

Civilian Complaint Review Board-Draft
January 11, 2017

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1 CIVILIAN COMPLAINT REVIEW BOARD

2 PUBLIC MEETING

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3 Lincoln Hospital Auditorium
4 234 East 149th Street
5 Bronx, New York
6 January 11, 2017
7 6:33 p.m.

8 TRANSCRIPT OF PROCEEDINGS

9 B E F O R E: MAYA D. WILEY, ESQ., the Chair
10 JONATHAN DARCHE, ESQ., Interim
11 Executive Director

12 PUBLIC MEETING AGENDA:

- 13 1. Call to Order
- 14 2. Report from the Chair
- 15 3. Report from the Interim Executive Director
- 16 4. Presentation from Outreach
- 17 5. Presentation from Policy on Bronx Data
- 18 6. Comment from Community Members
- 19 7. Public Comment
- 20 8. Adoption of Minutes
- 21 9. Old Business
- 22 10. New Business
- 23 11. Adjournment to Executive Session

24 Reported by: Kari L. Reed

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BOARD MEMBERS PRESENT:

Maya D. Wiley, Esq., The Chair

Salvatore F. Carcaterra

Frederick Davie

Lindsay Eason

Angela Fernandez

Joseph A. Puma

Ramon Peguero

John Siegel

Youngik Yoon, Esq.

Jonathan Darche, Esq., Interim Executive Director

ALSO PRESENT:

Raniece Medley

Brian Connell

Other Staff

The Press

The Public

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CHAIR WILEY: I am Maya Wiley, I am Chair of the New York City Civilian Complaint Review Board, and I call this meeting of the Board of Directors to order at 6:32. And we do have interpretation available tonight, so I'm going to turn it over to my colleague, Angela Fernandez, to make an announcement in Spanish.

MS. FERNANDEZ: Thank you very much, Madam Chair.

(Ms. Fernandez addresses the audience in Spanish.)

CHAIR WILEY: I'm going to be very, very brief tonight, because we are really here in the South Bronx to hear from you. And we want to make sure we preserve as much time to do that as we can. I would just say briefly that one of the things that the Civilian Complaint Review Board is very serious about is making sure we understand what's happening in community in terms of relationships with policing in actual communities, to hear it directly, not just through our cases that we get and that we

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2 review, but also to make sure we're
3 understanding where we see a high volume of
4 complaints, that we are talking directly to
5 the community about what's happening in the
6 community. So that's the spirit in which we
7 come.

8 I wanted to -- we will have two
9 staff members who will present, one, a little
10 bit more information about the CCRB just to I
11 make sure people understand who we are and
12 what we do. And, secondly, just share some of
13 the statistics that we have on what we see
14 with policing in the community here, which has
15 brought us here.

16 Before I do, though, I just want
17 to make one -- President Obama last night gave
18 his farewell speech, and I thought it was a
19 powerful speech. But one of the things that
20 he said, I want to quote him, is, "Presuming a
21 reservoir of goodness in others can be a risk.
22 And there will be times when the process
23 disappoints you. But for those of us
24 fortunate enough to have a part in this work,
25 it can energize and inspire, and more often

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2 than not, your faith in America and in
3 Americans will be confirmed." I think that's
4 such an important statement for the country
5 right now. But also I think as we think about
6 our role both in the Civilian Complaint Review
7 Board and in relationship to community and in
8 relationship to the police department and
9 other stakeholders that we have, that it's a
10 really important moment in time to try to
11 bridge our divides and make sure we are making
12 our community safe and fair.

13 And I also want to acknowledge
14 that tonight is the wake for Detective Steven
15 McDonald, who was shot in the line of duty.
16 And it seems to me that he is an example of
17 someone who actually lived out those words
18 that the President spoke last night, because
19 one of the things he did after being shot by
20 someone, that ultimately was arrested and
21 charged with attempted murder in his shooting,
22 and he was wheelchair bound after it, is he
23 decided to put his faith in redemption, and
24 actually reached out to the young man who shot
25 him. And spent much of the rest of his life

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2 as a leader in the community for redemption
3 and forgiveness and commitment to community.
4 So we very much mourning his passing. And I
5 just think it's critically important that we
6 remember that, as we all proceed in trying to
7 do the important work that we're here to do.

8 I'm going to say a lot less now so
9 that others can say more. But first I want to
10 recognize our interim executive director. We
11 do have our executive director position
12 available, and we will be posting a job
13 description for it hopefully in the coming
14 week to two weeks. But we're really thrilled
15 to have Jon Darche, who's also our chief
16 prosecutor, serving graciously and with
17 commitment and with tremendous, tremendous
18 skill as our interim executive director.

19 MR. DARCHE: Thank you, Chair
20 Wiley.

21 I'd like to thank all of you for
22 coming out for our second board meeting that
23 we're conducting away from the agency's
24 offices under the chair and her vision of
25 using these board meetings to hear from

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2 members of the community about their
3 experiences with the police and our agency.
4 And to give members of the community a
5 platform where they can speak about these
6 issues is exciting for the whole staff. And
7 we are eager to make her vision a reality.

8 Today, here at Lincoln Hospital,
9 we will be focusing on two of the precincts
10 with the highest level of civilian complaints
11 in the City, the 40th precinct and the 44.
12 I'd especially like to thank Jerika
13 Richardson, Raniece Medley, Sorin Vatavu,
14 Brian Connell, Yojaira Alvarez and Eshwarie
15 Mahadeo for the work they did to put this
16 meeting together. I'd also like to thank
17 Renelda Walker, the Senior Associate Director
18 of Public Affairs, Nelson Rosado from the
19 hospital's conference center, and the rest of
20 the staff at Lincoln Hospital for allowing us
21 to use their facility for this meeting.

22 CHAIR WILEY: And before we
23 continue, I'd also like to thank, we have
24 several elected officials that wanted to be
25 here in person. Many have also sent staff.

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MS. MEDLEY: Thank you.

Welcome, everyone.

Good evening, everyone. Thank you all for coming out. We just wanted to say a few words just to make sure you all have a great context for the conversation that you're going to be hearing tonight. The Civilian Complaint Review Board is just that. It is a body of all civilians that are charged with investigating, mediating and in certain instances prosecuting allegations of misconduct that are filed against members of the NYPD. We handle certain types of allegations by civilians against officers. Those would be, we use the acronym FADO to recognize those cases. And the FADO, F-A-D-O, stands for cases dealing with excessive and unnecessary force, abuse of authority, discourtesy, and offensive language.

There are numerous ways that you can get in touch with our office to file such complaints. Online at our website, by phone. You can always go onto our -- go -- mail in a complaint. There are so many ways that you

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2 can get in touch with us to be able to file
3 your complaint, and it will be directed. You
4 can track those complaints online as it
5 proceeds through the process so that you can
6 know what is happening. The process, we
7 emphasize that you'll be able to always be in
8 touch with the office and know what's going
9 on.

10 So tonight I hope as you hear
11 you'll have a better understanding as you go,
12 as you hear our discussion, about what it is
13 that we do and how it is that we function
14 here. And one of the things that we do
15 through outreach is we go out into the
16 community pretty much wherever we're invited
17 to give presentations that talk about how
18 people can interact with CCRB, but also people
19 understanding their rights and their
20 responsibilities when they're interacting with
21 police officers throughout the community. So
22 if you might be interested in having us come
23 out to one of your organizations or a group,
24 please, by all means, stop by our table on
25 your way out, make sure you get your

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literature as well, but stop by our table on your way out so that we can connect with you and set up a presentation.

Thank you.

CHAIR WILEY: Thank you.

And I would also like to ask for a presentation from our policy unit on our Bronx data, which will also give you a little bit of a sense of why we thought it was so important to come here in person.

MR. MAHER: All right. Good evening. I will be providing a snapshot of some of the data that we have for --

CHAIR WILEY: Your name.

MR. MAHER: Oh. My name is Conner Maher from the policy unit. And I'll be providing a snapshot of the 40th precinct and the 44.

So what we are going to be looking at here is going to be some of the complaints that we received by borough. As you can see, the Bronx is the blue section of the bar graph, and it's going to be the third amount of -- our third highest amount of complaints

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received by the CCRB are going to be coming from the Bronx.

If we break the complaints received by the CCRB down by precincts, the top ten precincts are listed above. You see that the 40th precinct has the third highest amount of complaints received, and the 44 is going to be the sixth highest amount of complaints received.

If we look solely at the Bronx, the 40th precinct is going to have the highest amount of complaints received in 2016, followed by the 42nd, and the 44th is going to be third.

Now, moving on to closed cases. We use fully investigated, not fully investigated complaints to look at the data. And complaints can, you know, not be fully investigated either because they were mediated or truncated. But if you look at about a third of the complaints from the Bronx are fully investigated.

Another way that we look at the data is going to be complaints that contain an

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2 allegation of stop, question, frisk or search
3 a person. It's going to be about a third of
4 complaints coming from the Bronx or from the
5 40th precinct are going to have one of these
6 allegations. And it's going to be similar
7 with the 44.

8 Breaking complaints down by FADO,
9 which is force, abuse of authority,
10 discourtesy, or offensive language, you see
11 that abuse of authority is the leading
12 allegation that comes from the 40th and the
13 44th precinct, about just over half of
14 allegations.

15 Breaking the allegation down by
16 the subtype, you are going to be looking at
17 stop is the most common abuse of authority
18 allegation for the 40th Precinct. And premise
19 search and entered is going to be the third.
20 This data is similar as well with the 44th.

21 Disposition of fully investigated
22 allegations. An allegation can either be
23 substantiated, unsubstantiated, unfounded or
24 exonerated. You will see that about 40
25 percent of the -- everything that goes through

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2 is going to be unsubstantiated. And in 2016,
3 33 percent were substantiated. You can see
4 that there's been a rise of substantiated
5 allegations that are coming out of the 40th
6 precinct.

7 And if you're curious about more
8 information or more data, I would say visit
9 our website with the Data Transparency
10 Initiative, and you can also download and look
11 at the monthly statistics and reports.

12 Thank you.

13 CHAIR WILEY: Also, if anyone does
14 not have Internet access, because we know that
15 that is a reality, unfortunately, for too many
16 New Yorkers, if you contact our office, we
17 will send you hard copies. Okay.

18 Okay. So this is the most
19 important part of this meeting, which is when
20 we hear from you. And I am actually -- one of
21 the ways that we organized this is to ask
22 leaders in the community to actually come and
23 speak. We've had a really important group of
24 leaders who have been willing to do that. I
25 want to start by asking Ed Manchess, who's the

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Director of Boom! Health Harm Reduction
Center, to come to the podium.

MR. MANCHESS: Thank you.

Good evening. Ed Manchess from
Boom! Health. I'm the Director of the Harm
Reduction Center, which is directly behind the
parking lot on East 144th Street. Boom!
Health is a harm reduction agency that serves
the community -- the most disenfranchised
members of this community. Most of our folks
are drug users.

What I want to talk about is the
relationship between the 40th -- historically
the relationship between the 40th and members
that we serve at Boom! Health. And the
information that I want to provide is directly
from the mouths of our participants.

Too often our folks are just
stopped based upon their appearance in the 40.
Even though stop and frisk allegedly has
stopped, we know for a fact that with some
officers that is not the case. There are a
lot of good officers that I personally know at
the 40th. But, like in any place, there are

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2 some that may need talking to.

3 So one of the things that I find
4 as a member of this community is that the 40th
5 Precinct never has a commanding officer that
6 stays there. So the selection process, and
7 this is not speaking about the current
8 commanding officer because I have not met him,
9 he has not come to visit Boom! Health, I sat
10 in this auditorium last year, and there was a
11 whole bank of police officers talking about
12 community policing. What happened to that? I
13 don't know who the community police officers
14 are in this neighborhood. Neither do our
15 participants. That's something that we think
16 is vital, having police in the community,
17 talking to members of the community, finding
18 out what the store owners and the stakeholders
19 in this community need. From the homeless
20 person that's sleeping on the street that's
21 got nowhere to go, to the person that's moving
22 into this neighborhood, which is
23 regentrifying, everybody should be treated
24 with dignity and respect. Which often
25 confused me with the CPR on the side of cars.

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2 Because too often do we encounter police
3 officers that come to our facility looking for
4 someone, they know that we are bound by
5 federal law not to speak to them about anybody
6 whether or not they're a member of our
7 organization. They continue to do it. We
8 have undercover officers that come in beyond
9 our entrance running up our stairs, not in the
10 process of chasing a criminal.

11 This is ridiculous. We spent 25,
12 20 years in this community building trust with
13 the most marginalized people in this
14 neighborhood. We don't need the police
15 entering our facility without a search warrant
16 and damaging the trust that we have with our
17 participants. Which is vital to their
18 recovery.

