

Civilian Complaint Review Board-Final
March 8, 2017

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CIVILIAN COMPLAINT REVIEW BOARD

PUBLIC MEETING

March 8, 2017

7:01 p.m.

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100 Church Street
New York, New York 10007

TRANSCRIPT OF PROCEEDINGS

B E F O R E:

Maya D. Wiley, ESQ., Chairperson

Jonathan Darche, ESQ., Acting Executive Director

PUBLIC MEETING AGENDA

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1. Call to Order
2. Report from the Chair
3. Report from the Interim Executive Director
4. Presentation by Outreach on the CCRB
5. Presentation from Policy on Queens Data (Focus:
103, 105, 113 Precincts)
6. Remarks from Elected Officials
7. Comment from Community Members

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1 * Shelly Fernandez, Urban Upbound participant
2 and former CCRB Outreach intern

3 * Mohammed Amin, The Caribbean Equality
4 Project

5 * Nicole Bramstedt, Urban Pathways

6 * Pastor Glenn Crutch, Anointed

7 * Au Hogan, Life, CAMP, Inc

8 * NAACP Jamaica Branch

9 * Rev. Henry Simmons, St. Alban's
10 Congregational

11 8. Public Comment

12 9. Adoption of Minutes

13 10. Old Business

14 11. New Business

15 12. Adjourned to Executive Session

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BOARD MEMBERS PRESENT:

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Maya D. Wiley, Esq., Chairperson

Youngik Yoon, Esq., Board Member

John Siegal, Esq., Board Member

Marbre Stahly-Butts, Board Member

Frederick Davie, Board Member

Lindsay Eason, Board Member

Salvatore F. Carcaterra, Board Member

Ramon Peguero, Esq., Board Member

Frank J. Dwyer, Board Member

Joseph A. Puma, Board Member

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Jonathan Darche, Esq., Acting Executive Director

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2 CHAIR WILEY: It is 7:01 and I
3 call the meeting of the Civilian Complaint
4 Review Board to order. I want to thank the
5 community for coming out to this meeting.
6 I apologize for being late. Traffic was
7 not on my side but we are all here, and I
8 just want to allow my brethren to thank me
9 for not being on strike right now.

10 (Laughter.)

11 CHAIR WILEY: So it is not an
12 evening without a woman right now but in
13 part because the work that we are doing
14 here tonight is so critically important to
15 both your community and to all of us here
16 on the Board, and the communities
17 throughout the city, which is to ensure
18 that we are strengthening fair and safe
19 policing and our communities.

20 So it is both with great humility
21 and great pleasure that we're here with you
22 this evening. Our primary goal is to hear
23 from you and learn more about what's
24 happening with policing in your community.
25 This is something that we at CCRB have been

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trying to do much, much more earnestly, is to be in community when we have our board meetings, not just to be at 100 Church Street, downtown, so that we are giving more opportunity to hear directly from community.

Since we are late, I'm going to forego my general report because really, we're here to hear from you. I just want to quickly thank, one; our staff, because our outreach team I think has done a phenomenal job in ensuring that we get to community so thank you, staff.

(Applause.)

CHAIR WILEY: And for keeping us on track, and I also want to just acknowledge all our community partners who have agreed to come and speak tonight but, of course, we welcome anyone from the community who wishes to come and address us and share your experiences around policing. So with that, I want to turn it over to Jonathan Darche, our interim executive director just to see if he has a report he

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would like to share.

MR. DARCHE: I'd like to thank you, Madam Chair, and I'd like to thank you all for joining the Board and its monthly meeting here in St. Albans.

I take special pride from us being here at my home borough of Queens to continue the Boards's program of using these meetings to hear from members of the community about their experiences with the police and with our agency, as well as to give the members of the community a platform where they can speak about these issues.

In February, the agency received 351 complaints within our jurisdiction. As of February 28th there are 636 cases under investigation and 89 cases in the mediation unit's docket. Of the active cases in the CCRB's docket, 92 percent are less than three months old. The agency closed 434 cases in February, fully investigating 230 cases, mediating or attempting to mediate 38 cases and truncating 166 cases.

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I'd like to thank the Reverend
Doctor Henry T. Simmons for allowing us to
use the St. Albans Congregation Church for
this meeting, as well as Monica Fisher and
Barbara Flatts for facilitating this
meeting here, and I'd like to thank you all
again for joining us.

(Applause.)

CHAIR WILEY: So generally, we
have a brief presentation from outreach
just to give a little bit more information
about the Civilian Complaint Review Board.
We're on your time and I recognize that is
significant for community members to give
up an evening of their time, you have
families, you have obligations so I'd just
like to ask with a show of hands, does
anyone want to hear a little bit more about
what we do and how to initiate a complaint
with us? If so, raise your hand.

(Audience complies.)

CHAIR WILEY: Okay. Great.

MS. MEDLEY: Good evening,
everyone. Thank you again for joining us.

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So we are the Civilian Complaint Review Board and we are just as we -- just as it sounds. We receive complaints of alleging misconduct against members of the New York City Police Department.

Our jurisdiction includes cases that involve unnecessary and excessive force, abuse of authority, discourtesy and offensive language. We are empowered to investigate those allegations, to mediate cases that involve those allegations, and we also prosecute allegations of those natures in certain instances.

You can file a complaint by going to our website. You can call 311 and ask for CCRB and they will put you over to our agency so that you can file a complaint. You can go to our hotline at 1-800-341-2272. That's 1-800-341-2272, and you can file a complaint there as well. You can also walk into our offices. We're located at 100 Church Street on the 10th Floor and you can file your complaint there.

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2 Once the complaint is brought
3 forward, you'll be given a number, you'll
4 be able to track your complaint and keep
5 track of it. Should you choose mediation,
6 you'll have an opportunity to sit down face
7 to face with the officer who was the basis
8 of the complaint or officers so that you
9 all can talk about what it is that happened
10 on the same level and have that dialogue
11 and conversation.

12 Should you choose to have the
13 matter investigated, our investigators will
14 conduct interviews, they'll collect as much
15 evidence as is necessary to be able to try
16 to come to a decision about what it is that
17 happened and so we look for any evidence
18 that we can find to be able to come to that
19 conclusion. So that's what the process
20 involves in short.

21 There are many materials that are
22 provided, I hope you all got them as you
23 checked in and signed in. If not, please be
24 sure to get them on your way out.

25 The other thing that I just want

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2 to mention is that we go out to the
3 communities, you know, we're out here now
4 but we go pretty much wherever we're
5 invited so that we can do presentations to
6 make sure your community is aware of what
7 it is that we do, know where our services
8 are and also so that folks are apprised of
9 what their rights and their
10 responsibilities are during police
11 encounters. So we go pretty much anywhere
12 we're invited and please, also let us know
13 at the table if that's something that you
14 would like us to do, is to come to your
15 group or organization.

16 So that's pretty much it in a
17 nutshell. You'll hear a little bit more as
18 the conversation builds but I hope that
19 gives you all context for an evening.
20 Thank you again for your time.

21 (Applause.)

22 CHAIR WILEY: I just want to say
23 one other thing that often times many
24 members of the community don't realize,
25 which is maybe you watched and witnessed

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2 something happen that falls within our
3 jurisdiction, you don't have to be the
4 person who had the interaction with the
5 police. If you saw it happen, you can
6 lodge a complaint around what you saw
7 happen. So I think that's important
8 authority for us because that's actually
9 unusual but I -- sometimes that's important
10 because sometimes people who had the
11 interaction don't know or are aware that
12 they can come to us or they don't feel
13 empowered to.

14 So I do think it's important to
15 recognize that you can play that role as
16 well. Okay. And we're happy to answer
17 questions obviously, if you have any later
18 on. We ust wanted to give an opportunity for
19 you to understand some of what we are seeing
20 in terms of complaints of police misconduct
21 in Queens so you can get just a little bit
22 of what we see. So I'm gonna ask our policy
23 unit to share data. Okay. Thank you.

24 MR. MAHER: Good evening. My
25 name is Conner Maher and I'm from the policy

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2 unit and I'll be giving you a snapshot of data
3 from the 113th Precinct. So on our first slide
4 slide, we're gonna be looking at complaints by
5 borough, and I'll try to be as descriptive
6 as possible for people in the back of the
7 audience. But we're gonna be looking at
8 data from 2010 to 2016, and the most amount
9 of complaints the CCRB has received by
10 borough has been from Brooklyn, which is
11 about 30 percent of our complaints per
12 year. Queens amounts to about a fourth
13 amount of complaints that the CCRB receives
14 and on an annual basis this is normally
15 about 15 to 17 percent of complaints the
16 CCRB receives.

17 In the next slide, we're gonna be
18 looking at the precincts that have the
19 highest amount of complaints that the CCRB
20 receives. So of the 15 precincts, 5 of
21 which are found in Queens, and looking at
22 specific precincts, the 75th Precinct in
23 Brooklyn has the most amount of complaints
24 that the CCRB received in 2016 and this is
25 gonna be 207 complaints.

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The 103rd and 113th are gonna be seventh and eight respectively. And the CCRB received 85 and 78 complaints from these precincts respectively. The 105th was 12th and we received 73 complaints. The 114th, there was 55 complaints at 13th place and the 109th was 15th with 35 complaints received.

We're now looking at closed investigations or fully -- closed investigations that are fully investigated. The CCRB fully investigated 30 percent of the complaints that it received from the 113th and this is about similar to the overall average that the CCRB fully investigates, which is about 34 percent of the complaints received.

CHAIR WILEY: And just to be clear about one point. The only reason we don't finish an investigation is because either the witnesses stop being in touch with us or something else happens that interrupts our ability to. We will complete every investigation we can, and it

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2 is our goal to complete investigations. So
3 I just share that because, also as you
4 share information with the community about
5 us being here, one of the things that's
6 important for us is to help support folks
7 through the process so that we are able to
8 complete the investigation. That's one of
9 our goals.

10 MR. MAHER: Indeed. Thank
11 you. Next we are going to be looking at
12 data that complaints -- or the CCRB tracks
13 data on complaints that contain an
14 allegation of stop, question, frisk or
15 search of a person. This number has gone
16 down since 2014 and in 2016 the CCRB
17 received about 20 percent of the complaints
18 at the 113th of an allegation of stop,
19 question and frisk.

20 The next slide is going be the
21 type of allegation the CCRB investigates.
22 Force, abuse of authority, discourtesy and
23 offensive language. The most common
24 allegation that the CCRB investigated and
25 closed in the 113th were gonna be abuse of

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2 authority allegations and this amounted to
3 134 allegations. The next was gonna be about
4 force at 24 percent. Discourtesy amounted
5 to 10 percent of the allegations and
6 offensive language was 5 percent.

7 Breaking these FADO allegations
8 down into sub allegations, so how we
9 classify the types of force, the most
10 common sub-type of FADO-allegation would
11 actually be physical force with 36
12 instances. And the next most common is
13 gonna be the abuse of authority which is
14 gonna be in the upper left screen with the
15 blue bars and there were 26 abuse of
16 authority premise searches and enter
17 allegations.

18 In the next slide, we're looking
19 of the fully investigated allegations those
20 that received a disposition and the most
21 common disposition was gonna be unsubstanti-
22 ated, which accounted for about half of the
23 dispositions. The second most common was
24 substantiated at 19 percent, exonerated at
25 19 percent and both unfounded and members of

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2 service unidentified was 7 percent, and in
3 closing, if you have any further questions
4 about data, we have an interactive website
5 where you can go and check out about 40
6 visuals on complaints, allegations,
7 victims and members of services, and there's
8 also a link where you can go and look at
9 previous reports. Thank you.

10 CHAIR WILEY: Thank you. All of
11 the data, obviously, that we're sharing is
12 also available on our website but if for
13 any reason you don't have access to the
14 internet or to a printer, you can also
15 contact us and we'll send you a hard copy.
16 Okay. Because we are aware that there are
17 far too many New Yorkers who don't have
18 that access.

19 So I would like then to both
20 invite any -- if there are any
21 representatives from any offices from our
22 local electeds. We invite you to come
23 give greetings at this time. Thank you.
24 Thank you.

25 MS. YOUNG: Hi, my name is Rianna

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2 Young and I'm representing Assemblyman
3 David Weprin's office and we just want to
4 support the community and we're here to
5 take down and listen to anything you guys
6 have to say.

7 CHAIR WILEY: Thank you for being
8 here. Do we have anyone else? Oh, thank
9 you.

10 MS. PRINCE-MODESTE: Good evening
11 Candace Prince-Modeste representing Council
12 Member I. Daneek Miller. I'm just here to
13 support the community. Thank you, CCRB. Our
14 office is directly across the street at 172-12
15 Linden Boulevard, so if there's any material
16 reviewed here that anyone needs a hard copy
17 or electronic copy of, please feel free to
18 stop by our office and request that and we
19 can make that available for you. Thank you.

