's been being worked on and I guess in the next two weeks it should be finalized.

BISHOP TAYLOR: I didn't mean languishing, but, you know, sometimes when we do reports and we send them over to get review and feedback, you know, they get lost and to me, the taser report was kind of interesting, you know. So I wanted to find out if we had a definite date of when we're going to release it because I know we mentioned it in the City Council budget and, you know, along with the other three reports that were not as far along as the taser report. So I just wanted to know if we can have a --

CHAIR ARCHER: It's almost definitely in the next couple of weeks. As definite -- as much as we can commit to a certain date, I would say the next two weeks.
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BISHOP TAYLOR: And then one more question. Has commissions been -- committees been decommissioned?

CHAIR ARCHER: No.

BISHOP TAYLOR: Okay. All right. That's all the questions I have.

CHAIR ARCHER: If there are no further issues from Board members, I'd like us to move into Executive Session to discuss some subpoenas and some other case-related matters.

So can I have a motion to move into Executive Session?

MS. CORTES-GOMEZ: Motion.

CHAIR ARCHER: Second?

BISHOP TAYLOR: Second.

CHAIR ARCHER: All in favor?

(Chorus of Ayes.)

CHAIR ARCHER: Opposed?

(No response.)

CHAIR ARCHER: Thank you. That ends the public meeting and we'll convene to Executive Session. Thank you.

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

STATE OF NEW YORK

                    ) ss.:

COUNTY OF RICHMOND

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

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

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

IN WITNESS WHEREOF, I have hereunto set my hand this 18th day of May, 2016.

__________________________________________
JENNIFER CASSELLA
WHEREOF (1) 20:19

Wide (1) 9:25

Winsome (4) 12:20,23,25 13:3

within-entitled (1) 20:12

WITNESS (1) 20:19

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worn (1) 8:21

WPIX (1) 12:5

yeah (1) 15:25

year (5) 6:11 9:5,13 16:10,11

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York (6) 1:7,24 13:21,22 20:4,9

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youth (2) 10:14,14

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1000 (1) 1:6

10301 (1) 1:7

10543 (1) 1:24

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5 (3) 1:17 7:6 12:6

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60 (1) 5:11

618 (1) 5:11

652 (1) 5:9

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7:19 (1) 19:25

710 (1) 6:10

77 (1) 9:10

8 (2) 1:21 5:21

88 (1) 7:19

8th (1) 4:8

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914.381.2061 (1) 1:24

914.722.0816 (1) 1:25

95 (4) 6:3 9:4,7,17

953.3767 (1) 1:24

99 (1) 6:4

9th (1) 11:20