19 We're all in this mission
20 together. You know, I don't appreciate being
21 spoken to by any officer in a disrespectful
22 way. And if they can't appreciate that I
23 follow the law, the federal law, that's too
24 bad on them. But I don't expect to be cursed
25 at, ever, because I don't speak to people that

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2 way.

3 So the selection process with some
4 of the police officers, I think there needs to
5 be a better selection process. A much
6 stronger process of measuring -- I know it's
7 very difficult to be a police officer, very
8 stressful. It takes certain people to be able
9 to handle that. But don't treat people
10 discourteously, unprofessionally, and
11 disrespectfully. You'll get nowhere. It will
12 be you against us. And that's the sense that
13 we have in this community often with some of
14 the police at the 40th Precinct. And it's
15 very few. And I know some of their names.
16 And I've yet to file a complaint against a
17 single one of them. But come into my facility
18 again without a warrant, and I will.

19 CHAIR WILEY: May we ask a few
20 questions?

21 MR. MANCHESS: Yes.

22 CHAIR WILEY: Thank you so much
23 for your testimony.

24 You answered one, which was, it is
25 a violation to curse at a resident. So that

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2 is a complaint you can bring to us that we
3 will investigate. And I'm just wondering if
4 you could say more about whether you -- why
5 haven't you complained?

6 MR. MANCHESS: I don't want to
7 be --

8 CHAIR WILEY: Because you sound
9 like --

10 MR. MANCHESS: I wasn't even going
11 to come to this because I was a little
12 concerned about being harassed. Not that
13 that's ever happened, but it's not -- it's not
14 beyond the imagination. But one of the things
15 that I was going to speak to the CCRB, one of
16 the questions that was presented to me, what
17 can the CCRB do to gather more trust with the
18 people in the community. I don't know if
19 everybody knows about CCRB. Do you guys have
20 public service announcements? Do you
21 advertise things? Are you on billboards? Are
22 you in the most marginalized communities
23 advertising, doing outreach in those
24 communities? I hadn't seen it. So that's my
25 recommendation to the board. Information is

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power. We're all in this mission together. Police, community stakeholders, treatment providers. We're not enemies. And neither are the people that we serve.

Thank you.

CHAIR WILEY: Thank you. Thank you for your time.

I am going to call up our next speaker, but I just want to acknowledge a few more staff from elected officials' offices who are here. Gloria Cruz from Speaker Melissa Mark-Viverito is here, thank you. And we also have Miriam Tabb from Assemblywoman LaToya Joyner. Thank you for coming. And Casey Addison from the New York City Committee on Public Safety. Thank you.

Okay. So I will now ask if Mario Bodden, the Youth Services Manager from Presbyterian Senior Services, can come up. Thank you.

MR. BODDEN: Sure. Good evening, everyone, CCRB, your board, and of course the public at large and those that are elected officials. My name is Mario Bodden, and I

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2 work in the South Bronx since 1993. I've been
3 a resident of the South Bronx from 1968 to
4 1980. And then from '82 and '89, then from
5 '89 to '93, and then I moved away. And I'm
6 still back in the South Bronx, working 22
7 years later in not-for-profits for young
8 adults, who are the victims a lot of times of
9 police brutality, being identified as perps.

10 And one of the things that always
11 concerned me was, and I grew up at the time
12 historically, I hate calling it what it is,
13 because it's disrespectful to say it about
14 Morrisania, but of course the precinct I grew
15 up with was the 41st Precinct, and back then
16 it was known as Fort Apache. Now, I was there
17 when this place was a rubble, and I'm here
18 while it's a renaissance, and I'm here while
19 it has been rebuilt by grassroots people on
20 the street who never left the South Bronx or
21 did, but still worked here to say we can
22 rebuild it and we are going to make this
23 happen. The collective will did come until
24 the '80s, as we know, from affordable housing.

25 I'm going to speed it up a little

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2 bit because I know it's a long agenda.

3 But from the young person's point
4 of view, if I'm trying to get my life
5 together, and as I -- as they would say, and I
6 use their lingo, they roll up on us and they
7 throw us against the wall and they go through
8 our pockets. So what do we have to do. We
9 have to educate the young adults. They have a
10 job to do, but you also have rights.

11 And you're correct. The CCRB,
12 only because I am super nosy, which in the
13 business world is I have an eye for detail, is
14 that I educate myself and I educate my young
15 adults what to do if and when you are
16 approached by someone in law enforcement.
17 Number one, don't say anything. Just shut up.
18 That's easy. It's easier said than done
19 because I'm an adult and I get it. But for
20 them it's like what's up, as they would say,
21 what are you pulling me over. So they mouth
22 off. And that's where the physical abuse
23 would come in, and that's where the arrests
24 come in. And a lot of times, because I run
25 social service programs, while I may start off

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in the day with 25 people, the next day there may be 15. Where are the other ones? They got arrested at the 40 or the 44.

Now, we run senior centers at Morrisania Air Rights, Andrew Jackson, Grandparent Family Apartments, in Harlem. We're pretty much all over the place. And we have young adults or parents. But if a young adult gets arrested or gets abused by a cop, they don't want to complain. They don't want to complain because they feel it's going to go nowhere. So what, they'll tell you. So I make a complaint against officer X. I will say X, Y, Z, CCRB may or may not follow it through, I may not get a phone call back, I may be asked to testify, but I've still got to go back to that community. So if I live, as an example, in Webster Housing, and Webster Housing and the whole group of housing, if you're not familiar, it's more than 23,000 residents, 23 plus that we know of on the lease, not counting those that are not on the lease. So that number is very high.

So there's a lot of things going

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2 on. So what is it that we may have to do?
3 Well, as a social service provider I have to
4 not only educate them. But yes, we did have
5 CCRB come to our development and talk to the
6 young adults or the grandparents of what to
7 expect.

8 The disconnect is that the police,
9 yes, the ones that are coming in, have a
10 disconnect with the community. They have no
11 historical -- you know, they don't know the
12 history of what happened here and why this is
13 an issue that keeps perpetuating itself.

14 And you're right, the 40, I think
15 they get a new CO every year. Community
16 affairs were stopped from going to
17 not-for-profits to talk to us and deal with
18 the situations at hand. We always had a
19 community affairs officer we can call. They
20 would come right over, they would help out.
21 Prime example. David Dinkins housing, a
22 very -- another large complex in the 40th
23 precinct boundaries. If something is going to
24 happen there, we met with the police, we
25 understood things have to go down, as they

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2 me. This is when we were at the weed and seed
3 program, right, weeding out bad, seeding in
4 good. Call me, and I will tell you and vouch
5 for them, or I'll come pick them up myself,
6 because I don't need another young person
7 incarcerated and perpetuating that cycle of
8 poverty and incarceration. They actually
9 would call me. They would pick them up at the
10 Third Avenue Station for turnstile, you know,
11 jumping the turnstiles, they would call me and
12 say Mr. Bodden, I have a young man before me
13 who says he's in your program, yes or no.
14 Yes. Can I go down, they were across the
15 street, can I go down and pick them up and
16 talk to them. That's what made the
17 difference.

18 That ended a long time ago. It's
19 now drive by, jump out the car, unmarked
20 vehicles, throw them against the wall, God
21 knows where they are, I can't find them. We
22 call. He's not here. He is there. We know
23 they're there, but they won't admit it
24 sometimes. So we have these issues going on.

25 I am glad that CCRB is here in the

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2 Bronx, but most importantly, in the South
3 Bronx, addressing these issues that they do
4 have a voice, and that they can have a means
5 of complaining, that it will make a
6 difference. And I think that's what they're
7 waiting to see. And until we get to that
8 point, a lot of this will be swept under the
9 rug.

10 So we are losing the young adults,
11 you right. Harm reduction, whether it's 149th
12 Street, 148th Street, with the plaza being
13 built continues to be a problem. But they're
14 not communicating with us. All they
15 communicate is with the baton or with the
16 handcuffs, that's all we are getting right
17 now. But they're not talking to us. So we
18 need an intermediary to say you need to come
19 back to the community and address the issues
20 one by one, especially from a young person's
21 point of view. Otherwise we just create
22 another problem that is not easy to solve.

23 So thank you so much for
24 listening, and thank you everybody for doing
25 good work in keeping what the Bronx is. It is

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2 a very special place. Besides, it's the only
3 part of the five boroughs that is actually on
4 mainland U.S.A. So, go Bronx.

5 (Laughter)

6 CHAIR WILEY: Thank you. Thank
7 you very much.

8 I neglected to say at the
9 beginning because the speakers we've asked to
10 speak knew this in advance, but because we
11 want to make sure everyone who wants to speak
12 gets a chance to speak, we are asking folks to
13 limit their comments to three minutes. If we
14 have more time later we can ask people back
15 up. But that's mostly just to be respectful
16 of everyone's time here so everyone gets an
17 opportunity.

18 And I will a little bit later, not
19 yet, ask Ms. Medley to come back up just to
20 share a little bit of information about the
21 CCRB, since there were some questions about
22 how we can be contacted, just to -- and create
23 more of the -- answer some of the questions
24 that you raised, which I think are important.

25 MR. MEYERS: Is that a change in

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2 rules?

3 CHAIR WILEY: Is that a change in
4 rules?

5 MR. MEYERS: Yeah, is that a
6 formal change in your rules?

7 CHAIR WILEY: What change? We
8 don't have -- there is no rule that governs
9 that, so.

10 MR. MEYERS: You asked us to limit
11 ourselves to three minutes.

12 CHAIR WILEY: I'm asking as a
13 courtesy to all the folks who are in the
14 room --

15 MR. MEYERS: I just want to
16 make --

17 CHAIR WILEY: -- who we want to
18 make sure have an opportunity to speak. All
19 right, Milton Pelotte, program director of the
20 Osborne Association.

21 And I apologize if I'm butchering
22 the pronunciation of anyone's name.

23 MR. PELOTTE: Hi, I'm Milton
24 Pelotte and I'm a teen leader for the Justice
25 Community Program at the Osborne Association.

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So in my program we work with 18 to 24 year olds who are residents of the Morrisania section of the Bronx and the Bronx at large.

So one of the things that I want to speak about today is the public trust is community engagement and reaching out to more of the youth in the community to let them know the process of a complaint and what their rights are. Because I know a lot of our youth at the Osborne Association, a lot of our adults don't know what their rights are and they don't know that the CCRB exists. And they don't know how to rectify the harm that's being done to them in the community.

And also, have advocates which come to where they're at. Not only reach out to social service organizations, but also reach out to, whether it's somebody walking around just speaking to young people, whether they're hanging out on 149th or on 169th Street, just speaking with them, having a conversation, just starting a conversation.

And I think also, the discretion that's used, because I know a lot of our

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2 youth, they say once their name is ran, and
3 once their name is looked up in the system and
4 they come up with a criminal record, and that
5 immediately the police officer takes them in.
6 They don't use their discretion on whether or
7 not not to take them in. They see the record
8 and they judge them based on that. And I
9 think working with the officers on the ground
10 to really use that discretion to not only
11 judge a youth by their criminal background
12 history but by the way they are. And so I
13 think doing that would divert a lot of our
14 youth from being in the system.

15 One youth that was stopped, he was
16 stopped earlier this week, the officer pulled
17 up his record and saw that he had multiple
18 arrests. And at that moment he took him in,
19 instead of just giving him a DAT ticket, a
20 desk appearance ticket and letting him go. So
21 instead of letting him go from the incident,
22 he took him to the precinct. And the youth
23 actually missed a job interview the next day
24 because he was -- because he was held at the
25 precinct. And so using that discretion to

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2 actually divert youth from the system and
3 actually reduce the harm.

4 So that's my -- any questions?

5 CHAIR WILEY: I appreciate that.
6 Can I ask you just one -- and obviously any
7 board members who has a question, please feel
8 free. In terms of what you think would be
9 helpful in terms of a way to have those
10 discussions with youth, and what would that
11 be, what would be the most effective way for
12 us to do that?

13 MR. PELOTTE: I think a program
14 based model. We at the Osborne Association,
15 we have done a workshop with the CCRB around
16 rights. But I think one thing that was
17 missing was the connection between the
18 workshop and the youth. The role playing and
19 what youth are really interested in and how to
20 get their attention and how to deliver the
21 material successfully.

22 CHAIR WILEY: Okay. That's
23 helpful, thank you.

24 Any other?

25 (No response)

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CHAIR WILEY: Thank you very much.

MR. PELOTTE: Thank you.