20 CHAIR WILEY: Thank you so much.

21 MS. YEARWOOD: Hi. I'm Stacey
22 Yearwood from Council Member Grodenchik's
23 office, here to support the community. If
24 anyone has any constituent concerns or need
25 help on any of these matters, please feel

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2 free to call our office. 718-468-0137.

3 CHAIR WILEY: All right. Do we
4 have anyone else?

5 (No response.)

6 CHAIR WILEY: All right. Thank
7 you and we want to thank you for being
8 here. We really rely on our partnerships
9 with our elected officials as well as
10 community leaders so thank you.

11 All right. So with that, we
12 really want to jump into the meat of the
13 reason why we're here, which is really to
14 hear from you and we have learned that it's
15 helpful for us when we establish
16 relationships with community leaders and
17 there are several who have -- we welcome to
18 come speak and we have from Urban Upbound,
19 we have someone from Urban Upbound. Yes,
20 please. And by the way, anyone who wishes
21 to speak, let us know and we will add you
22 on the list if you haven't already signed
23 in, indicating that you would.

24 MR. WILLIAMS: Hi, my name is
25 Justino Williams, I interned at the

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2 Civilian Complaint Review Board over the
3 summer. I was part of the outreach
4 youth unit and it's nice to be here and
5 discuss the things going on within this
6 community, within my community. I've lived
7 in Queens all my life so it's nice to be
8 here. The major concerns regarding the
9 relations with the community and the police
10 are -- well, when it comes to misconduct,
11 the major concerns are cases of abuse of
12 authority and force.

13 From my personal experience, I
14 haven't -- I haven't seen too much of these
15 things that correspond with the statistics
16 going on but then again, that is just my
17 personal experience. But I feel the CCRB
18 can definitely foster trust between the
19 police and our community through informing
20 the community and the individuals of our
21 rights that we have when we interact with
22 police officers.

23 Also, I feel that if we were able
24 to do that, to create some way of informing
25 the community, that the amount of police

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2 complaints would decrease because I believe
3 that it would deter any sort of misconduct.
4 I'm not saying that police are generally
5 negative or anything like that. I believe
6 that they are good for the community but I
7 just feel it would be -- it would
8 definitely bring down the amount of
9 complaints within the community.

10 Also, I think it would just be
11 great if we had a place to go to discuss
12 these things, like, we have this church
13 right now. So, yeah, there's that.

14 CHAIR WILEY: That's helpful.
15 Before you sit, I just want to see if any
16 board members have any questions or
17 comments.

18 MR. PEGUERO: Just to clarify,
19 are you recommending that the CCRB do or
20 conduct some sort of community trainings on
21 know your rights?

22 MR. WILLIAMS: Yes, that. Yeah.

23 CHAIR WILEY: That's great and
24 that is something that our outreach unit
25 does so we would welcome partnerships with

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2 any community leaders and community-based
3 organizations and schools so that we can do
4 more of that. And my question goes to, in
5 terms of places to have more of these
6 discussions, which I think we all agree
7 with, where we can have dialog and under-
8 stand and share with the Police Department
9 what kinds of things are happening can be
10 improved upon. We want to serve that role.

11 I'm wondering if there are
12 particular things, when you say "abuse of
13 authority and force," are there examples or
14 practices that we could bring to the atten-
15 tion of the police precinct now? Because
16 one of the things that we will do with this
17 session is share the transcript and results
18 with precinct commanders that have
19 connection to this current community.

20 MR. WILLIAMS: Well, I can't
21 really think of anything too specific but I
22 do understand that from people, not me
23 personally, but people that I know that
24 have interactions with 113th Precinct and
25 103rd Precinct, that they generally have

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2 the same complaint that when they're
3 dealing with police, the police can be --
4 now, they don't exactly use offensive
5 language but they can be kind of degrading
6 when you speak to them, you know, like, as
7 if you're beneath them. You know, most of
8 the complaints are that they can be a little
9 too extra in terms of force when it comes
10 to making an arrest.

11 One of my friends, you know, they
12 got taken down pretty rough. Another
13 one -- well, two of my other friends, they
14 were handcuffed to the point where they
15 were very, very tight, you know, almost as
16 if they were cutting off blood circulation.
17 They asked officers multiple times to,
18 like, loosen up the handcuffs a little bit.
19 Instead, one of them got slammed into,
20 like, the car seat which only tightened
21 their handcuffs which made the situation
22 worse. Thankfully, he didn't suffer
23 anything, like, a crazy like loss of
24 circulation to his hands or anything like
25 that but, yeah, that's just about it.

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2 CHAIR WILEY: Okay. I appreciate
3 that. Any other questions?

4 (No response.)

5 CHAIR WILEY: Okay. Thank you so
6 much for your testimony. We also have
7 Mohamed Amin from The Caribbean Equality
8 Project.

9 MR. AMIN: Good evening. How's
10 everyone doing?

11 (Audience responds.)

12 MR. AMIN: First, I just want to
13 thank you CCRB for hosting this platform
14 and for also inviting me to be here
15 tonight. Often when these forum are
16 happening, the LGBTQ voice is omitted from
17 this process of recording our experiences
18 with the police.

19 Personally, I've a been a victim
20 of police harassment. In 2013, April 13th
21 to be exact, I was actually stopped on
22 Jamaica Avenue by two sets of cars. I
23 asked, what is this about? I was told,
24 give me your ID and your license. I
25 said -- I also asked, what is this about?

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2 "You have a taillight out." I'm like, my
3 taillight is not out, my car would tell me
4 if my taillight is out. My car door was
5 then opened, I was pulled out of my car and
6 the officer, Officer Sinclair (phonetic), I
7 still have the summons I received from that
8 incident, he said, "Don't be an ass," pulled
9 me out, handcuffed me and slammed me to my
10 car.

11 At the same time, my partner was
12 in the car with me and I said, "Please
13 record this." He pulled out his camera and
14 he record the entire incident. It lasted
15 about five minutes. I was shoved into a
16 police car. I waited there for about
17 another fifteen minutes until another car
18 showed up, which the officer was probably a
19 sergeant, asked what was happening and the
20 cuffs were released and I was given a
21 ticket for disorderly conduct.

22 And, at the time, I didn't really
23 know about CCRB and I didn't really know
24 what to do, and I went home and I was,
25 like, traumatized from this experience and

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2 as a queer man of color, of Caribbean
3 background, I was harassed by a Jamaican
4 officer who, by his accent, I could detect
5 his accent and where he was from, and I
6 said to my myself, "Wow, this is my own
7 people." I'm Guyanese, he's Jamaican, we're
8 Caribbean but yet I'm being harassed for
9 simply asking why I was pulled over.

10 I reported this incident to the
11 CCRB. Thankfully, it was resolved. I
12 requested mediation. The officer declined
13 three times and then I requested for a full
14 investigation. I received a letter stating
15 that this -- I wouldn't be responsible for
16 paying this ticket and a note will be
17 placed in the officer's folder for
18 permanent record.

19 So I want so say that as an
20 example of following procedure and knowing
21 that CCRB can respond to these type of
22 violence, it's important to host this type
23 of forum for our community to be aware of
24 it.

25 Secondly, we actually have The

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2 Caribbean Equality Project, which is the
3 only LGBTQ Caribbean organization in New
4 York City. We hosted an event last week
5 called "Love is Love," and we had CCRB
6 present at the event. Esha Mahadeo did
7 an amazing presentation, and so thank you
8 again for being a part of that event. And
9 from that event alone, we had about 65
10 community supporters, and after the event,
11 two days after, we received two inquiries
12 that shared their experiences with police
13 violence and they wanted to know more. How
14 can they go about reporting it? Luckily,
15 Esha shared that 18 months, that you can
16 still report violence, within an 18-month
17 period, file a complaint so these two
18 individuals are now going to be filing a
19 complaint and be sharing their experience
20 with the 106 and the 102 Precinct. Of
21 course, it's not the 113th or 103rd but it
22 still represents Southeast Queens and these
23 incidents need to be reported.

24 You know, for me, I also want to
25 address hate crimes in Southeast Queens,

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2 especially in our diverse community
3 including Caribbean people and Bengali,
4 South Asians. As a community, we speak
5 many languages, and anti-LGBTQ slurs don't
6 always get noted because terms that are
7 used is not being recognized or classified
8 as hate speech and that's something that I
9 would love for CCRB to address with New
10 York City, the NYPD and also talk about how
11 to increase hate slurs and how to classify
12 them. If some one calls you a bati man or
13 chi chi man when they're attacking you, New
14 York City doesn't record that as a hate
15 crime. You have to be called a "faggot" in
16 order for it to be recorded and then and
17 only then that incident will be treated as
18 a hate crime.

19 So as a result, someone who is
20 attacked because of who they are,
21 experience violence because of who they
22 are, it gets noted as assault and you
23 become a victim of assault but you are a
24 victim of hate which is not noted by the
25 NYPD so I just wanted to -- that's

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2 something I would love for CCRB to address.

3 I definitely, I think this is a
4 forum that needs to continue. Also, I
5 think it's very interesting that we're
6 having this in a church, you know, where
7 people come to find safety and to talk
8 about issues that are affecting them but as
9 a queer man I'm proud to be in this space
10 with all of you tonight.

11 CHAIR WILEY: Thank you very
12 much.

13 (Applause.)

14 CHAIR WILEY: We really
15 appreciate you sharing a personal
16 experience as well as raising these
17 important issues and if you share with us a
18 list of terms, because I think we really
19 hear that, a list of terms that you feel
20 should be included for cultural reference,
21 we are happy to share that both with the
22 Police Department and also with the City
23 Council, the Public Safety Committee, which
24 we report to. But I think it's also
25 important to say that will be an

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2 opportunity for City Council to talk about
3 that as well but we're happy to be a
4 conduit for that. It's not directly our
5 jurisdiction but where we can share that
6 kind of the information, we absolutely
7 will.

8 MR. AMIN: I've actually been
9 working on one, so you will have it.

10 CHAIR WILEY: Great. Yes, Mr.
11 Davie?

12 MR. DAVIE: I just want to thank
13 you for your courage to come here and
14 present as you have as an LGBTQ person. I
15 think it's important for us to have the
16 perspective and to have you share it with
17 us.

18 I also want to thank you for the
19 report on how the process worked and for
20 having the courage and commitment to see
21 that process through, and I hope it gives
22 the rest of the people here the courage and
23 fortitude to do the same thing. That's why
24 we're here. That's exactly how this
25 process should work when something like

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2 that occurs and it is good to have someone
3 who can affirm that it does work, at least
4 in your case, and we think that when cases
5 are followed through, most cases when
6 they're really pursued. So just a word of
7 appreciation and gratitude for your
8 presence. Thank you.

9 MR. AMIN: Thank you.

10 CHAIR WILEY: Anyone else on the
11 Board have any questions or comments?

12 MR. PEGUERO: Just one comment:
13 I think that when we went to the Bronx I
14 think it was very helpful to have the
15 commanding officers of the precinct there.
16 I don't know if they were invited, I'm sure
17 they were, and I think that when the dialogue
18 is two ways to be able to hear directly from
19 the citizens as to what their personal
20 experiences are, I think it's very helpful
21 to heal and to create a better sense of
22 understanding.

23 CHAIR WILEY: I completely agree
24 and they were invited, so just to say that.
25 I don't know if they had scheduling

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2 conflicts.

3 MR. DARCHE: We tried to work it
4 out but we are enable to.

5 CHAIR WILEY: In some instances,
6 one of the things we will also work on
7 getting better at is giving more lead time
8 so that policing commanders can make sure
9 that their calendars stay free because we
10 do recognize that they have a lot of things
11 that they're required to do but I
12 absolutely agree that part of what we're
13 trying to do is also create more dialogue
14 with the Police Department, obviously.

15 And I actually just want to ask
16 one more question if I can indulge you
17 because one of the things that we have
18 heard particularly from LGBTQ organizations
19 is that there are particular kinds of
20 harassment that some members of the
21 community feel they experience which is
22 still abuse of authority and can fall
23 within our jurisdiction but I just wanted
24 ask you more generally, in terms of the
25 community, are you seeing anything specific

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2 to that kind of feeling of insensitivity or
3 harassment from police officers?

4 MR. AMIN: We get reports from
5 our transgender community that often report
6 to us incidences of abuse of authority.
7 Often their bags are checked and if a condom
8 is found in their bag then they will auto-
9 matically -- the officer automatically as-
10 sumes that the transgender person is
11 engaging in sex work which is not the case.
12 I don't know when it was illegal to walk around
13 with a condom in New York City. Safe sex,
14 right?

15 (Laughter.)