CHAIR WILEY: Now, we have many people who would like to make comments, and I'm just going to go down the list. And if anyone did not sign in who would like to make some remarks, please let a staff member know and we can add you.

So I have the first person on the my -- we have Ed -- Anthony Pappas.

MR. PAPPAS: Good evening. My name is Anthony Pappas. I've been a professor at St. John's University for 40 years.

I applaud the efforts of the CCRB to illustrate the importance of accountability over government officials and government employees. But one part of our system of government which is detestable and horrible is the fact that there is no accountability over the judiciary branch of the government. When this happens, you have people coming into contact with the police on the basis of judicial bullies who are abusive and who cannot be held accountable because they have

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2 self conferred immunity upon themselves.

3 In my particular case, I will have
4 you know that two idiot judges have written
5 down that I, quote, made "thinly veiled
6 threats in the idiom used by the perpetrator
7 of the Fort Hood massacre," unquote. At Fort
8 Hood, Texas, Ibel Hassan killed 13 soldiers
9 and wounded 32. Sergeant Francesa Valez was
10 pregnant when she was shot. The fetus died in
11 her womb.

12 The other stupid allegation by
13 these judicial bullies is that I committed a
14 violent class B felony punishable by up to 25
15 years in Attica state prison. Now, as
16 attorneys, as lawyers, and as government
17 officials, everybody is silenced by this
18 doctrine of judicial immunity which stems from
19 stupid decisions of the U.S. Supreme Court. A
20 15-year-old girl was called into the
21 courtroom. A judge told her, go to the
22 hospital to get your appendix removed. The
23 judge told the surgeon do a tubal ligation,
24 cutting off the Fallopian tubes of the
25 15-year-old girl. She did not have an

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2 attorney representing her as a minor. She did
3 not know what was going to happen. She did
4 not have a chance to appeal. When she found
5 out she was been permanently sterilized, she
6 tried to sue the judge and everybody involved.
7 It went up to the U.S. Supreme Court, and in a
8 narrow five to three decision, this doctrine
9 of judicial immunity which goes back to the
10 theory that judges represent the monarch and
11 should have the immunity of the monarch was
12 upheld.

13 Thurgood Marshall, the first
14 African-American justice on the Supreme Court
15 dissented from this opinion. And the other
16 justices wrote that judges are not allowed to
17 be loose cannons, inflicting indiscriminate
18 harm upon whoever they feel.

19 There are thousands of people that
20 commit suicide from this abuse of power by the
21 judges. They also commit murder-suicides.
22 That applies to police and veterans. They go
23 into the civil courts, the family courts, the
24 divorce courts and other aspects of our
25 judicial branch of government, and they cannot

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2 get accountability. When you complain to
3 Senator Schumer, Gillibrand, Attorney
4 Schneiderman and the entire apparatus,
5 everybody says we can't do everything, the
6 judges have built up these barriers and walls
7 so nobody can hold them accountable or sue
8 them for taking children away from loving
9 parents, from causing people to commit suicide
10 or murder-suicide for abusing their power.
11 And this is a big stain on our democracy.
12 There should be checks and balances over all
13 the branches of the government as a basic
14 principle of our Constitution.

15 So I would like everyone in this
16 room, including all the members of the CCRB,
17 to advocate to bring about constitutional
18 change or some modification in this system so
19 that we are not persecuted by judicial bullies
20 who cannot be held accountable.

21 Thank you very much.

22 CHAIR WILEY: Thank you, thank
23 you.

24 Next on our list is Norman Siegel.

25 MR. PAPPAS: And Mr. Siegel is

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aware of this too, but he has done nothing.
And the ACLU has done nothing either.

CHAIR WILEY: Okay. Thank you.

MR. SIEGEL: Good evening. It's been a half century, more than 50 years, for the struggle for New Yorkers to achieve an independent civilian complaint review board. In the mid-sixties there was a voter referendum and we lost. In the 1980s Mayor Koch made CCRB a hybrid. In 1988, there was a Tompkins Square police riot. I went to the meeting, there were over 700 people at St. Bridget's on the Lower East Side. When people were crying out for justice, we told them we'd take them to the Civilian Complaint Review Board. A little more than a year later practically none of the complaints were substantiated. And then, to make it worse, the CCRB put out a report. It was a whitewash, a coverup of what happened.

So many of the civil rights organizations in 1991 put together a campaign for a real CCRB. I myself in '91 and '92 attended over one hundred community meetings.

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2 We got fifteen community boards to pass
3 resolutions to create an independent Civilian
4 Complaint Review Board. And then in September
5 of 1992, thanks to the police union, there was
6 a second riot, at City Hall, racial slurs,
7 reference to Mayor Dinkins, people stomped on
8 Speaker Malone's car, which changed his vote
9 to create an independent Civilian Complaint
10 Review Board, CCRB. And, in December of 1992,
11 by a vote of 41 to nine, we created what we
12 thought was the first independent civilian
13 complaint review board in America.

14 We then shortly thereafter, with
15 the CCRB, created a mission statement. And if
16 I remember number 12 of the 13 points was a
17 specifically important aspect of the CCRB.
18 Pattern practices reports. Why was that
19 important? In addition to the individual
20 complaints that people make that you, your
21 staff investigates and you decide on, you gain
22 expertise and then you can speak to the larger
23 issues of systemic problems.

24 And then a few weeks ago some of
25 us in the civil rights community were shocked

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2 when we heard about the fact that the CCRB
3 sends its reports not only to the police
4 department, but to the Mayor's office before
5 you publish it. We have no problem with
6 courtesy copies. But the idea of sending a
7 report to let the Mayor, his office and the
8 police department, edit your report -- and if
9 I'm wrong, please correct the record -- that
10 is the antithetical aspect of an independent
11 CCRB.

12 So I have three or four questions
13 and then one demand. Was this voted on? Did
14 every one of the members of the board, were
15 you aware of this practice? Did anyone object
16 to this practice? How long has it been going
17 on? People are saying it's part of the de
18 Blasio administration. I'm not prepared to
19 have that be the allegation and the
20 accusation. Was it in the Bloomberg years?
21 Was it in the Giuliani years? When did it
22 start?

23 I can tell you that when we did
24 this campaign, I was the one who helped draft
25 the legislation, went to those hearings. It

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was never, never envisioned that you would give your report to those entities prior to publishing it. That's not what independence is about.

So what do we want. We would like a resolution, tonight or at your next meeting, passing a resolution stopping this practice. And we want an individual vote. It's important. It's not on the specific case of whether it's substantiated or not. It goes to the systemic issue. Is the CCRB going to continue this practice? Because if you do, there's even less credibility with regard to the independence of the CCRB.

You've heard at least two of the previous speakers raise serious concerns. It's exactly those concerns that in '91 and '92, a quarter century ago, 91 organizations formed the coalition to create the independent CCRB. Many of us had the dream. To some extent that dream is either, A, at best deferred, or, at worst, it's become a nightmare. There are many civil rights lawyers now who actually say to people if

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they're going to go to federal court don't come to the CCRB. That's not what we want. There is an important role that you play. But if you're doing like this report, how can we have any faith and trust in you?

So what do we want? And I'll conclude. I'm sorry if I went over a little more than three minutes.

CHAIR WILEY: I recognized that you might, but I wanted to give you the courtesy. I will make sure that we get to everyone else who's here and wants to speak.

MR. SIEGEL: I will take 30 seconds more and I thank you for your courtesy and professionalism.

What we want is what we fought for 25 years ago. And what we want is what other New Yorkers fought for 50 years ago. The CCRB should understand the history and how it came out of Harlem, it came out of the Bronx, it came out of the African-American and Latino community, with white support. And we want to create a system that would be fair to the cops and to the civilians and create accountability

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2 and independence. And what we also want is
3 for you eventually to address the issues that
4 you heard earlier today from the community
5 members. Because we've been hearing that for
6 50 years. And somewhere along the line it
7 either has to stop or realistically
8 substantially be ameliorated.

9 I thank you and I wish you the
10 best.

11 CHAIR WILEY: Thank you. Thank
12 you. And I particularly appreciate you
13 sharing the important history of CCRB. It
14 is -- it is something that community members
15 fought for, and it exists as a result of that
16 fight.

17 I want to, in the interests of
18 time, make sure, one, people know you can
19 always request meetings with us at the CCRB
20 also outside of our formal meetings to take up
21 issues. We're available for that. We
22 actually met yesterday, for example, with unit
23 communities, with police, we had a very good,
24 long meeting. So I just want to make sure
25 that everyone knows that's an option available

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as well.

But we have someone we had asked to speak who is now here. So I want to ask Abraham Jones, who is the Executive Director of Claremont Community Center, to please come to the podium.

MR. JONES: Good evening, everyone.

CHAIR WILEY: Good evening.

MR. JONES: My name is Abraham Jones. I'm the Executive Director of Claremont Neighbor Center, a community based organization in the Bronx. And at my center we have a number of programs that involve youth and young people. And in the last couple of years we've had a project issued by the Mayor regarding the safe neighborhoods program, in which we have actually had our centers open up until literally 24 hours a day during the summer for eight weeks. We did not close our doors until 11:30 each night over the course of eight weeks during the summer. We were open from Monday through Sunday, from eight in the morning until eleven at night.

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And part of this initiative involved us having assigned to us two to three police officers. At least two to three police officers were assigned to the center. They weren't assigned outside. And they were involved in engaging with the students and the kids that came to the center, the parents, talking to them, dancing, doing the dookie and zumba classes and playing games. And really it was a real wonderful experience. And I'm blessed to have that, because I wanted our young people, many of them who have been traumatized by relationships or perceptions or interaction with the police department to really see that not all police are bad and there are some police officers that are very, very caring. They got to know them.

And I'll share with you just a story that. One of the young men is here, as a matter of fact. And I think he began to speak a little, maybe at the reception desk, and it was a female police officer, and she just happened to make an offhanded remark that well, she can't wait to get home to see her

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2 baby. And you could vividly see how the faces
3 of the four or five young people who were
4 standing there, because it just never dawned
5 on them that this police officer might have
6 children that they would want to get home to.
7 And so it was great because that then involved
8 the conversation which she was able to have
9 with them about how it is very important for
10 her to get home each night to her family. And
11 so she -- you know, they began to talk about
12 the kinds of things that need to happen if in
13 the event you are stopped by the police. And
14 so it was a wonderful, wonderful interchange
15 at the end of the summer of the parents, and
16 the kids wrote letters to the mayor and to
17 NYCHA talking about the program, and we did
18 have it a second year.

19 I say all that because I think
20 that while, you know, police targeting and all
21 that is very, very real, but I think that we
22 also have to be part of the solution, and if
23 we're not part of the solution then we are
24 part of the problem. And so I've had my
25 young -- in my younger years I've had my

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2 interactions that have not been so nice and
3 kind. And, you know, I stand here as
4 executive director now, but as a young man
5 I've -- I can share some stories of some
6 police brutality, if you will. But be that as
7 it may, what we try to do at the center is we
8 try to recognize and understand that, and a
9 also respect it.

10 I brought a group of young people
11 from Claremont. Would you raise your hand?
12 Please stand up.

13 (Applause)

14 MR. JONES: Thank you.

15 I was working and all, and I was
16 really, really tired. I really was tired and
17 I said oh, boy, she talked to me, she wants me
18 to come, she wants me to come, and I wanted to
19 renege. And I had a conversation earlier this
20 morning with one of my staff. I said I don't
21 know what the CCRB is, I know the work that
22 they do, I know what I need to do if I need
23 them. And as much as I wanted to stay and not
24 go, I felt that I would be doing a disservice
25 to all the young people who are here, I just

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2 kind of asked them, you know what the CCRB is,
3 no, no, no, no, no. And so I began to tell
4 them that, you know, when you have negative
5 impacts with the police it's one thing to go
6 home and tell your parents about it. It's one
7 thing to talk and complain to one another
8 about it. But there is an entity out there
9 that you can get some redress. And so
10 hopefully during the public open question, our
11 young people will come up and will ask some
12 questions. I don't want to put you on the
13 spot, but I teach them about public speaking
14 and not to be afraid to address adults.

15 So thank you very much. It's been
16 a great opportunity. You've been to my
17 center, you've come out and you've done work
18 with my father's program. You've done work
19 with our young people that we were talking
20 today about having you come out. And our --
21 one of the youth development days, because I
22 think it's important that young people know
23 what's out there and what's available to them
24 because, you know, interactions with the
25 police are real for them. You know, they're

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2 traumatized and other things. But most
3 importantly, you know, every executive
4 director is not a good executive director.
5 Every good -- there are some bad doctors.
6 There are some bad politicians in high places.
7 But and so you have some good and you have
8 some bad. And so we have to recognize that
9 and not just blanket all police as bad. And
10 we have to change that dynamic, that
11 perception in communities of color. We really
12 have to change that perception of the police
13 as being, you know, just negative people.

14 And so I'm thankful that in
15 Claremont Neighborhood Houses we have some
16 very good relationships with the police. You
17 have to, you know, the Bible says to know
18 those who live around you and to give honor to
19 whom honor is due. And so we have some real
20 good relationships with our police department,
21 who come out, check on the center. And we
22 also have some that are not so good, but
23 things are starting at least to turn around,
24 and we are very, very grateful for that.

25 Thank you.

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CHAIR WILEY: And we would obviously welcome any members who would like to speak, we will add you to the list, no pressure, but we also really want to make sure we are hearing directly from people who've had experiences.

I have not forgotten, Mr. Siegel, your questions. I just wanted to make sure we were able to get some more people in. We will, time permitting, make sure we've heard from a number of people and then be able to address a number of the things that we have heard, so we can make sure everyone who wants to has an opportunity to speak to us.

Next on my list is Michael Meyers.

MR. MEYERS: Yes, I'm Michael Meyers. I'm the President and Executive Director of the New York Civil Rights Coalition. Let me take thirty seconds for -- of my three minutes to give a warm welcome to the new chair of the CCRB.

CHAIR WILEY: Thank you.

MR. MEYERS: I say that because I knew your father. You talk about greatness.

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And he was not politically correct. He was political, and he was correct. So I expressly and especially welcome you as a youth, and I was a youth at one point, we needed heroes, and your father was a hero.

CHAIR WILEY: Thank you.

MR. MEYERS: Unquestionable, untraditional, unconventional. And before there was a movement, there used to be welfare dependency, he made welfare rights. So I just wanted to say that.

CHAIR WILEY: Thank you.

MR. MEYERS: Norman Siegel and I have written an op-ed which was in the Nydailynews.Com, and it addresses the issue that you raised about the draft starts supposedly, allegedly, reportedly sent to the police department and to the Mayor's office, regarding practices -- patterns and practices. I reiterate everything he said. But that's why I interrupted you, Madam Chair, earlier about the rules.

We used to come to every meeting of the board of the CCRB. Every month we were

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there, front row. And we commented on issues, concerns relevant to the people of New York and protection of their civil rights and their civil liberties. And we continue to do that. But every time I come here, I see new faces, maybe one or two older, but new faces. I don't sense any passion. I don't -- I don't get any sense that people are angry about what's going on in the communities that we keep complaining about. The stop and frisks. Yeah, they've been reduced, but they continue to go on in a different guise.

I just wish that we knew when and how this policy, if it's a policy, or this practice, if it's a practice, came about in terms of sharing with the police department your reports on patterns and practices about the police department. How did that happen? I watched the video of that. I didn't see an open session. Was it done in open session? Was it done in closed session, and not reported in open session? Where was the vote? Was the vote in closed session and not done, as the rules require, in open session?

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Some of you are new, some of you are not new. But certainly you have a record. Certainly somebody introduced you in terms of the legislative history of the CCRB in terms of what the rules are and how you -- how you -- how you get to where we are today. How is it possible that I can read the New York Times and read an article, what? I said what? The CCRB is sending drafts of its patterns and practices report to the police commissioner and the mayor's office? Why? How did that happen? Why do I have to rely on the New York Times and not the public sessions of the meetings? Why do we have public sessions if we can't hear and be informed of your policies, your policies and practices?

So I must tell you, I'm very upset. I -- someone talked about courtesy. Courtesy. That's all I ask. If you're going to have rules, publish them in advance. If you're going to change the rules, follow your own rules. Have a debate and a discussion, have a vote in public. I don't want to hear about the rules have changed.

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I called your office yesterday, the CCRB offices. You talk about courtesy. There was no courtesy. There was discourteousy, they hung up on me. And I introduced myself as Michael Meyers, Executive Director of the New York Civil Rights Coalition. I asked to be put through to the executive director, the acting executive director office. They wouldn't put me through. They hung up on me. I asked for -- well, I asked -- I talked to the public relations office. I said I need a copy of the agenda. Did I get it? No.

You told me that some of the community leaders have been invited to speak. I wasn't invited to speak. I'm a community leader. I called the office inquiring about how to get on the agenda to speak. I didn't -- I just wanted to see the agenda. I wanted to speak on issues on the agenda. But you only pass out the agenda when I get here. That's discourtesy. That's not courtesy. It's not professionalism. It's not respect. So if you want to put it on police cars, put

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it on the emblem of your office.

This is something that is not going to come down anymore and be accepted anymore. And that's why people are discouraged. That's why, when they talk about oh, the numbers of complaints against the police have really been reduced, it's not because the problems have been reduced, it's because people are discouraged from coming and complaining. Their complaints are lost or not confirmable. It's one person's word against another person's word, that person's word against a police officer's word, and the police officer's word counts. We're not foolish. We're not stupid.

And even with the resources, I remember talking -- I was on Mayor Guiliani's task force commission on police/community relations. And the mayor -- the mayor then says, oh, I don't believe in civilian complaint review boards. And I said to him, you advised -- you put us up on this commission to advise you. And you're going to tell me as the mayor of the City of New York

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2 that you don't support all civilian complaint
3 review boards when that's the law, and you are
4 the chief executive of the law? Don't insult
5 me and don't insult us.

6 So I say to each of you in my
7 final remarks, you have a hell of a
8 responsibility, because you're not
9 representing here the mayor. I don't care how
10 you got appointed. I know the mayor appoints
11 everybody. But the City Council names,
12 nominates, the police commissioner nominates
13 three, and the mayor nominates and appoints
14 all of them, the rest of them.

15 But in the community, to use a
16 youthful word, there's representations and
17 then there's represent. You don't represent
18 the mayor. You don't represent the City
19 Council. You don't represent the City -- the
20 Police Commissioner. When you serve on this
21 body, it doesn't matter whether you're in your
22 private offices or in your closed sessions or
23 here in public meetings or when you're having
24 a dress down with the Mayor and your
25 appointers. It doesn't matter. You have to

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2 represent. You have to represent the people.
3 You have to represent the people and your own
4 rules and your own regulations, the policy
5 that established the Civilian Complaint Review
6 Board as a truly independent. And if you're
7 not going to be truly independent, then your
8 responsibility is, as they say in the hearings
9 of the attorney general, if you can't enforce
10 the law, if you can't respect the law, if you
11 can't respect the procedures and have courtesy
12 and professionalism and respect for the
13 people, the public, then your only option is
14 to resign.

15 (Applause)

16 CHAIR WILEY: So, one, we will
17 absolutely make sure we post agendas in
18 advance of meetings, that's a very helpful
19 suggestion. I don't know who you spoke with
20 on the phone. We'll obviously have a
21 conversation about courtesy in terms of how
22 people are treated when they call. That's
23 something that's very important to us. I have
24 not heard that fortunately in the past, but
25 it's disturbing to hear and we will definitely

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2 address that internally.

3 I want to keep making sure we have
4 people who want to speak able to. I have
5 Tracy Woodall next on my list. Tracy Woodall?

6 (No response)

7 CHAIR WILEY: Okay, she may not be
8 here, okay.

9 And next I have Sleep Johnson.

10 (No response)

11 CHAIR WILEY: Okay.

12 Mr. O'Grady.

13 MR. O'GRADY: There's a slight
14 typo on page 11, line ten and 11. The name is
15 Seamus, S-e-a-m-u-s. Not s-c, it's s-e. It's
16 pronounced with an H. That's some quirk of
17 the Irish.

18 CHAIR WILEY: And just for the
19 record, Mr. O'Grady, you're referring to the
20 minutes from the last meeting; correct?

21 MR. O'GRADY: Yes. Yes, yes, that
22 is what I have in my hand.

23 CHAIR WILEY: Okay. Thank you.

24 MR. O'GRADY: What would this
25 Negri developer be telling the Chinese

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2 bankruptcy director. Chinese bankruptcy
3 director, I met him. Dr. Martin Luther King
4 want him to have the missing \$200,000.
5 Corporation counsel is preferred spelling
6 c-o-r-p-o-r-a-t-i-o-n. Corporation. Counsel,
7 c-o-u-n-s-e-l. Not -- there's another way to
8 spell it, but they prefer this spelling. 100
9 Church Street. Donate to his organization.

10 Corporation counsel did indeed
11 foreclose on this Negri developer due to
12 \$200,000 missing, absconded during the
13 residential units. Corporation counsel
14 indicate, in summary, each and every tenant
15 must be notified that Negri developer wants
16 government to donate \$200,000 to his
17 organization. Corporation counsel indicate
18 false document is criminal offense. Luxury
19 automobiles show up in his possession.
20 Manufacturer addition, luxury automobile,
21 manufacturer addition. 135 -- bank manager
22 say money disappearance easy thing to do.
23 Parking space, 200 automobiles. 135th Street,
24 Fifth Avenue, Harlem River Drive. That's the
25 Riverton Square developer having access to --

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Riverton Square having access to Riverton Square financial computer. Caused \$100 million to disappear from Riverton Square building account. HPD say they have considerable loan interest in this \$100 million that is disappearing than the \$200,000.

Grants Tomb, a \$40 fee will provide you with copy of Union dot blue army uniform helmet as a souvenir.

CHAIR WILEY: Thank you, Mr. O'Grady.

Natasha Jackson.

(No response)

CHAIR WILEY: Natasha Jackson.

(No response)

CHAIR WILEY: Okay. James Milan.

MR. MILAN: Good evening, everybody, good evening.

CHAIR WILEY: Good evening.

MR. MILAN: I'm sorry I'm late. So I'm kind of here to give my experiences. Is that okay?

CHAIR WILEY: Yes, please.

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2 MR. MILAN: So I've been a
3 resident of the Bronx for six years. More the
4 42nd precinct. The Claremont Neighborhood
5 Center, the 42nd precinct and PSA 7 actually
6 serve our district. But my experience -- but
7 my experience with the police, I mean -- I'm
8 sorry, it's a little --

9 CHAIR WILEY: Take your time.

10 MR. MILAN: Well, I can say as a
11 young individual it wasn't always great. When
12 we talk about stop and frisk, sometimes it's
13 just you can be too -- you can just be walking
14 down the block and you will just be stopped
15 randomly, and there's never an explanation of
16 why you're being stopped. Or the explanation
17 is you fit a description. Well, a lot of
18 people are six-two and dark-skinned. I mean
19 that's a whole bunch of people in my
20 neighborhood, honestly speaking.

21 But I have got beaten up by the
22 police before. But I'm not going to sit here
23 and say every police officer is bad. I have
24 met some wonderful police officers, and I had
25 some wonderful conversations with some. When

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2 Mr. Jones -- piggybacking on what Mr. Jones
3 said about the female officer, I was the young
4 man who asked her. I said so what's your
5 experience in the field, because I want to
6 know like the mindset you have when you are
7 out on the streets, you as a woman, I mean you
8 as a mother, like how do you feel at twelve in
9 the morning or one in the morning and you're
10 walking a project housing development. Then
11 she said -- then she said listen, I'm trying
12 to get home to my son. So when I ask you to
13 do something, if I see you on the street or I
14 see you in the housing development and I ask
15 you to do something, just do it. Excuse my
16 language, she said don't bust our balls,
17 because we're going to make it hard for you.
18 And I had to sit there and I think of -- and
19 just -- and just that statement alone, I think
20 that she's a human being.

21 But when you say you're going to
22 bust our balls if we don't cooperate, what are
23 the reasons? You know -- you know, I mean,
24 sometimes it -- sometimes, I mean, it's scary
25 being a -- being a young individual, and I

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2 don't like to play or say anything about
3 color. I'm 26 now. I moved to the Bronx when
4 I was 19. But sometimes, you know, you don't
5 want to go outside after night -- I mean after
6 dark. You know, detectives, you know, when
7 you say CPR are courtesy and professionalism,
8 there's none of that. Like I was telling one
9 of the ladies that visited Claremont
10 Neighborhood Centers on the review, I said
11 listen, this isn't Manhattan. This is the
12 South Bronx, I'm going to be honest. So
13 certain things that happened -- that happened
14 in Manhattan, I can't tell the officer excuse
15 me, officer, why are you stopping me. Do what
16 I say and do as I say. There's no -- there's
17 no in between, or do you want to go -- do you
18 want to go home or do you want to go to jail
19 tonight, you know.