16 MR. AMIN: But often,
17 transgender, they often get profiled as sex
18 workers and then detained and then profiled
19 because of who they are. Also, the LGBTQ
20 community, when they report violence to the
21 police officers, it's not often reported as
22 a hate crime. It's often just recorded as
23 assault as I mentioned.

24 In my incident, I wanted to make
25 sure mine was reported as a hate crime. I

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2 also wanted to make sure that I had a
3 conversation with that officer because of
4 our cultural background and because of
5 where we came from, homophobia is rampant
6 in the Caribbean and for that mindset to be
7 transported to the U.S. and then be in a
8 position of authority and then abuse that
9 authority against a gay person, and I
10 wanted to make sure that I knew that he
11 knew that I was gay and what he did was a
12 violation of my rights, um, but I never had
13 that conversation. I never had that
14 opportunity.

15 In terms of community, in
16 general, we receive many complaints about
17 police harassment. Sometimes we receive
18 from those who are undocumented who are
19 afraid to talk about this violence, who are
20 afraid to bring attention to the violence
21 because it means that only their status is
22 going to be recorded but sometimes they're
23 not out. They're not out to their family,
24 they're not out to their friends and it
25 means that this particular violence could

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2 out them and potentially put their lives in
3 danger as well, which could threaten their
4 household, safety, housing, jobs and all of
5 these incidents so these are things that
6 needs to be considered when we report and
7 how privacy -- how that person's privacy
8 gets treated in the matter.

9 CHAIR WILEY: Those are very
10 important issues so we appreciate you
11 raising them. Thank you.

12 MR. AMIN: Thank you.

13 CHAIR WILEY: Thank you. Okay
14 and next we have Nicole Bramstedt from
15 Urban Pathways.

16 MS. BRAMSTEDT: Good evening. I
17 want to thank the CCRB for inviting me to
18 speak. At this Board Meeting about community
19 relations in Queens. I'm the policy director
20 of Urban Pathways. Urban Pathways is an over
21 40-year-old human services nonprofit
22 organization. They serv homeless single adults
23 in the New York City metropolitan area.

24 Since about 2012, we've operated
25 the support of housing residents in the

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2 Halletts Cove area of Astoria Queens. It's
3 for homeless single adults with histories
4 of mental health issues, and it's really
5 my interactions with the residents there
6 as well as the homeless single adults with
7 mental health backgrounds to other
8 residents. That really is the basis for
9 what I wanted to talk about.

10 So this past year, I reached out
11 to CCRB quite a bit. So thank you, Esha,
12 for coming out. She came out, we had to
13 speak to our client advocacy group as well
14 as our (5) five residences in Brooklyn,
15 Bronx, Manhattan and Queens.

16 Nearly all the individuals at
17 these presentations are adults with
18 histories of homelessness, mental health
19 and significant trauma. They really have
20 an unfavorable view of the police, which is
21 why I brought them out there, and it's
22 really precipitated by a poor experience
23 either they had or someone they know had
24 with the police.

25 They're also part of a group of

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New Yorkers who really need the police the most, and they need the resources the most because they are extremely disconnected from society and from information.

So before the presentations, I would talk to the clients, the residents about the CCRB, ask about the police, what they think about the police, have you heard of CCRB and most, I would say at least three-quarters, didn't know the CCRB, and this is a problem. And it's not just this small sample size that indicates it's a problem.

In the last year, the CCRB, I saw published a taser report. There's a couple of things that were said in the taser report that indicate connection from outreach to the mental-health community are not as good as it could be. The report acknowledged that those in emotional distress may be less likely to pursue the CCRB process, and mental health advocates have expressed concern that EDP, emotionally disturbed persons are a

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2 particularly vulnerable population without
3 the means or ability to file complaints.

4 And then on top of this, we have
5 mental-health crisis in New York City.

6 ThriveNYC, which is the City's plan to deal
7 with mental health, estimates that one in
8 five New Yorkers each year have a
9 mental-health crisis. In Queens where you
10 have about 2.3 million, that's about
11 500,000 a year. So you can imagine the
12 interaction and the potential for
13 interaction between the NYPD and those with
14 mental health issues. Not just people who
15 are in our types of residences or
16 facilities.

17 Then you have on top of that, the
18 recent deaths such as Deborah Danner of
19 last year. The NYPD and persons with EDP,
20 EDP is an emotionally disturbed person.

21 I'm a policy person so when I
22 look at things I kind of -- what's the
23 problem? And then how do we address it?
24 So I'm gonna talk a little bit about how we
25 can address it. My first recommendation

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2 would be the CCRB continue to do outreach
3 in the communities. Know your rights
4 trainings. This is an incredibly
5 disenfranchised, disconnected community
6 that again, needs the police the most.

7 There's a lot of good non-profits
8 in New York City. Community access, NAMI,
9 National Alliance on Mental Illness NYC
10 that do really good work and have
11 connections to these consumers, and I think
12 also expanding relationship with City
13 Council. I notice Andrew Cohen, who's
14 Chair of Mental Health for City Council. I
15 notice he's not involved in that. Maybe
16 have a discussion with him about how we can
17 get mental-health community more involved
18 in this. And I think the outreach, the
19 education recommendation could address, you
20 know, what is the CCRB doing to foster
21 awareness and trust in mental health
22 community? And then also address the issue
23 that's in the taser report about EDP's
24 having the means and ability to file
25 complaints.

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2 My other recommendation is that
3 CCRB examines how the NYPD responds to
4 those in emotional distress. Could be done
5 in a couple of ways. So looking at the
6 data, and I actually went on and you have
7 really nice data on your website, and I
8 looked at it, and there's a couple of
9 things I thought about in terms of, there's
10 a track reason for initial contact and it
11 includes report domestic dispute. Perhaps,
12 include a category, report emotional
13 distress to break this down more and to get
14 more data on this.

15 Also, there's data on allegation
16 description and there's refusal to obtain
17 medical treatment. I don't know if this is
18 for someone who comes who is emotionally
19 distressed and they don't want to be sent
20 to the hospital. If so, maybe elaborate or
21 tease that more. If not, then maybe include
22 emotional distress as part of the
23 allegation description and then also, I
24 notice you do a lot of policy reports. I
25 think a policy report on the mental-health

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2 community would be very timely.

3 There's a lot going on, as you
4 all know, about the NYPD and crisis
5 intervention. There's a recent Department
6 of Investigation Report that wasn't as
7 favorable, in terms of the rollout on that,
8 the CCRB could maybe have a role to play in
9 that and again, I think while CCRB
10 investigates complaints amongst all members
11 of the community, there's really certain
12 members of the community that they need to
13 foster trust in and those with mental health
14 backgrounds, those with mental health
15 backgrounds, I think that is one of the
16 communities that you need to foster trust
17 in so thank you for the opportunity to be
18 here and talking about this, and I'm
19 willing to take any questions.

20 CHAIR WILEY: All right. Thank
21 you so much.

22 MS. BRAMSTEDT: Sure.

23 CHAIR WILEY: Thank you for being
24 very constructive and helpful with specific
25 suggestions that we will certainly look

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2 at. We've been thinking about vulnerable
3 population, also it's undocumented as well
4 and woman in general, in terms of possible
5 sexual misconduct or claims so there really
6 are a variety of vulnerabilities that we
7 need to pay attention to so I appreciate
8 your very concrete recommendations. Any
9 questions or comments from my colleagues?

10 (No response.)

11 CHAIR WILEY: Okay. And we will
12 be back in touch with regarding your
13 recommendation.

14 MS. BRAMSTEDT: Thank you very
15 much.

16 CHAIR WILEY: Thank you. We now
17 have Erica Ford from Life, CAMP, Inc.

18 Do we have someone else? Okay.

19 MR. HOGAN: First, thank you for
20 recognizing, immediately, that I'm not Erica
21 Ford.

22 (Laughter.)

23 MR. HOGAN: Good evening and thank
24 thank you, CCRB, for being concerned about
25 us. I'm the associate director at Life, CAMP,

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2 Inc., under the executive director for Erica
3 Ford and I'm also President of the Baisley
4 Park Houses. And there's issues.

5 CHAIR WILEY: Can you share your
6 name?

7 MR. HOGAN: Au Hogan. We have
8 issues and we have long-term issues, and I
9 think that issue is not the reporting
10 process but it's police procedure. Police
11 policies and how do we interchange that,
12 you know, with a culture that has existed
13 so long and despite some things that become
14 wrong and the things that they do wrong,
15 you have a great amount of the population
16 that agree with policies and tactics.

17 When you talk about vulnerable
18 populations, I know the brother from Urban
19 Upward Bound, I believe that was the first
20 brother that spoke, we get to not understand
21 that when we witness a crime, that is
22 personal. We don't have to be the one who
23 is individually attacked but we need to
24 personalize that if I see anybody here
25 being disrespected by law enforcement,

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anyone, it begins to internalize and personalize inside myself, and so what we try to do is try to look at where the officer is coming from, and a lot of times the 113th, and I was surprised in a sense of the 20 percent in the 113th Precinct one of the things that was read and that was interesting.

We have, I believe, a good commanding officer, Inspector Grover from the 113th Precinct. He really works with the community. A lot of times, a lot of commanding officers don't know what their officers are doing, and so how to you get the accountability from the commanding officers to the XO's to ensure that you have officers that understand the community and these people that are in that community? And it makes things complex because we would really overwhelm CCRB with the people in our community who are being offended, who are being disrespected if they knew how to file a simple form or give a simple call to the CCRB. They don't know that's so.

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2 Also, like the first gentlemen
3 said, I think there should be some kind of
4 a constant conversation with community
5 leaders. I think our elected officials
6 need to have this conversation more. I
7 know their hands are full but this is an
8 ongoing problem that's not gonna ever go
9 away if we sit down and wait for our
10 community, who basically have problems
11 voting, you know, and they won't vote for
12 the next legislature or the next city
13 council person.

14 If you look at the numbers, there
15 are 150,000 people in district 28 and the
16 City Council member can win with 67,000
17 votes. How do we file -- and that is the
18 population in that community? How do we
19 find a way to engage people to let them know
20 and understand that their rights are being
21 abused? And I think that's the greater
22 message of the problem, and that comes with
23 all of us understanding that we need to
24 personalize these things that's happening
25 happening in our community. Thank you.

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2 CHAIR WILEY: Thank you. I want
3 to open it up to my colleagues for
4 questions or comments. I have one but I
5 won't take the first step of the queue
6 every time.

7 (No response.)

8 CHAIR WILEY: So I really
9 appreciate what you're saying and I think
10 the point about police procedures and
11 policies is one of the things we look at
12 our data to see if we can identify. But
13 one of the reasons why we're here is we're
14 hoping to see if you all are seeing
15 patterns that you can share with us because
16 that helps us as well.

17 Are there particular things that
18 are concrete examples that come to mind for
19 you when you think about the communities
20 experience like with the 113th?

21 MR. HOGAN: Well, there's two
22 things. One of the things is the new NCO
23 officers that are coming out are working
24 well. They engage with the community,
25 they walk with them, they do roll calls

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with them and they see this but that's two officers in the precinct. Two officers from PSA9. Two officers are one-third. There are six officers in comparison to so many officers that don't engage with the population.

I think maybe there's a mistake for us really not understanding that all police officer officers should understand the community. All police officers that have contact and engagement, proper engagement and understand the culture of the people that live in that community and have respect for the people that live in that community, and I think the lack of respect is the most important thing because the lack of respect comes from when the initial conversation begins.

Well, you know, someone said sometimes it's disrespect but it's the condescending conversation which we have a problem with the officers, I don't think they come out of the academy like that. But once they get into the precincts, they fall into those officers

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2 that are already there that have gotten away
3 with it, that become a part of this greater
4 culture that back each other up, you know,
5 so someone says to me, well, all police
6 officers aren't bad and I believe that that
7 is true but if a police officer see that
8 one officer is doing right, 99 percent of
9 the time that officer is not gonna engage
10 at that moment of telling that police
11 officer that what he is doing is wrong
12 and that's what we experience in this
13 community.

14 CHAIR WILEY: And has that been a
15 conversation at all with the -- you're
16 saying you have a good precinct commander,
17 which is better than not having a good
18 precinct commander. Obviously, it does
19 make a difference where the leadership is.
20 Is this a conversation that has happened
21 already or has it not?

22 MR. HOGAN: It was a great
23 conversation actually. We at life, CAMP,
24 Inc., and Baisley Park Houses we were at a
25 meeting this past Monday at the new training

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2 Center in College Point, you know, about
3 the initial things.

4 They have a new video with PSA9
5 that help both community and police
6 officers with the PSA's and Inspector
7 Grover is going to actually be one of the
8 officers that spearheads it in the precinct
9 throughout Southeast Queens so it's
10 important. But what happens when someone
11 is really is concerned about changing
12 police and community relationships, two
13 individuals start losing respect for their
14 own communities, and that's the sacrifice
15 that we have to deal with, without losing
16 respect from the young brothers and sisters
17 when we try to engage in a different kind
18 of relationship and the XO's and the CO's
19 lose respect from their officers.