20 And my executive director,
21 Mr. Jones, I realize -- I realize this too.
22 You also have to understand, like once again,
23 we're all humans, but cooperation is really
24 the key to a lot of different situations.
25 Because their main thing is, if you don't

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cooperate, we're going to make it harder. So I have learned when I get stopped, my hands out of my pockets. Listen, if I'm going to go for my wallet or something, officer, you want to see my ID, officer, it's in my left pocket, I'm going to pull out my ID. I don't want to be shot, I don't want to be killed. And as a young individual, I mean that's what I fear.

But now I have also met some police officers who, like I said, that's wonderful. The executive officer of the PSA 7, a wonderful -- a wonderful person. You could sit down and have a conversation with her, and she's all about community, she's all about getting police officers that know the people in the community. And we need more of that. People that look like us. People that know where we come from and know our everyday struggles. Stop getting people from Long Island that don't know what it feels like to grow up in poverty. They don't understand the struggles.

All I'm going to say, what that man said earlier, it kind of -- it kind of

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2 resonates, because it's not that we don't
3 know. It's what happens when we -- it's what
4 happens when we do complain. What changes?
5 You know, you can't -- I mean, we don't see
6 any changes. Like yeah, we have all these
7 board meetings and we can come out as a young
8 individual and we can speak all day and we can
9 say -- we can say a thousand different things.
10 But if we see no changes, listen, there's an
11 African proverb. If the children don't feel
12 the warmth of the village, they will burn it
13 down to feel its warmth. So when you -- so
14 when you want to see a change, the change is
15 in the community.

16 Listen, there's a reason why they
17 don't know what this board is about. Because
18 you never see any changes. So my thing is,
19 I'm going to go -- some of you end up
20 complaining a thousand and one times, and we
21 see no changes. And we're tired of it. We
22 need more changes. Listen, it would be nice
23 if you could come visit the communities and
24 come really see what goes on. Sitting
25 behind -- sitting behind this table does us no

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2 justice.

3 That's all I have to say. Thank
4 you.

5 CHAIR WILEY: Thank you for your
6 time.

7 (Applause)

8 CHAIR WILEY: We have a few more
9 people on our list. I would like to
10 acknowledge that Deputy Inspector Hennessey is
11 here. Thank you so much for coming.

12 We have committed as well to share
13 the transcripts of tonight's meeting with the
14 Deputy Inspector. And he would have been
15 sooner, but was in another meeting in the
16 building. But thank you for coming.

17 DEPUTY INSPECTOR HENNESSEY: Thank
18 you very much.

19 CHAIR WILEY: And we're going
20 through our roster of people speaking. If you
21 choose to speak, it's not your obligation, but
22 if you choose to speak, let us know.

23 DEPUTY INSPECTOR HENNESSEY: If
24 you'd like me to.

25 CHAIR WILEY: Okay, sure. Let's

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2 have a few more people speak. Yeah. I'm
3 sorry.

4 AUDIENCE MEMBER: Let's hear what
5 the Deputy Inspector has to say.

6 CHAIR WILEY: Yeah. Deputy
7 Inspector, if you can come to the podium --

8 AUDIENCE MEMBER: Are you coming
9 from the 40?

10 CHAIR WILEY: Yes, the 40, I'm
11 sorry.

12 AUDIENCE MEMBER: I haven't met
13 you.

14 CHAIR WILEY: Yeah. So why don't
15 you come and have a seat and I'll -- come and
16 have a seat. Let me have a couple more people
17 speak just also so you get the benefit of
18 hearing from a few people, but thank you for
19 coming.

20 Cecelia Gaston I'd like to call.
21 And I would also like to acknowledge Cecelia's
22 leadership. I have the tremendous pleasure of
23 working with her as a member of the Gender
24 Equity Commission of the city, and so your
25 leadership is very much appreciated.

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MS. GASTON: Thank you very much. Mine is just going to be very short and I don't like to do address the 42nd -- the 44th precinct here, but in general.

I'm the executive director of a nonprofit that works in gender violence, sexual assault and domestic violence, primarily with the Latino community, with many immigrant women, and we work across the city. I have one incident that I would like to report as a Latino.

We had a woman that had an order of protection. She picked up her kids at the day care, at the baby sitter, and the abuser was outside waiting for her. The order of protection specifically addressed harassment. She walked with crying kids into a precinct with the paper in her hand. They refused to enforce it. In addition to that, she was one of our clients, one of our residents. She received a phone call from a detective of that precinct telling her if she filed a complaint, she would get arrested. I went and I filed the complaint with the Civilian Complaint

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2 Review Board. But because my client refused
3 to testify, out of fear, it was dropped.

4 So, in many cases I am the only
5 person, safe person to testify. I'm a U.S.
6 citizen, I look nice, I'm educated, I'm all of
7 these things. And I represent a very specific
8 group of women that are trying to get help.
9 So I wish the complaint review board would
10 look at their procedures and practices so that
11 people like I that represent a very
12 disempowered group of people can step up in
13 front of them, because they're very vulnerable
14 from many different directions, and represent
15 them and have the power to defend them and
16 complain.

17 Thank you.

18 CHAIR WILEY: And I will say, one
19 thing that we want to make absolutely clear is
20 that our abuse of authority also includes
21 sexual misconduct. Sexual misconduct is
22 something that people don't always realize is
23 covered by abuse of authority. We're going to
24 also try to find ways to elevate that and make
25 that clearer. But also what we have been

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saying to folks, and I will say it in this context as well, is even if we don't have a complaint, if we hear something like that has happened, we are willing to also call the precinct commander and let 1 Police Plaza know that we are hearing these kinds of things and ask what action they will take, even though we don't have a specific complaint.

MS. GASTON: Okay.

CHAIR WILEY: So in that way we can at least play that role and are willing to play that role as well. And we can do that without a rule change.

MS. GASTON: Thank you.

CHAIR WILEY: Thank you.

Alvin Ponder.

MR. PONDER: I'm a member of
Community Board 10.

CHAIR WILEY: Thank you.

MR. PONDER: I had no intentions
on speaking.

CHAIR WILEY: Well, thank you for
coming.

MR. PONDER: Thank you.

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2 CHAIR WILEY: I had it asterisked
3 by your name, I thought that meant you were
4 going to speak, but thank you very much.

5 And we also have Patricia Charles
6 as well, from Community Board 11 I believe is
7 also here.

8 MS. CHARLES: I'm here.

9 CHAIR WILEY: Oh.

10 MS. CHARLES: I just came to -- I
11 don't want to speak, I'll speak afterwards,
12 because I just -- there's things that are
13 happening that there's no need for me to speak
14 on personally, but I will speak afterwards.

15 CHAIR WILEY: Okay. Thank you for
16 attending.

17 And I'm sorry if I mispronounce
18 this name, I hope I get it right, but Hakim
19 Yamel.

20 MR. YAMANI: Yamani.

21 CHAIR WILEY: Yamani, okay. Would
22 you like to come speak?

23 MR. YAMANI: Not right now.

24 CHAIR WILEY: Not right now, okay.
25 That's from Community Board 1. Thank you all.

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2 So we are going to ask Deputy
3 Inspector Hennessey, if you'd like to
4 introduce yourself. So we'll tell you a few
5 of the things we have heard, high level, just
6 so if there's anything you'd like to say. And
7 if you could speak at the podium, because we
8 are Livestreaming this.

9 In addition to your role, one of
10 the things that you should know that we have
11 heard tonight is a lot of concern that there's
12 been lot of turnover in the hierarchy of some
13 of the precincts, and that people have come
14 and gone so rapidly, there's not establishing
15 a relationship. Some community leaders have
16 not had real sufficient interaction with the
17 precinct in order to develop relationships and
18 understand how folks can work better together.
19 And obviously still problems with stop and
20 frisk and abuse of authority. You've heard
21 some, I think, of that. While folks also
22 acknowledge that some things have gotten
23 better, that there's some good police
24 officers, so recognizing it's not every police
25 officer. But a lot of opportunity to create a

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lot more relationships with some of the community leaders in order to understand better both how to be in a relationship and what some of the concerns and problems are and some of the ways that the precinct can work more effectively with the community.

DEPUTY INSPECTOR HENNESSEY: Sure.

Good evening, everyone. And first and foremost, I apologize. We had a community council meeting right down the hall here, so that's why I came in late or otherwise I would have been here for the whole thing. And I'd like to thank the Chair for inviting me tonight because I heard a few of the complaints as I walked in. And it's very important to me, and that's why I appreciate you inviting me tonight, to hear it. And, like I said, you know, we're here at a panel tonight, and we really don't hear the everyday complaints. You know, I see the complaints that come in, and for the gentleman that was up here saying nothing gets done with the complaints, and I understand your frustration. But every complaint, every civilian complaint

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I get, I sit down with the police officer, because it does have an effect on their career, it does have an effect on their performance. And my thing is if it goes unaddressed and if it goes unnoticed and if it goes untrained or undisciplined, it continues. And in my community council meeting we started off by saying -- you know, we read all the statistics of crimes for the year and arrests and summonses and what's going on. If the community doesn't think we're effective at policing, then how effective are we. I can tell you we made 175 gun arrests and I can tell you if crime is down or up. But if you don't think we are doing a positive job in your community, then we're not doing a positive job in your community. And it has to be worked on on a daily basis, and it has to be worked on both for me, obviously I'm the commander of the 40th Precinct, with my officers in the precinct, but also with the residents, with the children, with the business owners, with people that live here.

I grew up in the city my whole

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life, I'm born here, I lived here my whole life. I want the police response when I call 911 to be the response that you get at your house. I never called the police in my life. But when I do call the police, I want the police to come and address the concern I have. And that's what I try to relay to my know.

So when you do make complaints, you may feel it goes unnoticed, but they're definitely addressed. And I definitely -- my biggest priority in the precinct is obviously overall crime and safety. Community relations, number one. Crime and safety 1A, equal with it, but the morale of my officers as well. So if there is a complaint, it's addressed and addressed professionally, and addressed in a way that it reflects the policing in the street, because if all those three things are working together, you have effective policing and you have a positive community approach. And that's one of our main focuses in 2017.

I got here about six months ago. This is my third command, this is my first

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2 time in the Bronx. I've been live in Queens.
3 My last two precincts were in the 108 in Long
4 Island City and the 115 in Jackson Heights,
5 East Harlem and North Corona.

6 So, over the last six months I'm
7 getting to know the neighborhood, the issues
8 in each different neighborhood. I'd been out
9 there as much as I can to meet the community
10 leaders and the residents itself.

11 And one of our programs, being an
12 NCO command is, there are steady officers
13 trying to, we have four different sections of
14 our precinct. The whole precinct is divided
15 into --

16 CHAIR WILEY: Can you just say
17 what NCO is, just in case everyone doesn't
18 know.

19 DEPUTY INSPECTOR. HENNESSEY:
20 Sure. The NCO program is the Neighborhood
21 Coordinating Officer program. And it
22 basically -- each different area of the
23 precinct has two police officers assigned. And
24 they're assigned there to basically meet the
25 community, address the issues and concerns,

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and to be out there as a investigative part, a community part, and to really be the eyes and ears. And they're selected based on their overall career. Who knows the community, who's been in this community. Who knows where the drug spots are. Who knows what communities need, what issues. The children, the residents, the senior centers, everyone involved in the community, to bring it together.

In addition to that, the NCO officers, we have steady sectors. Steady police officers, which wasn't done a few years back. They changed it. Years ago they had steady sectors. Now it's brought back where you have the same police officers policing your neighborhood daily. That is their only assignment. It's not that they're going to Manhattan today to do a detail because there was a rally or a protest. Those officers are in your neighborhood every day. And they have downtime off the radio every day. And my prerogative is to go door to door, one block at a time, to meet someone on that block, and

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to get an honest assessment of what's going on on that street. Speak to Mr. and Mrs. So and So, hey, Mr. and Mrs. So and So, how are you. I've lived here for thirty years and listen, I have a problem with narcotics on my street. There's abandoned cars on my block, I've been living here fifty years, I can't get into my house, I'm elderly, I want to be able to park in my street. And they go out there and meet them and address their concern.

And in my dealings in policing, and I always took it in my community council meetings, whatever meetings I was at, if you gave me the complaint personally, I always responded back to you. Whether I tried it three times but I couldn't fix it, but I'll keep trying. With the cars you talked about, Mr. So and So, we took care of that, and we'll be out here if you need anything else, please let us know. And that one on one approach was always a positive approach. And we always had great community interaction. And that's something that we're looking to expand on here and to obviously improve on. We can always

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improve, we could always do better. I'm not going to sit here and say that everything is perfect and that's the way it is. But my job is to make sure that my officers address all the complaints that we possibly can on a daily basis in a professional manner and in a manner with the community.

We're starting tomorrow -- overall this year in the city we were number one in overall crime increase. We were number two in murders. We had a large increase in -- we're number three in the city in robberies. And around the Melrose, Jackson Housing development we had five shootings inside the development, including two police officers that were shot, and five shootings right on the outside. So tomorrow we're doing safe streets. We're basically going to close down a portion of Cortland Avenue, and we're going to book reading with the kids, we are going to have football playing with the kids. We are going to have hot chocolate, we're going to have stuff. And it's something we're going to do on a daily basis, on a weekly basis, to

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make the streets safer and to provide a positive environment for the residents, for the children, for the business owners. So there's a lot of things we are looking to do. But, you know, my main goal was to have the community involvement with it.

So I'm not going to sit here and tell you that we all act -- sometimes things don't go the way it's supposed to go. Sometimes situations get escalated and complaints are made. And obviously we need to sit down and we address it with the community. If you don't feel like we're doing an effective job, I'm going to tell you that I don't think we are doing an effective job. But there's way to get around it. If you've had a bad incident with the police, we are here to talk about it, let's fix it, let's move on. Let's make it a positive environment.

We work here. A large part of our day, most of my day is spent here. I spend more of my day here than I do at home. So my job is to make sure when I come here that you

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2 have the best possible service. And if that's
3 not being provided, please tell me. Open
4 dialogue, let's have a conversation about it
5 and let's work to improve it.

6 CHAIR WILEY: Yes, do you have
7 a -- sure.

8 (Question from the audience)

9 CHAIR WILEY: Yes. We are asking
10 people if you have a question just go to the
11 mic so it can be captured, because the meeting
12 is being Livestreamed. We're not trying to
13 torture you.

14 MR. SCOTT: No problem. Isaac
15 Scott, Center for Justice.

16 So my question is directly to you,
17 Inspector. Like, all that sounded very
18 wonderful. But like in regards to addressing
19 concerns about extra parked cars and all of
20 that stuff, most of us didn't drive here.
21 That's not -- those are not issues that were
22 just raised here. The young man was just up
23 here talking about being fearful of the
24 police. And last I checked you guys were here
25 to keep us safe.

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AUDIENCE MEMBER: Right.

MR. S. JONES: So can you speak directly to like the concerns that are being addressed in this room.

And then also accountability is a very, very, very important thing. Now, you say you sit with your officers, you reprimand them. But what about repeated offenses? And then you said let's sit down and fix this. That sounds very easy, but that doesn't happen, you know. So like let's talk about what's actually going to happen. Like this young man, you saw him up here with a shirt on, slacks on, and nice shoes. He looked very nice, right? If he goes home and changes those clothes, he's likely to walk outside and get harassed, right? And if he does complain, you know, that's not to say that it's going to stop, even by that particular officer. So like I think no one like -- I don't want to speak for everybody but I'm sure I can speak for a lot of us when I say that we don't want to hear what you just said. We want to hear you address what we just said.

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That's it.

DEPUTY INSPECTOR HENNESSEY: Yup,
all right. Well, like I said, I apologize for
walking in late, so I caught the last part of
what the gentlemen was saying that he was
speaking about. And what I do say to you is
give me the opportunity. I just got up here
and I told you what I plan to do, and I meant
every word I said. So I understand you may
not believe what I said, you may not
understand it, maybe you don't want to give me
that opportunity, that's fine. But what I'm
telling you is those complaints are taken
seriously by me and by my supervisor. And
they're addressed on a daily basis. If you're
asking me is that behavior going to stop by
police officers, by the same police officer?
It better, and it should. And that's why
these systems are in place to correct it, to
make sure it doesn't happen again. Am I'm
going to tell you a hundred percent that it's
going to stop? I don't think anybody could
tell you that. But I can tell you that the
programs are in place to address it. So when

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2 there is a complaint, it is addressed to try
3 and stop it.

4 CHAIR WILEY: Deputy Inspector
5 Hennessey, can I ask a -- this is not
6 something that is unique to the 40, but it has
7 come up in several of the discussions we've
8 had around the city, which is people's fear of
9 coming and bringing a complaint because of
10 retaliation by police officers. Not
11 necessarily by you.

12 DEPUTY INSPECTOR HENNESSEY:
13 Right.

14 CHAIR WILEY: But by the actual
15 police officer about whom a person is
16 complaining, particularly if it's in their --
17 someone who's regularly in their community.
18 What steps do you have to address that and
19 what kind of assurances can you share? We
20 have the same issues, of course, with folks
21 bringing complaints to us.

22 DEPUTY INSPECTOR HENNESSEY: Sure.

23 CHAIR WILEY: So I'm curious how
24 you handle that.

25 DEPUTY INSPECTOR HENNESSEY: That

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in itself, retaliation on itself should be unacceptable on every level. Since I've been in this precinct I haven't had any complaints of retaliation against any of my officers. I don't think I've had any repeat complaints against my officers so far since I've been here. We've had a decrease in CCRB complaints. I think we are down 41 versus 57. But statistics, 41 is still a high number. It's something that, you know, we look to reduce on a daily basis. But a retaliation complaint is taken to the most serious level of all. And we haven't had that so far since I've been here.

CHAIR WILEY: Anything else?

Anyone else from the community have a question for the Deputy Inspector? Yes, sir.

MR. MANCHESS: Can I ask while he's coming up?

CHAIR WILEY: Sure, while he's coming up, go ahead. Just, yes, we just want to capture it.

MR. MANCHESS: I'm just curious to

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2 know, how many retaliation complaints were
3 there? Because I don't have the paperwork in
4 front of me, against the 40.

5 CHAIR WILEY: I'm sorry, are you
6 asking that they receive?

7 MR. MANCHESS: Yeah.

8 CHAIR WILEY: Yes.

9 MR. MANCHESS: No, that CCRB knows
10 of.

11 CHAIR WILEY: Oh. We would have
12 to -- I don't think we can answer that
13 tonight. We'd have to look at our data and
14 see and pull that out, which we can do.

15 MR. MANCHESS: You haven't heard
16 of one because I haven't complained.

17 DEPUTY INSPECTOR HENNESSEY:
18 Right. Well, I haven't heard one yet, sir.

19 MR. MANCHESS: Okay.

20 ARTHUR: Good evening to the
21 board --

22 CHAIR WILEY: Good evening.

23 ARTHUR: -- and everyone. I
24 really didn't have so much of a question to
25 ask you. What I really wanted to do, if I

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2 could, my name is Arthur. I was born and
3 raised in the South Bronx. What I wanted to
4 say was, I mentioned this quite some time ago,
5 for one thing I'd like to commend the board
6 because it's been a long time since I've stood
7 before the board, but the board does seem to
8 be a -- have a little more diversity in it
9 since I last laid eyes on it. You see, I can
10 remember coming to the Civilian Complaint
11 Review Board back in the old days when you
12 were on Lafayette Street and the board was
13 mostly all white. And they would turn around
14 and they would have meetings at 1 Police
15 Plaza. So it all concerned mostly what
16 happened to black and brown people, so what
17 they would do is they would send two white
18 people down to 1 Police Plaza to talk to two
19 white people at -- two white people from the
20 board would go down to 1 Police Plaza and talk
21 to two more white people and they would all
22 talk about incidents that happened to black
23 people. Nobody in the room was black.

24 And what I wanted to say was I
25 read the paper earlier and, you know, your

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2 break downs, and I see no break down of race
3 and sex of the victim and the police officer.
4 That needs to be down there.

5 CHAIR WILEY: We do have that. It
6 wasn't in our summary sheet, but in our full
7 report it does have that break down. And we
8 can make sure you get that.

9 ARTHUR: Also too, I wanted to
10 know does the board have any -- can you
11 summons anyone to -- do you have any powers to
12 come up with a punishment for a police officer
13 or anything like that? I mean, because unless
14 you have any power whatsoever to come up with
15 a punishment, you're pretty much a toothless
16 tiger.

17 CHAIR WILEY: We -- so those are
18 very good questions. And one of the things
19 that we do is, obviously we receive
20 complaints. This board, we have investigators
21 on staff. Those investigators then
22 investigate the complaints. We are a neutral
23 body when it comes to complaints. So our
24 independence is that we're independent from
25 everybody. Because we have to judge each case

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2 based solely on the facts and the law that's
3 presented to us in the case. That some people
4 don't necessarily know that so I just want to
5 make sure that's clear. This board then
6 reviews the cases that the investigate --
7 after the investigators are finished. And we
8 then make a determination around whether we
9 think the allegations have been established.
10 Our standard, it's a legal standard, is
11 preponderance of the evidence. I will say,
12 sometimes we may believe something happened
13 but we do not have sufficient evidence for us
14 to make -- so we have to make what we call an
15 unsubstantiation. In some instances the
16 officer, what the officer did was lawful and
17 in that instance we exonerate the allegation.
18 Sometimes we find that somebody lied and we
19 have evidence that the thing didn't happen and
20 that's an unfound.

21 We are -- what we then do, if we
22 substantiate an allegation, is we then make a
23 decision as a body on what the disciplinary
24 recommendation is. In serious cases we have
25 our own prosecutors. Actually, Mr. Darche,

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who's our interim executive director, is also the chief of our prosecutions unit, we can bring charges, and this is the -- I think we are the only civilian complaint review board in the country that can do this, we then prosecute the cases in the administrative law court of the police department. In other words, it's not the police department's lawyers that prosecute the case, it's independent lawyers who are independent of the police department.

Now, the judge obviously makes the decision. What we do -- you are correct, we can't impose discipline. Only the Police Commissioner can impose discipline. What we do is we recommend the discipline we believe be imposed. I will say that we're very proud that the number of agreement of the Police Commissioner with our recommendations has gone up really significantly in the last two years. I'm looking at the policy unit because I'm not sure I'm getting the percentage right since it's not in front of me, but it's gone up substantially. Do you remember it offhand?

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Okay. But it is all on our website. All that data is publicly available, we can provide it. But you're correct, we do not make and impose the disciplinary, we make the recommendation.

ARTHUR: And the very last thing I will say, I guess that you can answer if you like, sir, because I would like very much like your opinion on it. I really appreciated listening to this young man who spoke earlier. And as I listened to him, I thought about my own father, who would tell me stories about the Delaware State Troopers and some of the racist, nasty, filthy things they did to some of him and his friends back in 1937. So I'm pretty much old enough to be, hell, maybe his grandfather. And I'm looking at him and I'm thinking to myself, in all fairness, you have to really truly understand how a lot of us are feeling. My father telling me the stories that happened to him with the police. I know the racist crap happened to me in New York City with the police, okay. Midtown north, central Park, Sixth -- 13th precinct, all of it. And my feeling is, how long. Here it is,

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2 2017. I really feel that -- like a schmuck
3 telling a young black or Hispanic male how you
4 must act when the police are coming. How we
5 must keep our hands like this. This ain't
6 1941. What the hell am I going to stand up
7 here and tell this young man how he must act.
8 You should be able to turn around and say I
9 haven't done anything, what is your problem.
10 Because we -- basically we all want to get the
11 hell home at night. We all want to get home.
12 And you're wearing a gun, a bulletproof vest
13 and a walkie-talkie to call backup. Most of
14 us don't even have a knife on us. So somebody
15 answer that one for me.

(Applause)

16
17 DEPUTY INSPECTOR HENNESSEY: I
18 don't know if -- was there a specific
19 question?

20 CHAIR WILEY: Well, I will say
21 that some of the things that we've heard
22 before you were able to get here was that
23 there are a lot of times in which people are
24 told, I think one exact, if I'm not quoting
25 this correctly, but they're told you give us a

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2 tough time, we'll bust your balls. So that
3 the implication is even when people are not
4 violating the law, they're being stopped,
5 they're asking why are you stopping me, that
6 they can essentially be retaliated against
7 for -- merely for asking the questions and
8 asking why they're being stopped. If that's a
9 fair representation.

10 DEPUTY INSPECTOR HENNESSEY: I
11 mean, that shouldn't be the case. They're
12 trained from the Police Academy and they're
13 retrained and retrained, so that behavior
14 should not be happening. Over the course of
15 my nineteen years on the job, the department
16 has been very diverse in -- you know, in the
17 40 precinct itself, a large part of the police
18 officers assigned to the precinct are
19 predominantly Hispanic. And it's a
20 predominantly Hispanic community. So I think
21 our officers reflect the community that they
22 serve. I think the breakdown of the
23 ethnicities of the officers are reflective of
24 the community that they do serve. So if there
25 are instances of complaints, they are trained

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2 and they are retrained if there are problems
3 with it.

4 CHAIR WILEY: One thing I think I
5 would like to ask -- I don't have anyone else
6 on my list who has asked to speak. Yes, we do
7 have another.