20 So how do we have that
21 conversation where a commanding officer not
22 be concerned about how his officers are
23 gonna look at him because he's trying to be
24 a better commanding officer for that
25 community?

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2 CHAIR WILEY: That's an important
3 point and I appreciate that. Any other
4 questions or comments?

5 (No response.)

6 CHAIR WILEY: Thank you so much
7 for your time.

8 MR. HOGAN: Thank you.

9 (Applause.)

10 CHAIR WILEY: Okay. And so next
11 we have Richard Gibbs from the NAACP
12 Jamaica Branch. Fired up.

13 (Laughter.)

14 MR. GIBBS: Ready to go. Good
15 evening, everyone.

16 (Audience replies.)

17 MR GIBBS: I'm Richard Gibbs a
18 life member and board member of the Jamaica
19 NAACP. Unfortunately, well, it's not
20 unfortunate because he's doing what he's
21 supposed to do. Our president is out in
22 the field doing NAACP work so he asked me
23 to read his statement.

24 So first of all, I'll say that
25 the President Leroy Gadsden where we

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2 continue to receive complaints of police
3 abuse, I must note that there has been
4 remarkable decrease in complaints.

5 However, we are still receiving complaints
6 on the following issues: Frisk and
7 searches, driving while black. We are
8 receiving complaints that plain clothes
9 officers are stopping young African
10 American males at night in their vehicles
11 and then searching all the occupants and
12 the vehicle without just cause.

13 Disrespect and profanity. Some
14 officers are being disrespectful and using
15 profanity when engaging in interaction with
16 civilians. Blocking streets. Some
17 officers are disrespecting the community by
18 double parking their cars adjacent and
19 parallel with each other in the streets to
20 engage in conversations with each other.
21 This is a dangerous and burdensome event
22 because such parking reduces two-lane
23 street to one lane or less and on some
24 occasions vehicles have had to travel
25 across the center lane to go around the

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2 officers.

3 The CCRB is not user friendly.

4 We are receiving complaints that the
5 complaint forms are only available online.
6 (I don't know if that's true or not). Some
7 of the victims of police brutality don't
8 have access to the online filing or some
9 are uncomfortable with filing complaints
10 online. Hard copies of complaint forms are
11 unavailable in the community.

12 Feeling of helplessness. There
13 is a strong feeling in the community that
14 nothing will be done against the above
15 officers, therefore, they do not follow up
16 with the complaint or even bother to record
17 the officers identification.

18 In closing, thanks for hearing
19 our position. I urge you for the
20 well-being of the city to address the
21 concerns of the citizens. We will continue
22 to work with the CCRB in holding officers
23 accountable and advising citizens to
24 utilize the CCRB to resolve issues with
25 problematic officers, and I will give this

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2 to whoever.

3 CHAIR WILEY: Great. Thank you
4 so much. That's important testimony so we
5 really appreciate hearing that there has
6 been a decrease in complaints, which is
7 good to know that progress is being made
8 but also hearing that there's still some
9 problems that really require attention.

10 It's obviously concerning if the
11 frisk and searches are inappropriate and
12 unlawful and certainly disrespect and
13 profanity, we will always care about
14 because that obviously sets a bad set of
15 relationships.

16 So we hear about the online
17 filing and not having hard copies for
18 complaints is something that should be
19 solvable really quickly and easily so to
20 the extent of anyone in the room who has or
21 works with organizations that have offices
22 where people in the community come, we can
23 make hard-copy form applications --
24 complaint forms available. So all you have
25 to do is let Raniece know or just even call

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2 our office if you don't have time to do it
3 tonight. We will make that sure that you
4 have hard copy complaints.

5 We completely respect and hear
6 the issue with online complaint filing but
7 also, it's really important to let folks
8 know that you can call. You can initiate a
9 complaint by phone. You don't need to go
10 online or have a hard form. That one, we
11 can solve. We can solve that quickly and
12 easily.

13 We actually do have
14 investigators, our staff investigators here
15 as well tonight so if there's any issue
16 that anyone wants to raise. Can we just
17 have them stand up. John Butler, Judith
18 Lee (phonetic).

19 (Audience complies.)

20 CHAIR WILEY: So I'm just
21 pointing them out so you can grab them
22 separately if you want to ask questions or
23 you just have a discussion about an
24 incident you witnessed or experienced.

25 MR. GIBBS: I just wanted to

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2 follow up about what my brother was saying
3 about the 113th Precinct. There is a lot
4 of improvement taking place at the 113th.
5 They are going back to community policing
6 because actually in my phone I have their,
7 the two police officers in my sector, I
8 have their cell numbers if I need to reach
9 out to them. And that's something that, if
10 we're not, then we need to attend the
11 policing community council meetings.
12 That's really where we have input on how we
13 want the police to act in our community.

14 CHAIR WILEY: I actually have a
15 request as well to make of both of the
16 NAACP branch but also of any leaders in the
17 community. If you have people who don't
18 want to come forward with a complaint but
19 they can identify the officers, even if we
20 just share, look, their concerns about this
21 particular -- it doesn't mean the officer
22 was wrong. We don't know if the officer
23 did wrong or not unless we investigate but
24 certainly we can flag that there are things
25 that are coming up even in the absence of a

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2 complaint. We can serve that information
3 sharing particularly people feel that
4 there's a pattern with particular police
5 officers either in terms of disrespect and
6 you know profanity. I've certainly seen it
7 in my own precinct where we have police
8 officers that are very respectful and there
9 are police officers who just have different
10 personalities, let's just say.

11 So I just want to ask folks, even
12 if it's just sharing information that's
13 separate from a complaint, that that is
14 information we can pass on as well as I
15 think you should able to share directly
16 with your precinct as well. We don't have
17 to be the middle people but I would
18 encourage that.

19 MR. GIBBS: Absolutely. And I
20 just want to say in closing, that respect
21 goes such a long way. As a former police
22 officer, I know how to diffuse situations
23 by just using respect. Thank you.

24 (Applause.)

25 CHAIR WILEY: Thank you so much.

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We have Reverend Henry Simmons, St. Albans
Congregational. Thank you so much for
allowing us in the house.

(Laughter.)

REV. SIMMONS: Good evening,
everyone.

(Audience replies.)

REV. SIMMONS: And I also want to
thank the CCRB for coming out and hosting
and/or conducting your meeting in this
community.

I just want to offer a couple of
observations. The first has to do with the
distinction between individuals and
institutions. Like Richard Gibbs, I have
the numbers of a number of police officers,
precinct leaders in my cellphone. They
respond differently to me as pastor of a
congregation than they do to individual
members of this congregation.

We've had several occasions in
which we've had to call the police and
they're here promptly and I think that part
of what occurs is that there's a different

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2 attitude about respect of organizations as
3 opposed to respect of individuals. And I
4 don't know what I would do about that
5 except to say that there is this barrier
6 between individuals and the institution or
7 so forth of the police culture that
8 contributes, I think, to individuals having
9 a different set of experiences with the
10 police and therefore, a sense that nothing
11 will be done in response to that.

12 The second thing I want to say
13 is, and this is sparked by some of the
14 other speakers, by the time the CCRB gets
15 involved, it is a reaction to something
16 that is has occurred and you are bound by
17 your policies and your charters to react to
18 something. I think a lot of what we're
19 hearing tonight has to do with how to be
20 more proactive. And that has to do with
21 training. It has to do with knowing
22 individuals and I think the only way that
23 we can really get to know individuals is
24 all of us occasionally stepping out of our
25 various silos and to understand that we're

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2 all on the same boat.

3 There's no way for a person to
4 understand this community or any community
5 without engaging with the persons who
6 comprise that community. Sometimes we look
7 at certain areas, particularly, in this
8 part of Southeast Queens and we have
9 certain conclusions about who lives here,
10 what their beliefs are, and we really don't
11 know the individuals that are part of it.
12 So I would suggest that through the fine
13 work that you're doing with your outreach,
14 that you step that up a bit.

15 You all, as members of the board,
16 have to deal with the cases and all of that
17 but there needs to be an opportunity or
18 more opportunity such as this when people
19 can gather in a quote, unquote, safe space
20 and first be informed about what they
21 should do should something occur.

22 I'm a Christian preacher so I'm
23 not gonna go out the of text.

24 (Laughter.)

25 REV. SIMMONS: But there is a

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text that says, my people perish for a lack of knowledge. I get parishioners that come to me and they have issues with the police and it's amazing how many of them know too little. In fact, I often get more requests, Reverend, can you recommended a good lawyer?

The notion of filing the complaint with the CC -- you understand what I'm saying? So I think the more awareness that can be created amongst persons before they get into a situation would be helpful.

Secondly, I would -- thirdly, fourthly, whatever it is.

(Laughter.)

REV. SIMMONS: I would also suggest that the CCRB, through your outreach, get to know and engage with organizations or community based groups. This opportunity tonight to meet in this center was a part of an effort by the church's justice witness ministry. There are churches that are concerned more about

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2 not just getting to heaven but how to deal
3 with the hell you got to go through on your
4 way to heaven.

5 (Applause.)

6 REV. SIMMONS: And I'm not
7 saying -- and this is no put down of any
8 other church but what I am saying is that
9 there are organizations and you had the
10 wisdom like, Life, CAMP who have been doing
11 this work, but we need to know what resources
12 are available amongst those organizations
13 are to help us move this through.

14 And the final thing I would say
15 is, I don't think that any of these issues,
16 particularly regarding police community
17 relations and so forth, can be solved, as I
18 said earlier, by everybody approaching it
19 from their particular silo. We all have our
20 responsibility -- responsibilities to uphold,
21 but somehow if we do not talk, if we do not
22 communicate, if we do not invite those who are
23 affected, the disallow, the disenfranchised
24 if we're not willing to listen to them then
25 we're not going to make it.

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I appreciate the opportunity to speak as a distinguished pastor of a great church but I think you also need to listen to the brothers and sisters who are dealt with far differently than I get to be dealt with, and that's why I appreciate Mohamed sharing your story tonight. We all need to feel safe.

Every Sunday morning when I get up to say something halfway decent to my congregation, I'm also speaking to law enforcement officers, and I know them not so much as law enforcement officers but as people who have families, who have lives, who have principles around which they stand and all of us need to figure out. I know this sounds like left wing king of stuff. I think as long as we're strangers to one another then we will not be able to work progressively with one another to solve this. So our church is open and I'm sure there are other churches that are available and we're really blessed and honored to be able to host or serve as a spot, I should

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2 say, for this so that's all I have to say
3 on this evening.

4 CHAIR WILEY: Thank you so much.

5 (Applause.)

6 CHAIR WILEY: So we're in your
7 amen corner.

8 (Laughter.)

9 CHAIR WILEY: Amen. Anyone?
10 Yes, Mr. Davie.

11 MR. DAVIE: I want to be a part
12 of that amen corner, Reverend Simmons. I'm
13 a Presbyterian minister who is the
14 Executive Vice President of the Union
15 Theological Seminary so we pay a lot of
16 attention to churches in the city and the
17 leaders of those churches and what they're
18 doing and we very much appreciate, I
19 personally appreciate the role that this
20 church under your leadership has played in
21 this community.

22 I should also say that the person
23 for whom this building is made is someone
24 that I knew as a young seminarian in school
25 when I came to New York and Bob Ross was a

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2 consultant on a project that I was working
3 on, the Reverend, Doctor Reverend Robert
4 Ross and so it's a really good feeling to
5 be in this space that's named after him and
6 that honors his legacy and his contribution
7 to this community as well.

8 And I want to say that I as a
9 member of this board, and I think I can
10 speak for my colleagues, we've heard you
11 and we've heard the other speakers and we
12 really do want to work extremely hard to
13 make sure that this institution responds to
14 the needs of the community as best we can,
15 given the charter mandate that we have to
16 carry out a certain set of the
17 responsibilities, and I think I'll speak
18 for my myself but also, I think I can speak
19 for my colleagues, that we believe that
20 it's in everybody's best interest that
21 relationships between the police and
22 community are improved, that public safety
23 depends on it. The safety of police
24 officers depend on it and so we really want
25 to -- I want to say that we really want to

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2 commit ourselves doubly so to making sure
3 that we hear from leaders like you, that we
4 have relationships with institutions like
5 this church and the members here and that
6 we all do this together to try to really
7 address these issues that we confront and
8 make the communities as safe as they
9 possibly can be and make these
10 relationships between the police and
11 community as effective as they can be.
12 Thank you for your leadership and thanks to
13 the church for hosting this.

14 REV. SIMMONS: Thank you.

15 CHAIR WILEY: Thank you.

16 (Applause.)

17 CHAIR WILEY: I would be remiss
18 if I didn't ask Council Member Miller to
19 address us. We are honored as well to be
20 joined by the council member.

21 MR. MILLER: Good evening,
22 everyone.

23 (Audience responds.)

24 MR. MILLER: And thank you guys
25 for coming out. I saw you out there on the

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2 stairs, we were out there this morning and
3 today was my day to just fall back and be
4 in the presence of such great women.

5 CHAIR WILEY: We were honored to
6 have you.

7 MR. MILLER: It is so very
8 important that you're here this evening and
9 that the community is here to receive you.
10 It's something that, obviously, as a
11 council, working on this type of engagement,
12 this type of outreach for a long time, I think
13 that AU, Mr. Gibbs and the pastor touched on.
14 How do we communicate? How do we engage
15 that target audience that we are definitely
16 missing? But certainly, you know, by doing
17 this, by engaging on this level, certainly
18 we are taking first steps and first off, I
19 want to question, are you still doing, sort
20 of your mobile office in the council
21 member's office?

22 CHAIR WILEY: We are.

23 MR. MILLER: Because, certainly,
24 I'm volunteering my office which is right
25 across the street so if people feel a

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2 little more comfortable doing that, and if
3 there is some other facility that we can
4 find that people will feel more comfortable
5 going in.

6 But, certainly, I think that it's
7 all been articulated about the value of
8 relationships and certainly, this is a
9 community that has the most public
10 employees in the City of New York. So
11 often they are no different from the civil
12 servants who are delivering services and
13 there's public safety and others. But
14 sometimes there's folks that are coming in
15 are not understanding that and are not
16 valuing the community in the same way that
17 we just want our services to listen.

18 The garbage man gets yelled at.
19 If the garbage man -- if you come in and
20 your can's on the other side of the street,
21 you got a problem with that, right? If
22 you're taking off and the bus takes off and
23 the mother and the child is coming across
24 the street, that's an issue, too. So law
25 enforcement, don't take it personal.

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2 We think that we are entitled to
3 certain services, and the dignity and
4 respect that comes along with that and
5 there's no prejudice towards anyone that
6 are delivering those services. Our
7 expectations are the same for everyone.
8 And so I think if we can get rid of those
9 levels of sensitivities and breakdown the
10 misunderstandings of cultural
11 misunderstandings and perceptions then we
12 will be okay with that. But there are
13 things I think that we do, because we
14 engaged, we do a little better that we are
15 seeing a difference, numbers are down
16 because of the work of Life, CAMP and other
17 organizations that are right here.

18 I remember when a situation took
19 place in another part of the city and I
20 rode with Erica (phonetic) and we rode
21 through the district while things were
22 going on in the city. After two hours we
23 were like, it's done, you know, there's
24 nothing going on. We realized that the
25 work had already been done. If we continue

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2 to do that work, it will be okay. If we
3 continue to engage our young people, they
4 have to know that there's a vehicle and a
5 resource for them, you know, so I'm not
6 disappointed because they're not here
7 because there are folks in here that
8 represent them and they'll get that out the
9 next time. We'll figure out a way to reach
10 that target audience because there are --
11 you know, I have witnessed in the last few
12 weeks young folks and I could play the
13 scenario out. Sitting in the car about to
14 go into the store. Taking a phone call,
15 watched an unmarked car pull up behind
16 them, you know, there was no stop signs, no
17 red lights but you just knew they were
18 gonna get stopped. Next thing you know,
19 they're rifling through the car, you know.

20 At this point, you know, I got to
21 get out and identify myself and but they
22 couldn't go back at this point. They have
23 to justify whatever actions they took or
24 did not take and so that culture, that just
25 has to stop. And these -- you know, they

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2 were like every other child regardless of
3 their circumstances, who they were. They
4 did not deserve to be stopped at that
5 moment. Whether or not they were the two
6 college students at home for the holidays
7 driving their mother's car that they were
8 or not. It didn't matter. They did not
9 deserve that and that is something that has
10 gone on for a long time. And so and
11 because it has been no so normalized to
12 them, you know, they wouldn't report it.

13 The 105 Precinct has probably
14 three times as many marijuana summonses
15 than any precinct in the city. Like 1,852
16 and that certainly has an impact on our
17 young people and -- but those summonses
18 happen, they're a not reporting it and so
19 that has an impact on our future.

20 So we have to create an
21 environment and safe space where they feel
22 okay that they can come in and say, listen,
23 coming from the park or coming from school,
24 we got stopped, one person had a joint and
25 nine of us got locked up and those are the

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things that is happening and we get it, like, really after the fact and it's so normalized that it's not a conversation that has occurred.

So I appreciate you being out here, of course, Reverend Simmons we appreciate you opening up this beacon of justice once again to the community, for allowing this dialogue to occur but it has to be more than dialogue and while we have made some progress, there's a lot more that have to be done and, you know, and for the record, I think that there's more reform that has to occur, certainly, and while I have an audience I'm going to talk about the right to know because people are getting stopped on a daily basis and they don't know why, they don't know by whom they've gotten stopped, someone jumps out of the car, stops you, does not identify themselves, goes on their way and you don't know what just happened and so that has to stop. So I'm hoping that the community will continue to support us on that.

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We will continue to support law enforcement, there is no doubt about that. We are a community that believes in that but we also want to be treated with the dignity and respect that we deserve and what Pastor Simmons said is true that it's not okay that you respect the institution or the member and not members of the community and, you know, it's -- you have to respect the community first and foremost. So we're gonna do everything that we need to do to work with you on this board to bring those resources to the community, and the fact of the matter, we're hoping that we don't need those resources and I don't know if I'm allowed to shout out our member, Ray over there.

CHAIR WILEY: Yes, you are.

MR. MILLER: To my neighbor and someone who, you know, I got to tell you we really did our due diligence when we were trying to see people all over the place and we spoke to a lot of the folks that we know in the community and someone said, you got

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2 to check this guy out. You know, and he is
3 engaged and thorough and as some young men,
4 some sons that we all know in this
5 community that have done really great
6 things and that's what we can do when we
7 engage our young people. So keep up the
8 good work. We keep coming out and I look
9 forward to working with you, the Board, and
10 working with everyone in the community to
11 ensure that we do, first off, get those two
12 pieces of legislation passed because
13 sometimes it's not enough to educate.
14 Sometimes you got legislate and I just wish
15 it wasn't that way but certainly, we need
16 those two pieces of legislation to move
17 this process along. Thank you for the
18 opportunity for allowing me to speak.

19 (Applause.)

20 CHAIR WILEY: Thank you for
21 showing up both today at noon on the City
22 Hall steps for women, and for showing up
23 here at the community obviously here to-
24 night. We appreciate it. I also want to
25 recognize -- and we will take you up on the

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2 opportunity to meet --

3 MR. MILLER: Oh, yeah. Yeah.

4 CHAIR WILEY: -- in your offices
5 and I should say to the Reverend, we
6 actually will try to be a lot more proactive.
7 That's one of the reasons why we're here. We
8 recognize the opportunity and the importance
9 as well. So thank you. But I do want to ask
10 Kevin Livingston who is from -- who is the
11 President from 100 Suits for 100 Men to come up.

12 (Cross-talk.)

13 CHAIR WILEY: Okay. Well if he
14 comes back we'll include him on the list.
15 So I will go now to turn now to our folks
16 who have signed up to testify and we'll
17 start with Mr. O'Grady. Mr. O'Grady, would
18 you like to come up? And while Mr. O'Grady
19 is coming up, just so you know who is next,
20 Gilford Finch I have next on this list.

21 MR. O'GRADY: I must say embarrass-
22 ment to two grown women shoving or pushing
23 each other around. Confronting each other.
24 Esther Shekman, Esther Schenekman CEO
25 Mulberry Associates. Tenant organization

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leader. High church member. High church member. Pushing each other around in the lobby of the building.

District attorney indicate they know and Andonis Malfesus (phonetic) well district attorney put Andonis Malfesus (phonetic) in jail. Corporation counsel have their main offices at 100 Church. This male negro belonging to Esther Shekman (phonetic) have stolen \$200,000 corporation counsel money. Male negro was subdued by corporation counsel. Put off property. There, Mr. Reed (phonetic) introduced as building administrator. Male negro ran begging some Chinese bankruptcy director to reverse of the charges.

Similar episode occurred at the Rivington Square Residential in Harlem, New York City involving a vastly much larger sum of money. HPD indicated they wanted info on six on the Rivington Square Heist. \$100 million Andonis Malfesus (phonetic) sold the building to Esther Shekman.

Corporation counsel indicate the

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2 law prescribes each and every tenant vote
3 on the bankruptcy filing. Our tenants
4 removed this male negro on two different
5 occasions through a program known as the 7A
6 Administrators.

7 CHAIR WILEY: Thank you very
8 much, Mr. O'Grady. Gilford Finch and after
9 Mr. Finch we'll have Mohamed Amin.

10 MR. AMIN: I spoke.

11 CHAIR WILEY: There is someone I
12 missed.

13 MR. FINCH: Good evening all and
14 thank you very much for CCCB [sic] hosting
15 and participating in this form. I'm a
16 member of the justice witness ministry here
17 at St. Albans Congregational. And I just
18 couldn't resist opening my mouth and saying
19 a couple of things.

20 I think that if it's possible for
21 your group to be a little more proactive
22 than reactive, you may be more successful.

23 In a community like this, in
24 planning a forum, it's difficult for people
25 to be here at 6:30 as many of you found out

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2 this evening. So next time, if you can
3 give us a little more time, this is a hard
4 working community and coming from Manhattan
5 as many people do, it's very difficult.

6 CHAIR WILEY: Yes. I found it
7 difficult as well.

8 MR. FINCH: I'm sure. I've been
9 often very curious about the Civilian
10 Complaint Review Board, and certainly I've
11 learned a lot of new things about you
12 tonight.

13 I see that you have an inordinate
14 amount of attorneys, and I don't know
15 whether that's because you have to look at
16 everybody in a fine-eyed way to make sure
17 that your recommendations are both legal
18 and fair but I'm sure you know what you're
19 doing.

20 I do want to offer to you that
21 there is a socio-economic component to how
22 our citizens are perceived and treated, and
23 maybe it's not really recognized or maybe
24 it's not talked about. I must say that for
25 me, from the time I was 18 I basically

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2 looked like you see me now and therefore,
3 with these thick glasses and this cherub
4 face, I've never had difficulty with the
5 Police Department --

6 (Laughter.)

7 MR. FINCH: -- because I'm
8 nonthreatening. However, I don't represent
9 the large portion of the African-American
10 community so we have to look beyond, we
11 have to look beyond people like me and we
12 have to kind of find a way to bridge the
13 gap and speak to the young men that have
14 their pants a bit low and other things
15 that we may find a little threatening.

16 I just want to kind of end by
17 saying often times the Police Department
18 and even people in committees like you may
19 think that so many of us are anti-police but
20 we're not because back in the 60s when some
21 of my brethren was saying, we don't need
22 the police, I said, well, if you get rid of
23 the police then I'm leaving.

24 (Laughter.)

25 MR. FINCH: I mean, you know, I'm

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2 not gonna stay around, and so we do need the
3 police but we need the police to understand
4 that, as people who spoke before me said, we
5 need respect in our communities. Now, I'm a
6 member of this church and community but my
7 wife and I live in Jamaica Estates, and the
8 perception walking down those streets is a far
9 cry different than the ones if I'm walking on
10 Jamaica Avenue or, let's say, if some of us
11 are waking down Jamaica Avenue.

12 So I certainly would be anxious
13 to be at your next forum. I think it's
14 very worthwhile and I just wish you added
15 success and thank you very much again.

16 (Applause.)

17 CHAIR WILEY: Thank you so much.

18 So I'm gonna -- yes, please come up.
19 And the three names I have left on the list,
20 just in case there's anyone else who wants to
21 speak who I'm not capturing, so Damian Kudelka,
22 Anthony Pappas and Mohammud Sirajee, and anyone
23 else. We'll just ask you to start -- okay,
24 great. Why don't you all just start lining
25 up so that we can just reduce the time

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2 okay. Please.

3 (Audience Complies.)

4 MR. KUDELKA: Thank you. Good
5 evening.

6 (Audience replies.)

7 MR. KUDELKA: My name is Damian
8 Kudelka. I have lived in New York City and
9 New York most of my life I'm not gonna tell
10 you how much years. More than a few. I
11 currently live in Brooklyn, I know this is
12 Queens but I hope you won't all hold that
13 against me.

14 (Laughter.)