8 DR. HERNANDEZ: Could I have --

9 CHAIR WILEY: Okay, please come to
10 the podium. If anyone else, since I have
11 exhausted my list, would like to speak,
12 please, you can how about just line up at the
13 podium since we'll need you to come to the
14 podium, and that way we can be more efficient.

15 DR. HERNANDEZ: Yes. Good
16 evening. I'm Dr. Andor Hernandez, from the
17 community as a patient counsel, district 8.
18 I'm a former law enforcement officer. I
19 served twelve years as a veteran of law
20 enforcement, and also a veteran in the
21 infantry.

22 And one of the things that it was
23 embedded in your -- our heads even from the
24 marines time, was even when you are doing
25 combat training is to keep your finger off the

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2 trigger and outside the trigger guard. And
3 that is something that was embedded in our
4 subconscious. And even when you're doing
5 combat training, you still had to do that.
6 And you automatically did it. Your finger was
7 never on the trigger at any point until you
8 were ready to engage. And there are too many
9 incidents here where police officers ended up
10 shooting civilians or anybody else in front of
11 them because officers have their fingers on
12 the trigger. And whether they want it or not,
13 it's just an automatic reaction. Any
14 distraction would have that muscle reaction on
15 the trigger and will cause an accidental
16 misfire.

17 So that is something that you guys
18 need to really drill into your officers.
19 Maybe even post it on every prison, finger off
20 the trigger and outside the trigger guard.
21 And particularly because you just mentioned in
22 training they have the training during the
23 Police Academy and then as needed. Well, it
24 should be done more often, not just as needed.

25 When I was at the agency that I

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2 was on, we had training twice a year. It was
3 the officers-wide training. And I know you
4 guys have a very large force, and that kind of
5 would be sort of tough to manage the logistics
6 of it. But you guys should do it more often
7 than just as needed. Because the more
8 confident an officer is about their training,
9 the less he's going to rely on the weapon as
10 their primary source of defense.

11 It is kind of inconceivable to
12 have a sergeant to shoot a 66-year-old lady
13 because she's wheeling a bed. I would
14 understand if you would have been big poppy
15 swinging a bat. Here we'd have double tap to
16 the chest wouldn't be warranted because he
17 would be able to kill you. But for an officer
18 who's inside an apartment, when you can look
19 for cover, concealment from a bed to end up
20 shooting, the only thing I can think of,
21 because I don't think that officer went in
22 there with the intention of shooting this
23 lady, it was just that his finger was on the
24 trigger and he reacted when the lady come out
25 and he shot her. So, but if the finger would

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2 be off the trigger -- not even have
3 consciously put your finger on the trigger.
4 But, once again, your training should be
5 enough that for you, and you got backups and I
6 understand all the training about you're
7 not -- everybody wants to go home. And what
8 the gentleman say about the hands, my
9 suggestion to the kids, to everybody, yes, do
10 show your hands. Because officers do want to
11 go home. And there is an unfortunate saying,
12 it's very tribal, twelve that carry big
13 sticks. You're not going to hear that
14 anywhere else, but that is the saying that
15 it's among law enforcement. And they do want
16 to go home. So you should not give them a
17 reason to escalate the situation. So when you
18 do show the hands, at least he knows that you
19 don't have a weapon that can harm him. So but
20 the officer -- the officers are human -- I'm
21 so sorry, I have questions.

22 CHAIR WILEY: I appreciate your
23 comments. I'm just looking at the line, and
24 I'm a little conscious of the time, so --

25 DR. HERNANDEZ: There's nobody

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2 else left over.

3 (Audience participation)

4 (Laughter)

5 DR. HERNANDEZ: Never mind, my
6 apologies.

7 CHAIR WILEY: You were inspiring,
8 so the line got faster.

9 DR. HERNANDEZ: So my apologies.

10 CHAIR WILEY: No, no, thank you.

11 DR. HERNANDEZ: But, you know, I
12 think training is the key. If you're
13 confident about your training, you're not so
14 quick to pull the trigger.

15 Thank you.

16 CHAIR WILEY: Thank you.

17 DEPUTY INSPECTOR HENNESSEY:

18 Just --

19 CHAIR WILEY: Yes.

20 DEPUTY INSPECTOR HENNESSEY: Just
21 to respond to the gentleman's question. The
22 training I was talking about as needed was I
23 was talking about stops and tactics at the
24 academy and training on that, and then they're
25 retrained for any complaints that come in.

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And then as far as firearm training, they have to attend two mandatory firearm cycles each year. So they are trained on firearms and tactics two times a year minimum, as opposed to what they're doing on their own time.

And as far as the shooting, I'm not going to comment on that.

DR. HERNANDEZ: Okay.

CHAIR WILEY: I think the police commissioner commented on that. But thank you for both the comments and for the response.

Yes.

MR. CASTILLO: This is my first time speaking in front of people. So I want you to hear me.

AUDIENCE MEMBER: Into the mic.

MR. CASTILLO: Sorry, sorry.
Thank you.

And I come with Mr. Jones from Claremont Family Center, and as a resident of the Bronx, just to speak a little bit about the experience that I've had with the police officers in the Bronx.

MR. DARCHE: Can you gave us your

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name?

MR. CASTILLO: My name is Hernin
Castillo.

First of all I'd like to say that I'm a college student. I'm not an angel, and I'm not the worst kid. Growing up, I've never had an experience with police officers, you know. This one incident that I want to speak about, it happened recently, about a month and a half ago. I don't mind getting arrested because I understand that if I am innocent, I wouldn't be -- I didn't mind being arrested, that's fine, I got arrested. But what bothered me most, I had to use the bathroom, something as simple as using the bathroom. The officer took me to the back of the precinct, this place behind a line of cells that were deserted, not any of them occupied by even the inmates, that they keep themselves. I had to strip. The officer asked me to strip to use the bathroom. And I felt violated. I know that when they tell you you need to strip, you follow the procedures. But at the precinct I had to be in my boxers

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to use the bathroom because you don't trust me or because you feel like I did something wrong? And it bothered me, I felt violated. And I felt like officers should use their power a little differently.

On the police car it says CPR, courtesy, professionalism and respect. Not one time did I have ever experience anything good coming in contact with police officers.

I drive. Every time I see a police officer's car, I get nervous. And we shouldn't have to live in fear. Just like what James said, it's hard. And I have a son, he's one. I don't want my son going through this. I'm already looking at places to live. I don't want to be in New York. As a criminal justice major, this isn't even something I want to do anymore. I'm supposed to graduate in June with my associates. And I came this far to feel like I can't even be a part of the system, because it's just so fake.

And I just want to say to all to Officer Muria, who asked me to strip to use the bathroom, that I don't think that was

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2 fair.

3 Thank you.

4 (Applause)

5 CHAIR WILEY: You know, before we
6 go on, I just want to say that you should
7 never feel violated, no one ever should. And
8 you have demonstrated more courage tonight and
9 more humanity than many of the people I've
10 talked to in the past three months. So thank
11 you.

12 (Applause)

13 CHAIR WILEY: Thank you.

14 MR. DAVIE: Please.

15 CHAIR WILEY: I'm sorry, I can't
16 see him on line.

17 MR. DAVIE: I didn't so much have
18 a question as I just wanted to encourage the
19 young man who just spoke not to give up hope.
20 You know, I sit behind this desk, I wear a
21 suit, I have a good degree from an Ivy League
22 school, I've got a great job. But I wasn't
23 always this age. And I can take off this suit
24 and sometimes even with it on I know a little
25 bit about what you're going through. And so

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2 we have an obligation to stay in this thing
3 and to work hard to try to transform the
4 system. And I think that's why most of us are
5 here. We believe it's important to have good
6 community-police relationships. And we
7 believe it's important in a democracy to hold
8 people accountable, to hold public officials
9 accountable and to hold police officers
10 accountable. So that's why we're here. So
11 don't -- I know it's hard, and I haven't had
12 that experience, but I've had my share. But
13 you can't give up. Stay in this, keep your
14 nose clean, try to do the right thing. You
15 won't always be treated fair. It probably is
16 not going to be a whole lot different any
17 other place you go. But you've got to just
18 stay in it. And you'll find good people in
19 the police department, in the city government
20 and other places that you can work with that
21 are there. And just don't give up on that
22 major and don't give up being involved in this
23 process. It's just too important. And we
24 need people like you and others who will take
25 this on and do this work.

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CHAIR WILEY: You want to talk?

MS. KELLY: Hi. My name is

Futura. And I want to tell you -- it's not a long story, but it's something that happened to me.

So it was one day, my mom, she made dinner, right. So there's no more juice. So I was going across the street to the store to go get some juice, and I was attacked by a girl and her mom for -- there was a problem that had nothing to do with me. So I called the police, and they transferred us to the ambulance. And my mom kept calling the police over and over again, and the police came like three hours later. The situation happened at nine o'clock, and the police came like at eleven, eleven-thirty. And we keep calling the police over and over again. They assigned us a case number. And the police are just not answering to us and our detective is not answering to us, they keep telling us that he's on vacation.

DEPUTY INSPECTOR HENNESSEY: Is it the 40th precinct?

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MS. KELLY: 42nd.

DEPUTY INSPECTOR HENNESSEY: 42nd.

If you're going to be here, just give me the name and the case number and I'll make sure you get a response tomorrow morning.

CHAIR WILEY: Thank you.

MR. PASQUAL: Good evening, everyone. I'd like to first say that my name is Henry Pasqual, former U.S. Marine Corps vet. I'd like to say thank you to Deputy Inspector Hennessey. I personally had contact with him about a month ago and addressed a tenant concern of mine regarding a residence, premises where I live at. Within about a week to two weeks time it was not so much rectified immediately but it was at least approached. And going forward, still more to do with that.

But one thing I wanted to mention is I also, aside from military experience I've also done NYPD volunteer work as well for about five years. So I'm familiar with certain things. And I do that purposely because I feel that with a job title such as New York City police officer, you choose the

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2 job, the job doesn't choose you, first off.
3 So you know what comes ahead. You know it's a
4 line, you know what's in line. And one of the
5 things I want to say to the Deputy Inspector
6 is a lot of people, even though your heart is
7 there, your intention is there to do well, one
8 thing I also want to address is, it kind of
9 bothered me to hear the Deputy Inspector speak
10 the way he spoke and knowing that there's no
11 safe wall or no barrier for possible -- for
12 whistle blowers. Like I said, when I'm out
13 there, sometimes I purposely actually get very
14 grungy and get around officers so I can hear
15 them speak, and I can hear them interact, and
16 I blend in with the neighborhood. And I don't
17 like what I hear. Because as much as you sit
18 down and speak to them, they don't know who's
19 around them. And they take for granted
20 whoever is in an impoverished neighborhood or,
21 you know, really downtrodden neighborhood,
22 that they're that element. Sorry, it's not
23 the case for everybody in this room.

24 So the thing that I'm trying to
25 say is there should be something, a safe

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barrier, a wall for people who want to come forward and say listen, I don't feel comfortable with a certain individual I'm working with, I'm concerned, not only for myself but for them as well. And then it dawned on me too, why not create a system or a program where you want to be a NYPD officer, great. Do volunteer work, do volunteer for about a year, let's see if your heart is really in it. Do it unpaid without a weapon on your holster.

But again, unfortunately it happens in cases where a lot of the officers, once they leave the roll call, once they leave the precinct, they're autonomous, they'll do and say whatever they feel like. Because it's, again, like someone pointed out, the young man and the people like that have spoke before him, it's their word against ours, unfortunately.

That's all I wanted to say. Thank you very much, everyone. Have a good night.

CHAIR WILEY: Thank you.

DEPUTY INSPECTOR HENNESSEY: Just

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as needed this comes on? Can you hear me?

Good, all right. Sorry about that.

Just in response, as far as officers with these complaints, I have, since I've been in this command, there are supervisors that have officers under them that when there are complaints they'll remove them from their assignments. There are officers that have been replaced, that have been removed from their assignments. So we do take officers coming in to complain about other officers, we do look at repeat offenders and try to rectify the situation. And if there is a team that is the issue, we look to replace them and put a positive team in there that's not getting these complaints.

As far as me speaking to them and them going out and doing whatever it is they're doing, I speak to them, I get it across. If there's no more complaints being filed, then I assume that that lecture worked. If there's a complaint to be made against the officer making the complaint, then it will be addressed. But as far as me speaking to them

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and them going out and doing something else,
if there's no more repeat complaints coming
in, we assume that that mediation worked and
we will address it as it goes forward. So
that is often done in the precinct.

MS. WOLF: Hi. My name is Julia
Wolf. I'm work for Emblem Health.