15 CHAIR WILEY: Several of us do so
16 we won't hold it against you.

17 MR. KUDELKA: We're all friends.
18 Brilliant. So I hope -- I'm seeking a
19 dialogue not a monologue. In 2014 the CCRB
20 issued a chokehold report. I'm sure you're
21 all familiar with it. The sole
22 recommendation of that report was a
23 creation of NYPD, CCRB joint working group
24 to collaborate to reduce chokehold
25 incidents and enforce chokehold ban. My

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question to the Board is can you please describe activities of the working group and what are the outcomes? What have been the outcomes so far?

CHAIR WILEY: So the short answer, just to make sure everyone knows, I have been Chair of the Board since July and as you know we also had a transition in the Police Department in terms of the commissioner and not all but several senior staff positions. So this actually joint working group has not met specifically on chokeholds.

We actually have quarterly meetings with the police commissioner and his senior staff on a range of issues on a regular basis so the chokehold -- we don't narrow to one issue, I think is my point.

Since we've come in -- since I've come into leadership, what we've been trying to establish is a regular dialogue on all the issues that we see that are coming up and also other avenues that have direct communication even with some of the

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2 to bring all of the issues to the table.

3 So we started listing issues, some of which
4 are about our functionality, like how we
5 work together.

6 Because one of the things -- and
7 this is a little bit about the inside
8 baseball, right, it's not the -- but one of
9 the reasons that the CCRB has been able to
10 both substantiate more complaints, and see
11 a higher rate of the police commissioner
12 imposing discipline, if you -- you can go
13 back to our data, and I don't remember the
14 exact numbers but there has been a
15 substantial increase in the last two years
16 and I believe it's over, can I say it's
17 over 80 percent?

18 MR. DARCHE: Yes.

19 CHAIR WILEY: It's over 80
20 percent now of the police commissioner
21 agreeing with our discipline. That's a
22 substantial -- at one point it was like
23 twenty-something percent. But one of the
24 reasons is we've had regular conversations
25 about how fast we're getting them to say,

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2 serve police officers or find police
3 officers where the officer is not
4 identified. Sometimes someone will file a
5 complaint with us, they don't know who the
6 police officer is but they have enough
7 information about the date, the time, the
8 precinct that we can go through the process
9 of identifying what police officers were
10 likely part of the incident. So sometimes
11 it's very nuts and bolts in terms of how
12 we're working.

13 A lot of what we talked about
14 last week really related to how we could
15 better see together patterns so for
16 example, we need to know and understand
17 that we have disagreements about how we're
18 imposing -- how we're recommending
19 discipline, and how the police are imposing
20 discipline. So some of it was the
21 questions that we want to delve actively
22 into. I can't -- am I missing any high
23 level? But we really were starting with
24 how our new team and there have been new
25 positions filled even since I've become

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2 Chair how are we identifying the questions
3 we're working together on.

4 Taser reports are another example
5 so, like, we said we're gonna keep tracking
6 what's happening with taser report data so
7 some of it is we're also letting them know
8 what we're tracking and telling them how we
9 want to start feeding information to them
10 even where we don't have a complaint that
11 we can say is substantiated but we can see
12 a pattern how we're sharing that
13 information in a way that they can then
14 take action on.

15 So we hope to develop it more
16 from there but a lot of it is about
17 leadership transition, if that helps. But
18 it's important question that you're asking.

19 MR. KUDELKA: Okay. And a
20 related question, it's also pertinent, I
21 saw at the beginning of the meeting, the
22 deck had two closed chokehold complaints
23 for the 113th so there's still incidences
24 of chokeholds.

25 In that report, the main finding

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2 was the weakening of the chokehold
3 prohibition, I'm kind of paraphrasing now,
4 the CCRB and the department advocate office
5 redefined what a chokehold meant, which was
6 a pragmatic redefinition of the rule in
7 response to the NYPD's systemic refusal to
8 impose discipline in all but the most
9 severe chokehold cases. So I'm just
10 quoting from the report there, so how are
11 chokeholds being defined now? Are they in
12 keeping with Chief Timoney's comment "just
13 to stay the hell away from the neck" or is
14 there some other definition to what a
15 chokehold is?

16 MR. DARCHE: It is contact that
17 may restrict breathing, so it is not what
18 you would typically think of a chokehold.
19 It's not limited to when someone has
20 wrapped their arm around your neck. It is
21 any conduct that would restrict breathing.
22 It is not necessary to prove the
23 restriction of breathing, it is that the
24 conduct may restrict breathing.

25 MR. KUDELKA: I see.

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2 MR. DARCHE: And one of the
3 things that the agency has done is added an
4 allegation in the chokehold which is
5 restriction of breathing because it is
6 possible that you could restrict someone's
7 breathing and not be using a chokehold.

8 MR. KUDELKA: I see. Are there
9 examples of potential contacts that could
10 restrict breathing that you could share? I
11 have my suspicions but --

12 CHAIR WILEY: Well, I can give
13 you an example from a case that I reviewed
14 which was that the allegation was that an
15 officer poked someone's throat. So,
16 obviously, that's not the same thing as a
17 chokehold but it could restrict breathing.

18 MR. KUDELKA: Okay. So now these
19 are separate? A chokehold and allegations
20 of restriction of breathing are separate
21 incidences that might be descriptive stats?

22 MR. DARCHE: So sometimes they
23 would -- you could have one incident with
24 both allegations and sometimes you could
25 have one incident with one but not the

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other.

MR. KUDELKA: I see. In the CCRB's annual 2015 report, there was a discussion about after the Eric Garner incident, and I'm sure you see a theme that I'm focusing on chokeholds, and this is a recent report on incidences regarding chokeholds but in the annual report the CCRB began its investigation of potential officer misconduct in the Eric Garner case within days of his death but then there's a discussion about the District Attorney's Office of Richmond County and later the U.S. District Attorney's office of the Eastern District in New York. They made a request of the CCRB to not speak to witnesses or officers involved in the case, and the CCRB honored those requests. I'm just using terms request that are from the reports.

CHAIR WILEY: Yes.

MR. KUDELKA: What is the status of the CCRB's investigation into the Eric Garner incident?

CHAIR WILEY: We still have the

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2 law enforcement hold so when the U.S --
3 just so people understand why we honor
4 those requests because we are not a
5 criminal body. We are not -- we are able
6 to impose, to recommended the imposition of
7 discipline like loss of vacation days or
8 retraining, formalized training. There are
9 a variety of things we can offer. That's
10 very different from when there's a process
11 of investigation of whether a crime has
12 been committed by an officer. So usually
13 what happens from law enforcement side,
14 whether it's the district attorney or in
15 this case the U.S. Department of Justice,
16 they will not want us investigating because
17 we might undermine, not intentionally, but
18 it might taint or undermine some evidence
19 that they might be gathering to examine
20 whether or not there will be a criminal
21 prosecution. So it's not the only case in
22 which we get requests for holds on a
23 criminal investigation and when we do we
24 obviously are very conscious of not
25 undermining a criminal investigation.

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2 MR. KUDELKA: You'll have to
3 pardon me, I'm not fully verse in
4 everything you described.

5 CHAIR WILEY: Yeah.

6 MR. KUDELKA: So initially you
7 start out with, you're honoring the hold.
8 I'm not even sure what that means.

9 CHAIR WILEY: It means they're
10 asking us not to interview witnesses,
11 witnesses that they may themselves be
12 trying to interview for criminal
13 prosecution so that's in it's simplest
14 form. It's not the only issue. There are
15 other kinds of discovery that might be
16 involved --

17 MR. KUDELKA: Okay.

18 CHAIR WILEY: -- but that's a
19 common one because that's a common form of
20 our investigative process which is to
21 interview witnesses, interview anyone who
22 has any information about the incident.

23 MR. KUDELKA: I see. So the
24 request that was discussed in the report
25 really referring to the hold, is that the

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2 same or the request is something different?

3 I'm not trying to be obtuse, I'm just

4 trying to --

5 MR. DARCHE: They are the same

6 thing.

7 CHAIR WILEY: They are the same

8 thing. They request us to hold on our

9 investigation. How's that?

10 MR. KUDELKA: Okay.

11 MR. SIEGAL: Maybe this will

12 help. The criminal investigation takes

13 priority because if an officer is going to

14 be criminally charged, that's potentially a

15 greater sanction than an internal

16 disciplinary action that the Police

17 Department can take so that investigation

18 takes priority and has to happen first.

19 MR. KUDELKA: I see. Is that a

20 legal -- does it have like a legal

21 authority or is it a kind of professional

22 courtesy, please don't do anything?

23 CHAIR WILEY: You know, I don't

24 know if anyone would disagree with what I'm

25 about to say but I would say that we

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2 obviously as civilian oversight what we
3 want do see is justice done. Which is why
4 we -- so certainly when we are requested
5 by the U.S. Department of Justice to hold,
6 could we lawfully say we're going to ignore
7 you because we have under our own city law
8 the ability to investigate this. Would we
9 and should we? I think not.

10 MR. KUDELKA: So. Yeah. I mean,
11 and this is just -- I'm not a lawyer and
12 I'm not police in the field. I guess from
13 a public standpoint I understand there's
14 criminal prosecution then there's Constitu-
15 tional-related prosecutions, civil rights,
16 et cetera, the different Bill of Rights.

17 CHAIR WILEY: Right. You can
18 have a civil, civil rights charge not just
19 a criminal.

20 MR. KUDELKA: And those are separ-
21 ate and distinct for officers or someone fol-
22 lowing internal policy guidance so I don't
23 see the connection other than professional
24 courtesy, please hold on but I don't see any
25 legal prohibitions or connections with reviews.

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2 If you're saying did you follow patrol guide
3 page two versus civil rights.

4 MR. DARCHE: So there are two
5 related reasons why the Justice Department
6 asks us to hold off. The first is the
7 officer has to give a statement when the
8 CCRB calls them down. Which is a compelled
9 statement which then could taint other
10 statements that he may have given in the
11 course of their investigations. And so it
12 is -- they prefer for us not to taint their
13 criminal prosecution.

14 In addition, they have their
15 witnesses that they want to present to the
16 Grand Jury, if that's what they're doing,
17 and they don't want -- they want to make
18 sure that the witnesses that they present
19 are giving the best evidence and there
20 aren't other recordings or transcriptions
21 of their evidence. They want to be in
22 control of the prosecution and --

23 CHAIR WILEY: But and let me
24 speak to the point you just raised. It is
25 really rarely the case, well, I shouldn't

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2 say rarely but I can't think right now of a
3 case in which if there is a criminal
4 investigation there is not also a patrol
5 guide violations so often times we would be
6 investigating the same actions and
7 therefore, asking questions around the same
8 incident even if our authority will relate
9 more to the patrol guide violation if there
10 is also a criminal violation so they are
11 really not separate, I think the way --
12 part of the way you asked it suggested that
13 they are totally separate things.

14 Often times, take Eric Garner and
15 the chokehold, there's a question of
16 department policy violation and there is
17 also a question of whether there is a
18 criminal violation. So it's not -- we
19 wouldn't be asking different questions
20 around what actually happened in the
21 incident. So to Jon's point, we really
22 could interfere unintentionally with the
23 integrity of the criminal process and so
24 that's why we will always prioritize
25 allowing the criminal process to take it's

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course, and again, because also if we want to serve justice, at the end of the day we want to serve justice, not just assert our authority. So if we think justice can be better served by someone else asserting their authority, it won't stop us even later from investigating depending on what happens, right.

MR. KUDELKA: I see. And thank you for that education. I wasn't clear on that.

CHAIR WILEY: No, no. I think they're important questions and it's helpful to get them because if you have them other people may have that as well.

MR. KUDELKA: So at this point, just to summarize because we talked a lot, so at this point, there's still a hold and you're waiting for the U.S. Department of Justice to proceed before even considering moving forward?

CHAIR WILEY: Yes. At this point; that's correct.

MR. KUDELKA: So --

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2 MALE SPEAKER: Madam Chair,
3 there's --

4 CHAIR WILEY: Yes, I'm sorry.

5 MALE SPEAKER: There's other
6 speakers that want to speak so --

7 CHAIR WILEY: Yes.

8 MALE SPEAKER: We need to be
9 considerate with the time on the mic. If
10 you have more questions, maybe you should
11 get a phone number for somebody you can
12 talk to but you shouldn't be tying up all
13 the other speakers. I'm talking for
14 myself, I think, I don't know, but in any
15 case, we really need to be more considerate
16 of the time on the mic, sir.

17 CHAIR WILEY: We usually do impose
18 a time limit because when we're in community;
19 we want to make sure we're having a dialogue.
20 I would say, if you have any questions that
21 are on a different topic that might relate to
22 the community here, I would welcome them.
23 Otherwise, let's talk after.

24 MR. KUDELKA: I'll pivot to another
25 additional question that is related to commun-

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2 ity in general, not related to Eric Garner.

3 CHAIR WILEY: One more question
4 and then we'll move on.

5 MR. KUDELKA: This is more about
6 public participation in the complaint
7 review process. I don't know to what
8 extent you've been thinking about different
9 of models or looking elsewhere, different
10 models including the public more, and I'll
11 say two examples just to kind of explore
12 this topic.

13 So you have Seattle, it has a
14 CPC, just an acronym for the commission,
15 and that commission is composed of members
16 of communities, community leaders and they
17 propose even policy recommendations for
18 their version of the patrol guide. So
19 they're heavily involved in the management
20 not relatively speaking, they're involved
21 in the management and policy of the Police
22 Department which seems pretty democratic.

23 There's also, Portland has its
24 own advisory board which is made up of the
25 public and the advisory board is a

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2 subcommittee of their version of the CCRB,
3 you know, just personally, I think those
4 are great examples of potential avenues to
5 include the public citizens because you're
6 a civilian, you're part of the government
7 but citizens involved in the positive
8 extent. So have you thought about the
9 that, you know, subcommittees here, you
10 know, maybe even community leaders of
11 Queens?

12 CHAIR WILEY: So we are governed
13 by the City Charter and we don't have that
14 structure in our City Charter. That's
15 something that folks can recommended to our
16 local electives about structure but
17 certainly part of why we have these
18 meetings here is to open up the opportunity
19 to see where there are issues that we can
20 share back. So thank you for your
21 questions because I think they were
22 important and we will go on to our next
23 speaker.

24 MR. PAPPAS: Good evening, my
25 name is Anthony Pappas. I'm a professor at

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St. John's University and I've been accused of a crime. I'm going to confess and describe what the crime is and ask for your help.

Please go through this exercise with me. Place your finger on your nose and press down. Mya, you're going to feel a bone. If your bone is broken, you'll be bleeding, you'll be screaming and you'll have trouble breathing.

Place your finger on your eyebrow. You're going to feel a bone again. Place it one inch above your eyebrow, your forehead is a bone. One inch below, you feel another bone. If these bones around your eye socket are broken and shattered, you will be bleeding, you will be screaming, you will be in pain. Place it on your jaw and press again. You will feel a bone. If that is broken you, again, will be in pain.

Now, the crime that I was accused of was punching my wife and fracturing her face. Then the judge wrote that she went

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2 to the hospital. We know that when people
3 go to the hospital, usually there's a
4 police officer in the emergency room so if
5 somebody goes there with a fractured face,
6 screaming and bloody and yelling, the
7 police officer is supposed to do an
8 investigation and find out who the
9 perpetrator was, and indict, prosecute, and
10 convict that person.

11 Now, the stupid jackass judge is
12 writing that I did all this and his
13 sarcastic comment in the footnote is that
14 Professor Pappas was more interested in
15 denying that he punched his wife than in
16 taking care of her need for surgery and
17 supposedly, this jackass judge had seen
18 that she charged this fictitious operation
19 on a credit card and it cost \$9,000.

20 Now, three years later, another
21 judge, who's also a vicious psychopath,
22 repeated these allegations despite you
23 telling them that this doesn't make sense.
24 If any police officer had written a report
25 like this, and you ask them at what

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2 hospital did the surgery take place, who
3 was the surgeon, where are the medical
4 records, where's the credit card receipt
5 that this was charged on a credit card and
6 he said this happened and I don't know or
7 have any of this information, that police
8 officer would be deemed a total lunatic.
9 So when this happens with judges in the
10 courts, people despair, they suffer, they
11 commit suicide.

12 Now, you're going to tell me
13 about a charter and what you are allowed to
14 do. I'm going to tell you that if the
15 founding fathers obeyed the laws, New York
16 would still be a British Colony and thank
17 God they did not obey the laws. They
18 challenged King George and The Parliament
19 and we are independent and free and no
20 longer a British Colony.

21 I will also point out, in terms
22 of charters and obeying decisions, that if
23 everyone obeyed the worst Supreme Court
24 decision of the 19th Century, many people
25 in this room would still be slaves.

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2 CHAIR WILEY: Mr. Pappas, you've
3 made your point. We've heard it, we thank
4 you for sharing it. It is outside our
5 jurisdiction but we do understand the
6 argument you're making but I want to make
7 sure we're getting the other members of the
8 community but thank you for your testimony.

9 MR. PAPPAS: Well, it's outside
10 of everybody's jurisdiction. So we need to
11 fight a judicial dictatorship and the
12 Civilian Complaint Review Board should not
13 go into executive session and ignore this.
14 Tell the police to investigate this and
15 then send a letter to Chief Judge DiFiore
16 and the judges responsible and point out to
17 them that we investigated this accusation
18 of a violent Class B Felony, it didn't
19 happen and you are all stupid psychopathic
20 judges. So please do that and send them a
21 letter. Thank you.

22 CHAIR WILEY: Thank you. May I
23 have our next witness. Please state your
24 name.

25 MR. SIRAJEE: Yes. My name is

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2 Mohammud Sirajee and I live in Jamaica area,
3 Queens. I actually also brought up in Queens.
4 One of the previous speakers talked about
5 saggy pants and pants hanging out. My
6 question is I can't profile a brother for
7 having the pants lowered. It's his style.
8 And if that's his style, a police officer
9 cannot stop him, and maybe you can put that on
10 your recommendations, and I am going to make
11 this short.

12 That's the only talk I have because
13 maybe I'm wearing a normal pants but my
14 neighbor's kid, young kid, good kid, goes to
15 school, have a good record, good GPA and
16 wearing saggy pants. Have ear phone on,
17 walking in the street and listening to rap
18 music does not mean that he's a criminal. So
19 maybe we should look into this issue and
20 change our perceptions if there's a style that
21 goes on out there that kids follow. Thank you.

22 CHAIR WILEY: Thank you. I
23 appreciate it.

24 MR. ROBERTS: Good evening, my
25 name is Earl Roberts. My concern is,

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continuing and making complaints because they were finding that complaining to the CCRB was not working.

So for those where you mentioned before there were complaints to the 113th to the CCRB, are there meetings with the commanding officer and what is the outcome of meetings? Because I know that when we have meetings with the commanding officer regarding issues in the area, we're often told everything is well, we'll work on it and we'll resolve it but each month everything is the same.

The only improvement I can say for the NYPD and the 113th is that the NCO program which is another form of bringing community policing back which was a working program when they used to have it with the housing police but communication needs to be improved. They have CPR on the side of their cars and we need to make sure that that's being practiced. Community affairs, they do a good job but we need to find a way to make sure that the rest of the

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2 officers in the precinct start doing a good
3 job.

4 Finally, there was a complaint
5 that was made last December and I'm still
6 trying to get an answer from the precinct.
7 I know it goes to the CCRB regarding a
8 resident was driving on Baisley Boulevard,
9 they made a left turn on Merrick Boulevard,
10 they were right behind a police car and
11 they said both windows went down and
12 garbage was thrown out of the police car
13 right across Roy Wilkins Park which was
14 described as a total disrespect for the
15 community if the Police Department is doing
16 such an act and finally, I just want to ask
17 there's a program trespass affidavit where
18 they can stop anybody if they go into a
19 building, does the CCRB consider that
20 harassment?

21 CHAIR WILEY: So just an answer
22 to your first question, our outreach team
23 has tried very hard every time we have
24 these community meetings to get young
25 people. We actually had quite a number of

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2 young people when we had our meeting at
3 the 40. Each community is different
4 and I think any opportunity we have to
5 better understand where and how we can have
6 more dialogue with youth we would really
7 welcome so that's where we turn to the
8 community for the best advice about youth
9 and the community.

10 So, again, obviously, our
11 outreach team is available here and that's
12 actually very helpful for us to hear where
13 and how we could be better at reaching
14 youth because obviously, we agree that
15 that's really important.

16 MR. DARCHE: And our outreach
17 does with meet with a lot of schools and
18 youth groups.

19 CHAIR WILEY: But if there are
20 other ways that are good for accessing
21 youth groups, that would be good to know
22 here but the trespass affidavit question is
23 a little bit different but I just want to
24 make sure it's answered.

25 MR. DARCHE: So if we get

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2 allegations that there was an improper stop
3 in a location that is participating in the
4 trespass affidavit program, we investigate
5 those, and all of the 4th Amendment cases
6 are very fact specific and so it depends on
7 the level of suspicion that was present but
8 we investigate all of them and then
9 depending on the facts that we are able to
10 determine, we determine if the conduct by
11 the police officers was lawful or not.

12 CHAIR WILEY: Thank you.

13 MR. SCARBOROUGH: Good evening.

14 (Audience replies.)

15 MR. SCARBOROUGH: My name is
16 William Scarborough. I am a member of the
17 Justice & Witness Ministry here and former
18 State Assemblyman for the area. I wanted to
19 ask you a couple of questions, I guess, about
20 your process. I guess very often people won't
21 file a complaint because they feel that there
22 is gonna be an imbalance. They feel that the
23 police is inevitably gonna be believed because
24 they are the police. So I wanted to ask you, in
25 an instance where there is a complaint or a

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person feels that they have been violated and there are other people that witness it, are they allowed to provide corroborating statements and does that carry more weight?

CHAIR WILEY: So the short answer is our investigators do a lot to try to find as many witnesses as possible. So the short answer is, absolutely. One of the issues that we sometimes have is a complainant will name people who are witnesses but we can't get a response from people who are witnesses, so obviously, the more support we get from witnesses, the better.

As I mentioned earlier, when you were hearing from Conner about our truncation rate, that means those are investigations we were not able to complete. Often because we're contacting people but they're not getting back to us so we can't get the information that we need is one example.

I think the short answer -- the good news here is we've been able to get a lot more evidence in cases which is one of

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2 the reasons why we have increased our rates
3 of substantiation over the past two years,
4 you know, I give a lot of credit to the
5 investigators who work really hard to track
6 people down. We've even in the past few
7 years instituted a process where
8 investigators will actually go out into the
9 community, not require people to come to us
10 at 100 Church, which is one of the steps
11 that makes it easier for people to follow
12 through our process.

13 We're always open to more,
14 obviously, suggestions about additional
15 ways we can improve but the short answer is
16 absolutely, witnesses are critical. We
17 work very hard to find them.

18 MR. SCARBOROUGH: And my last
19 question, do you find any patterns of
20 people not including information that would
21 help you with reviewing the case and, I
22 guess, what kind of information should be
23 put in the complaint that would help you to
24 review the case?

25 CHAIR WILEY: I also want to

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2 invite my colleagues to speak to that
3 because we all sit on panels but I will say
4 from my standpoint one of the issues is
5 getting witnesses to actually talk to our
6 investigators so for witnesses being
7 identified, complainant saying this person
8 saw it, this person saw it, this person saw
9 it, and then when the investigators -- we
10 were getting a case report that the
11 investigators were unable to reach the
12 person who was a witness or the witness
13 says they'll come for a meeting or have a
14 phone call and then is unavailable.

15 So we know it's a process. It's
16 very important. We know it takes time from
17 people, and not everyone has time but I
18 would say that's key. It's also video, to
19 the extent that people are taking video on
20 their cellphones. Receiving that video is
21 something that's very important as well.
22 It's not the only way we can substantiate a
23 complaint, obviously. There's many times
24 we don't have video but I'm just saying
25 when people are capturing things on their

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cellphones even if they're not the complainant sending us the video. Getting the video is very helpful but I want to open it up to others in case there are other patterns the people want to identify.

MR. PEGUERO: I also think that the more specific that the complainant could be with the facts alleged, so giving details of space and time and words used would be very helpful for the factfinders -- for the investigator.

CHAIR WILEY: And I do want to reiterate this because, you know, we do make credibility findings. So there are times when witnesses say one thing and police officers say something he else but there's enough evidence for us to find a party not credible. So, I think, there's sort of this perception sometimes that we don't do that but we actually do. The thing is we just have to have enough evidence to be able to make a finding on credibility.

MR. SCARBOROUGH: Do you have any

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2 template out in the community saying those
3 things that these are the things that would
4 be helpful?

5 CHAIR WILEY: I think outreach.
6 Is that something that we're sharing on
7 outreach?

8 MS. MEDLEY: To a degree. In
9 terms of being clear about the more
10 information that is available the better,
11 being aware of space, the address, the time
12 of day, stripes on the uniform, whether the
13 vehicle is marked or unmarked, if there's
14 transit nearby. Things of that nature are
15 things, you know, those are things that if
16 a person is able to recollect can be
17 helpful in identifying and understanding
18 what took place.

19 MR. SCARBOROUGH: I think it's
20 important for this community.

21 MS. MEDLEY: Yes. So we do do
22 that.

23 MR. DARCHE: It's important to
24 realize that if you make the complaint, the
25 investigators will follow up with people, so

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2 CHAIR WILEY: Hello, how are you?