(Inaudible)

THE REPORTER: Can you speak into
the mic, please.

MS. WOLF: Yeah, sorry.

So I just wanted to rethink about
two things that kind of came up here tonight
that call for increased community policing and
engagement and understanding who our officers
are, and transparency and independent reviews
and stuff like that. And I just want to
briefly say too, as we're talking about ways
to increase communication and community
policing, to make sure that everybody in the
community is counted, including people who are
marginalized and maybe shut out of more
traditional forums, who might be advocates.
You mentioned your clients. And I also wanted

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2 to mention the community members that we
3 provide services to, including those who are
4 struggling with homelessness, substance abuse
5 and other chronic issues that make
6 interactions very difficult. And also
7 including people who have had past
8 interactions with law enforcement, and to not
9 cut those people out in those community
10 engagements, because there is potential for
11 increased trust among people who have had past
12 experiences with police officers. And so I
13 guess I would plead and invite to please make
14 it a point to try to engage with those people
15 as well. Because that's where so much of that
16 trust is lost, and to not leave anybody out.

17 And in terms of kind of this idea
18 of transparency and reporting, to really look
19 at how -- you mentioned retaining and training
20 and some of those things, and really make that
21 understandable to the community. And also
22 figure out at what point, you know, if you
23 continuously have to retrain, at what point
24 does the original training get looked at and
25 say okay, where are some gaps here where we

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2 might be able to improve it. Because doing
3 the same thing over and over without a result,
4 which isn't to say there is never a result. I
5 think that, as has been mentioned here, there
6 are wonderful police officers who are great
7 community liaisons. But at what point with
8 those repeated issues do we look at a deeper
9 origin of where that starts.

10 Thank you.

11 CHAIR WILEY: And I will just say,
12 given that we're going to have to wrap up,
13 these will be our last two speakers. We'll
14 make a few kind of final remarks and
15 suggestions. But please.

16 DEPUTY INSPECTOR HENNESSEY: Just
17 in regard to that, we have our community
18 council meetings the first Wednesday of every
19 month, if anybody would like to attend. You
20 can schedule me to come out to speak to any
21 organization or agency that, you know, we
22 addressed the police complaints, especially in
23 the 40th precinct. I'm more than happy to
24 attend and make myself available for anything.
25 Obviously an improvement in relations, that's

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my number one priority.

MR. CLARK: Good afternoon. My name is Jason Clark. I wear a number of hats, but really I think the most important one just here is that I'm growing up in the community.

Before I get started I just want to say I think it's really great that we have programs like this. I'm really happy to see the CCRB doing this. Because when I talk to people in the community, people really talk about their beliefs and what the CCRB has done, you know, even ten, twenty years ago. And people don't always realize some of the things, some of the advancements and progress that's been made since then. And the only way people in the community are going to know about that is if we have events like this and people start spreading the word and we start seeing effective outcomes.

To me the thing that's so important is that we need to start building trust again, you know, between the people who are tasked with protecting us as well as the people in our community. And to that event I

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2 tried to do a number -- I work with a number
3 of organizations that have tried to really
4 make sure people know their rights. In fact,
5 just being here I'm looking around, and I even
6 see a couple of people from an event that we
7 did over at the Claremont Neighborhood Center
8 just like a month ago. And I'm glad to see
9 them out there, and I'm glad to see that
10 people are really taking an interest in their
11 futures.

12 But to me, before we can really
13 start building that trust again is that
14 there's this sense from so many people that
15 they're being treated differently. And, you
16 know, we have these events, we have, you know,
17 officers like the Deputy Inspector here who
18 seems very nice, I have no reason to think
19 that that he's anything other than he says.
20 You know, we have other programs, we have
21 other officers there who say a lot of the
22 right things.

23 But at the same time, when I talk
24 to a lot of my friends, for example, who are
25 prosecutors, some of my friends who are in the

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2 community. If you actually look at the
3 statistics in so many of the precincts, the
4 number of people who seem to be arrested
5 during those first couple of weeks is starkly
6 different than the people at the end of the
7 month. And the reason that so many people
8 tell me that probably is, is because as an
9 officer you get a certain amount of overtime.
10 And after you get to a certain point where you
11 can no longer exhaust your overtime, you
12 may -- then there's no really extra incentive
13 to try to start to arrest people in the
14 beginning. So I'm not saying it's the case
15 with everybody, but there does seem to be
16 something if you look at a number of the
17 statistics and you see this huge number at the
18 beginning of the month and not at the end of
19 the month. So that's something I would like
20 to see if we can start to address, see where
21 that disparity is coming from.

22 The second thing is I think that
23 we really have to do a good job of making sure
24 that those officers who are part of -- who are
25 reaching out to the community, who are the

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2 good apples, are getting promoted. And I
3 would like to know more about whether their
4 performance reviews, that there's some type of
5 metric to make sure those who do participate
6 in those programs when they're, you know,
7 playing football with people in the community
8 or doing things to give back, whether there's
9 a way that that's actively being incentivized
10 so that those individuals are the ones that
11 make sure the rest of us are safe.

12 Thanks.

13 (Applause)

14 DEPUTY INSPECTOR HENNESSEY: Thank
15 you.

16 Just in response regarding the
17 arrests at the end of the month. If you look
18 at our overall arrests, we're down almost
19 2,500 arrests for the year. My main priority
20 in the precinct is in this neighborhood there
21 is some violence in this neighborhood, there's
22 a few individuals in this neighborhood that
23 cause the violence in this neighborhood. So
24 my thing is, I can arrest and arrest and
25 arrest all day long. I'm not going to stop

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2 the problem in the community unless I'm
3 stopping the ones that are -- individuals that
4 are actually shooting and robbing people in
5 the community. So I understand your point
6 regarding arrests, but our overtime is down,
7 our arrests are down, and our main focus is to
8 be on the street providing safe cars to the
9 children and the residents, and to arrest
10 those responsible for the violent crimes. And
11 that's really the final stop for the
12 community, the quality of life issues.

13 MR. POOLE: Good evening,
14 everyone. I'm just going to talk about my
15 personal experiences with the cops. My name
16 is Dahruis Poole. I work at Claremont
17 Neighborhood Center along with my co-workers
18 over there.

19 My personal experience with cops,
20 I can honestly say I'm nothing less than
21 thankful. You know, I've never had a bad
22 experience with a cop. I can honestly say
23 that. And this is not taking away from anyone
24 that has gone through something with the cops,
25 you know. Not all cops are good, not all cops

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2 are bad. You know, it's kind of what you run
3 into sort of thing.

4 All right. So I have this one cop
5 that comes to my job regularly, his name is
6 Officer Terence, I believe. And just a little
7 over two weeks ago he took us to a pinstripe
8 ball game. It was Northwestern versus, you
9 know, such and such. But it's the little
10 things like that, you know, definitely taking
11 the time out, getting us really good seats,
12 you know. You see things like that, and you
13 notice that cops are humans too. You know,
14 take away their uniform, take away their guns,
15 and they're just like us, you know. Even in
16 the midst of the game, you know, they're
17 emotionally just hanging out, you know,
18 they're talking, they're eating, doing human
19 things, you realize that, you know, these are
20 actual people too.

21 I had another incident, a family
22 incident. Cops were called, I can admit that.
23 One of the cops, she comes by the job
24 regularly as well. I don't know her name.
25 But ever since that day, it was a little over

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2 a year ago, she checks up on me regularly, you
3 know. And I appreciate that a lot. I still
4 don't know her name. But she does that. Hi,
5 how are you doing, staying off the streets,
6 you know, things like that. I've never been a
7 bad kid, but she's making sure that I'm in
8 check. And I just really appreciate things
9 like that, you know. I'm just thankful that I
10 never had a bad experience with a cop. And,
11 you know, never say never, but I hope this
12 streak continues, you know. And I feel like
13 all cops should lead by example like that.

14 We play competitive basketball
15 with them, we have a whole moment with them
16 called bringing the peace. You know, there's
17 a lot of things we do in the Claremont
18 Neighborhood Center with the cops. So if they
19 would just be like that and all cops would
20 just be like that, I think the world would be
21 a little bit better.

22 Thank you.

23 (Applause)

24 CHAIR WILEY: We have a little bit
25 of our usual boring board business that we

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2 have to do now that we're closing the public
3 comment section. Before I do, since I think
4 many of you may want to leave for the boring
5 part of our meeting, I just want to open it up
6 to board members. Does anyone want to make
7 any comments before we close the public
8 comment section?

9 (No response)

10 DEPUTY INSPECTOR HENNESSEY: I
11 would. I would.

12 I just want to thank you for
13 inviting me tonight, of all the comments we
14 heard tonight, positive and negative. It's
15 something for me to see and obviously work on
16 with you all in the precinct. I know a lot of
17 people say it's just words. But I'm a man of
18 my word and I mean what I say. And if there's
19 anybody that needs me to come out or needs me
20 to address any complaints -- and I'll speak to
21 the young lady right after this -- I'll be
22 more than happy to do that. So thank you very
23 much for having me.

24 CHAIR WILEY: Well, we're so
25 thrilled that you came and really appreciate

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2 your time and your attention and your
3 thoughts. And obviously we appreciate all of
4 you who are members of the community, because
5 we do recognize we can do better too. Just
6 like the police department can do it, so can
7 the CCRB. And we will only get better if we
8 get better together. So thank you for helping
9 us with that and for participating, and we
10 will continue to be in dialogue with all of
11 you. But yes, let's -- oh.

12 MR. EASON: Thank you so much.

13 CHAIR WILEY: So thank you.

14 And I do want to make a couple of
15 comments on some of the things we heard -- I
16 know we don't have a lot of time -- but I
17 don't want to leave hanging.

18 Some folks have raised questions
19 about knowing your rights. Raniece Medley,
20 who's the director of our outreach unit,
21 importantly we just increased the number of
22 staff not that long ago who are in our
23 outreach unit. Jerika Richardson, who's here,
24 has joined the staff also to help spearhead,
25 support more community engagement and our

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2 strategy around that. And we are very
3 committed to this because it's going to help
4 us get better and therefore have more
5 accountability and oversight and improve.

6 What we do is independent. That
7 means, what that means is we judge each case
8 individually. When we write reports, which we
9 do regularly, and we make our statistics
10 available, we will not publish a report unless
11 we have sufficient data to make the
12 recommendations we think we need to make.
13 That's really important to our credibility and
14 our effectiveness.

15 We also recognize that because we
16 have conversations with the police department
17 all the time, we actually use our role to have
18 those discussions with the police department
19 about what we're learning, what we're seeing,
20 and what we think they can improve on even
21 when it's not a specific case. Maybe because
22 it's the pattern and practice of things that
23 we see and we hear. We do that as a way to be
24 a civilian oversight authority and to improve
25 policing and safe and fair communities. And

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2 we will continue to do that.

3 Anyone who has recommendations,
4 first on how we can improve, we'll work to do
5 that. We do need to elevate our profile, we
6 do need to make sure people know their rights
7 and what they can come to us with. We do need
8 to do a better job at that. We have heard
9 that tonight, and we are aware of it, we have
10 a very committed staff to doing that. The
11 more suggestions you give us about ways to
12 interact with residents in the South Bronx,
13 the more we will be able to do that more
14 effectively as well. So thank you for all
15 your support and assistance in helping us get
16 better at being the civilian oversight
17 authority.

18 All right. With that, now we go
19 to the portion of our agenda where we adopt
20 our minutes from the last board meeting. Do I
21 have a motion?

22 MR. EASON: So moved.

23 CHAIR WILEY: Do I have a second?

24 MR. CARCATERRA: Second.

25 CHAIR WILEY: All those in favor?

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(Chorus of ayes.)

CHAIR WILEY: All those opposed?

(No response.)

CHAIR WILEY: Any abstentions?

(No response.)

CHAIR WILEY: Hearing none, the
minutes are adopted.

Do I have any old business?

(No response.)

CHAIR WILEY: Hearing none, do I
have any new business?

(No response.)

CHAIR WILEY: Hearing none, do I
have a motion to adjourn to executive session?

MR. PEGUERO: So moved.

CHAIR WILEY: Do I have a second?

MR. EASON: Second.

CHAIR WILEY: All those in favor?

(Chorus of ayes.)

CHAIR WILEY: All those opposed?

(No response.)

CHAIR WILEY: All right.

(Time noted: 8:40 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)
) SS:
COUNTY OF ORANGE)

I, KARI L. REED, a Registered
Professional Reporter (Stenotype) and Notary
Public with 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.

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

IN WITNESS WHEREOF, I have
hereunto set my hand this 25th day of January,
2017.

KARI L. REED, RPR

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