3 MS. BROWN: I'm a little nasal
4 but it's gonna be okay, you'll understand
5 the verbiage. I'm not here with a
6 question. I'm here with maybe something
7 that can be a solution. There's a gentle-
8 man that came earlier, he talked about help-
9 ing the officers get a change of perception
10 when he talked about the sagging pants.
11 Another gentleman came up and he spoke
12 about the fact that we need to reach the
13 youth. You, Madam Chair, said we come out
14 to the community to find other ways so
15 maybe we need to go deeper, and this could
16 be a suggestion for other ways.

17 Last October, The New York times
18 wrote an article called Basic Instinct and
19 in it they talked about activities that
20 police officers go through where they look
21 at different groups of people and what
22 their responses are.

23 I say that we need to look at
24 having courageous conversations, not just
25 the police looking at pictures but between

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2 officers and the community. To that end,
3 I'm gonna make a suggestion, a strong one.
4 There is a book, and there is a whole
5 training program called, Courageous
6 Conversations About Race. I am a retired
7 educator, did I say my name? I'm sorry,
8 Gerri Taylor Brown (phonetic). I'm a
9 retired educator and we went through some
10 training and with colleagues who I've
11 worked with for years have different
12 perceptions because of different
13 experiences and I spoke with some officers
14 about this and some were kind of okay, some
15 were not. I was at their event, which was
16 Coffee With a Cop. How many community
17 people came out? Four. So that's not
18 working. The meetings aren't working.
19 Like the gentleman said, we come week after
20 week, month after month to the 113th
21 Council. It's not working. So can we be
22 brave enough to try something different?
23 Is it possible for the CCRB to get
24 something of this nature enacted? That is
25 my question on International Women's Day.

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2 (Laughter.)

3 MS. BROWN: So what do you think?

4 CHAIR WILEY: Comments? Anyone
5 want to chime in? Personally, I don't have
6 an immediate answer. I really welcome the
7 suggestion. I'd love to see the material
8 since it's not something I'm familiar with.

9 MS. BROWN: Absolutely.

10 CHAIR WILEY: I will follow up on
11 that.

12 MS. BROWN: I will let you borrow
13 it. I'll give it to you right now.

14 CHAIR WILEY: And I am a
15 professor so I will read it. Okay. Thank
16 you so much.

17 MS. BROWN: You're very welcome.

18 MALE SPEAKER: I just want to say
19 I let Ms. Brown go first because it's
20 Women's Day. I was telling the gentlemen
21 to do the same.

22 (Laughter.)

23 MALE SPEAKER: I just want to
24 thank CCRB for coming out. Madam Chair,
25 you did a great job running this panel

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2 today. I thought it was great, Raniece. I
3 just wanted to -- as far as the youth, I
4 just wanted to tap on it because I had an
5 incident when I was young and I had a
6 family member who had an incident recently
7 and they are young so I was just wondering
8 if there's something that -- when you're
9 dealing with the youth, a lot of times the
10 parents don't really know what to go about
11 it, how to go about certain things, and I
12 think that that's an issue.

13 And so sometimes you get a young
14 person in a situation that they may not get
15 out of later, and you're setting them up
16 for a systematic system. So is there a way
17 that, you know, even if they did like
18 15-minute segments in a school, and maybe
19 gave out pamphlets or information at a PTA
20 meeting or anything of that nature that can
21 be done to students so they will know as
22 they go out in the street, they're out in
23 the street because they're out there.

24 Like someone was saying about the
25 kids, you know, every generation parents

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2 don't like every generation, parents don't
3 like how they dress. So we can't just look
4 at them and say that's an issue but if we
5 had some information, if they got
6 information -- they aren't gonna come to
7 these meetings, I can tell you. You might
8 get ten but you're not gonna get a whole
9 crowd. But if you go to a school, I think
10 you can catch all the children, they have
11 to go through it, it's a 15-minute segment
12 and it's something they can get right away
13 this is what you do in this situation, this
14 is who you call and now they can even give
15 it to their parents, you know.

16 You can even start of with
17 somebody in junior high school and you can
18 have them give the information to their
19 parents and they know what to do so by the
20 time 21, 22 come along, they've been
21 through the process a few times and so they
22 know and that's really all I want to talk
23 about.

24 CHAIR WILEY: Excellent
25 suggestion and, Raniece, actually we do

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2 actually do outreach in schools but,
3 Raniece, are there any schools that we've
4 done in this community that we should point
5 out or are we looking for the opportunity?

6 MS. MAHADEO: Yes, we've done a
7 lot of presentations this in high schools in
8 this area, we've done August Martin High
9 School, John Adams and also the alternative
10 learning center, which is a program for
11 students who have been suspended from school
12 and then another(inaudible). I'm a Queens
13 girl so you gotta represent.

14 CHAIR WILEY: Thank you. But
15 again, if there are other schools that have
16 not been listed where there's interest in
17 inviting the CCRB, we'd love it do it, and
18 I also hear the suggestion also thinking
19 about middle schools not just high schools
20 so I did hear that. Yes, ma'am?

21 FEMALE SPEAKER: In the one or
22 two libraries that have teen centers so we
23 serve between 80 and 100 teens a day so,
24 Raniece, I'm going give you my card because
25 I'm a manager there.

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MS. MEDLEY: Thank you.

(Applause.)

FEMALE SPEAKER: And I'm on the board in District 29 and we want to welcome you there as well.

CHAIR WILEY: That's fantastic. We welcome the opportunity, and I will say, I want to recognize board members because in addition to outreach we have had board members participate not just in our formal meetings but in other kinds of community activities. I want to thank our board members, and we have Mr. Peguero here that has nothing but time on his hands. But any of us will really participate to in appropriate meetings for us to come to.

If there's -- we've taken a lot of your time. It looks like we have exhausted the list. We have had excellent feedback and information from you.

A few of the just key takeaways that we've heard many, many things so I'm not pretending that this is a full summary but just to reflect that we've heard it.

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2 There are many more opportunities for us to
3 show up in this community is one of the
4 things we're hearing and in different
5 places so we will follow up on that. Our
6 ability so be more proactive in how we're
7 having conversations just in a formal
8 setting like this but also, informally. We
9 will take that back and think about ways
10 for us to do that as well as more
11 opportunities to be in relationship with
12 you so we very much appreciate that, we
13 respect your time and appreciate how much
14 of it you've shared with us and how
15 invaluable that is to something, I think,
16 we all share which is how to improve the
17 safety of our communities. Thank you so
18 much for your time.

19 (Applause.)

20 CHAIR WILEY: I don't want to
21 keep you all. We have to do some board
22 business that we're gonna sit here and do
23 that's not the most exciting thing we do
24 but I don't want you all to feel like you
25 have to stay for it. I will return to our

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2 adoption of the minutes from our last
3 meeting. Do I have a motion?

4 MR. DAVIE: So moved.

5 CHAIR WILEY: Do I have a second?

6 (No response.)

7 CHAIR WILEY: I didn't hear a
8 second. Do I have a second?

9 MR. PEGUERO: Second.

10 CHAIR WILEY: Thank you. All
11 those in favor?

12 (Chorus of ayes.)

13 CHAIR WILEY: All those opposed?

14 (No response.)

15 CHAIR WILEY: Any abstentions?

16 MR. PEGUERO: Aye.

17 CHAIR WILEY: Okay. We have one
18 abstention from Mr. Peguero, otherwise, the
19 minutes are adopted. I will ask if there's
20 any old business?

21 (No response.)

22 CHAIR WILEY: Hearing none. Is
23 there any new business?

24 MR. PUMA: Yes, two things. You
25 know, based on what we've heard from

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2 Mr. Amin earlier today and his efforts to
3 try to, I guess, expand the universe of
4 what can classify as offensive language. I
5 was thinking about how that relates to the
6 agency, and from my understanding there
7 wouldn't be anything in terms of how we
8 receive complaints now that would prevent,
9 you know, other terminology from being
10 included in a complaint. But I was
11 wondering, I'm thinking, you know, how it
12 would be healthy for the agency to kind of
13 do -- I know that the agency you know
14 always strives to be culturally competent
15 and to sort of do an internal check
16 periodically on that and see, you know, in
17 terms of especially, I mean, I'm not aware
18 of any complaints that come in that may,
19 you know, sort of present these kind of
20 cultural-competence issues but it would be
21 worthwhile just for ourselves as an agency
22 to check and look into that.

23 CHAIR WILEY: I think that's a
24 request we should formally make to the
25 training unit since part of their job is to

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2 help train the staff but see if they can
3 identify a list that should be inculcated
4 in the training of staff so I think that's
5 a helpful suggestion. And did you say two?

6 MR. PUMA: Yes, the other item is
7 I noticed from the agencies official
8 Twitter account, there was a mention of how
9 it would be considered improper for a
10 police officer in New York City to ask a
11 person's immigration status.

12 Again, I'm not aware of any
13 complaints that I've received in panels
14 containing that allegation but I thought
15 that was a helpful reminder to the public.
16 I don't know -- I assume that would be
17 considered an abuse of authority but I
18 guess I wanted to sort of ask more about
19 that.

20 CHAIR WILEY: Yes, and I
21 certainly haven't seen any but it certainly
22 would be unless there was any lawful reason
23 to ask it that we can't think of sitting
24 here right now. But certainly is just as a
25 matter of general practice and, in fact,

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2 the agreement with -- I mean, in going
3 through the ID NYC process in creating the
4 card there were a lot of conversations with
5 the NYPD about ensuring that officers knew
6 not to use that card to then follow up and
7 ask immigration status related to the card.
8 So I know those conversations have happened
9 as well on the NYPD side.

10 MS. STAHLY-BUTTS: I wonder
11 about -- that, to me, brings up an outreach
12 question of making it clear, number one, a
13 data question about whether if someone does
14 file a complaint who may be vulnerable because
15 of their citizenship, whether or not there was
16 some protection for that. I know that was a
17 thing with making the IDs but if we actually
18 had those protections in place and then making
19 sure that, in outreach particularly, and that
20 filing a complaint you're not putting yourself
21 at risk of either having your information
22 transferred to the government or the NYPD in a
23 way that would make you vulnerable. I don't
24 want to make sure that that was actually the
25 case but that --

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2 CHAIR WILEY: Right. The City
3 has already taken a position, including
4 NYPD, about not sharing any information
5 unless it's required to by law, which would
6 generally mean a subpoena or court order.

7 MS. STAHLY-BUTTS: Right.

8 CHAIR WILEY: So I think it's --
9 the questions is how we make sure that what
10 we're doing lines up --

11 MS. STAHLY-BUTTS: I know there
12 were also advocates who were very concerned
13 about the NYPD being vulnerable to federal ICE
14 both subpoenas but also it's about what is
15 and isn't, and can't be shared and what
16 could be blocked but I would just be
17 curious, what data procedure is.

18 CHAIR WILEY: And just to be
19 clear, we should be clear, we are not
20 asking for immigration status when
21 someone's filing a complaint. There would
22 be no reason for us to have a record --

23 MS. STAHLY-BUTTS: Of that.

24 CHAIR WILEY: -- of immigration
25 status just because someone's filed a

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2 complaint and so that wouldn't generally be
3 information we would be collecting and
4 therefore --

5 MS. STAHLY-BUTTS: Right.

6 CHAIR WILEY: -- would be part of
7 the record.

8 MS. STAHLY-BUTTS: Right. The
9 thing is just --

10 CHAIR WILEY: I just want people
11 to understand that so that there's not a
12 fear so that would not be something we
13 would ever request because that's not
14 relevant to whether or not there's been a
15 violation.

16 MS. STAHLY-BUTTS: I think it's
17 important to name that for folks especially
18 for that complaint because I feel like if
19 folks are vulnerable to that then folks are
20 scared to do that.

21 CHAIR WILEY: And I think part of
22 what this points to part of a larger
23 conversation we have to have about
24 vulnerable populations. A comment came up
25 earlier today about people with mental

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2 illnesses, people who are homeless, LGBTQ,
3 and undocumented is another vulnerable
4 category obviously that we identify so I
5 think this issue of how we work around
6 vulnerability is very important.

7 Any other new business?

8 (No response.)

9 CHAIR WILEY: Okay. Hearing none
10 then do I have a motion to adjourn to
11 executive session?

12 MR. PEGUERO: So moved.

13 CHAIR WILEY: Do I have a second?

14 MR. SIEGAL: Second.

15 CHAIR WILEY: All those in favor?

16 (Chorus of ayes.)

17 CHAIR WILEY: Any opposed?

18 (No response.)

19 CHAIR WILEY: Any abstentions?

20 (No response.)

21 CHAIR WILEY: Then we will close
22 the public portion of this meeting. I just
23 like to do that and adjourn to executive
24 session.

25 (Time noted: 9:33 p.m.)

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