CIVILIAN COMPLAINT REVIEW BOARD
PUBLIC MEETING
JUNE 10, 2020
4:03 P.M.

HELD VIA VIDEOCONFERENCE

BEFORE:
FREDERICK R. DAVIE, CHAIR
JONATHAN DARCHE, ESQ., EXECUTIVE DIRECTOR

Transcribed by:
Julia M. Speros
PUBLIC MEETING AGENDA

1. Welcome & Virtual Meeting Protocol
2. Call to Order
3. Adoption of Minutes
4. Report from the Chair
5. Report from the Executive Director
6. Presentation from Outreach on the CCRB
7. Presentation from Policy on the Youth Report
8. Screening of Youth Advisory Council PSA
9. Comment from Emerald Garner & Youth Advisory Council Members
10. Public Comment
11. Old Business
12. New Business
13. Adjourn to Executive Session
BOARD MEMBERS PRESENT

Rev. Fred Davie, Board Chair, Mayoral Designee
Jonathan Darche, Esq., Executive Director
Erica Bond, Esq., Board Member
Corrine A. Irish, Esq., Board Member
Angela Sung Pinsky, Board Member
Joseph A. Puma, Esq., Board Member
Michael Rivadeneyra, Esq., Board Member
Nathan Joseph, Board Member
Willie Freeman, Board Member
Frank Dwyer, Board Member
John Siegal, Esq., Board Member
MR. DAVIE: Welcome everyone to the second ever virtual meeting of the Civilian Complaint Review Board.

Before we get started with the formal agenda for this afternoon's meeting, we're going to get some logistics on how we're going to proceed from our Director of Outreach and Intergovernmental Affairs, Yojaira Alvarez.

Yojaira?

(No response.)

MR. DAVIE: Yojaira, you're on mute.

MS. ALVAREZ: Hello, everyone.

Thank you so much for joining us today.

Just a few items about today's meeting:

In the chat function you'll see some resources that Jahi will be sending out to you, including today's agenda, the monthly report, the presentations that we're going to be reviewing.

How today will go is at the conclusion of each presentation --
you'll hear a presentation from me about
the CCRB process, a presentation from
Harya about the findings of the Youth
Report -- at the conclusions of those
presentations, if you have specific
questions to that topic, you can use the
"Q" and "A" function and ask us, and we
will try to get that answered for you.

And then if you have anything else
to say, any comments about the community
dynamics, youth and police, that will be
saved for the public session.

We're going to keep a strict
timeline of two minutes and you, if you
do want to speak, you can use the raise
hand function, which is found on the
bottom right of your screen, if you
click "participants", which is on the
bottom -- that little blue circle with a
face on it.

If you have any questions, you can
reach out to us via chat. Thank you so
much.

(No response.)

MS. ALVAREZ: Sorry, Mr. Davie,
you're on mute again.

MR. DAVIE: Before I begin my remarks and have the Board members introduce themselves, we need to take care of one piece of housekeeping business, and that is to approve the minutes for the -- of the last meeting.

So is there a motion to approve the minutes of the last meeting.

MS. PINSKY: So moved.

MR. DAVIE: Is there a second?

UNKNOWN SPEAKER: Second.

MR. JOSEPH: Second.

MR. DAVIE: All those in favor, please say "aye".

(Chorus of "Ayes").

MR. DAVIE: No?

(No response.)

MR. DAVIE: The "ayes" have it; the minutes are approved.

So we're so glad that so many of you have joined us for this discussion about police community relations, an issue that is always important, but of course takes on particular significance in the
midst of the conversations that have been happening nationwide and of course right here in our City.

As I said, I'm Fred Davie. I'm the Chair of the Board. Before I get started, I'd to ask my colleagues to introduce themselves.

So we will start with Corrine English (sic).

MS. IRISH: Hi, Corrine Irish, Mayoral Designee.

MR. DAVIE: Sorry about that, Corrine.

MS. IRISH: It's okay.

MR. DAVIE: So please, go ahead.

MS. IRISH: Sorry, Corrine Irish. I'm a Mayoral Designee.

MR. DAVIE: Mr. Joseph.


MR. DAVIE: Ms. Pinsky.

MS. PINSKY: Hi. I'm Angela Pinsky. I am a Mayoral Designee and I am in Brooklyn.
MR. DAVIE: Mr. Dwyer.

MR. DWYER: Good afternoon. My name is Frank Dwyer. I am a Police Commissioner Designee.

MR. DAVIE: Mr. Rivadeneyra.

MR. RIVADENEYRA: Hi. Good afternoon. I am Michael Rivadeneyra. I am the Bronx City Council Designee.

MR. DAVIE: Mr. Freeman.

(No response.)

MR. DAVIE: I think you might be muted, Mr. Freeman. There you go.

MR. FREEMAN: Okay. Willie Freeman. I'm a Police Commissioner Designee.

MR. DAVIE: Okay. Mr. Puma.

MR. PUMA: Good afternoon. I'm Joseph Puma. I'm the Manhattan City Council Designee to the Board.

MR. DAVIE: Did I miss anyone -- any other Board members?

MR. SIEGAL: Yeah, Fred, John Siegal.

MR. DAVIE: I'm sorry, John. Go ahead.

MR. SIEGAL: I'm John Siegal. I'm
appointed to the Board by Mayor de Blasio.

We have this custom of introducing ourselves by how we're appointed, but I just want to make clear cause we have so many attendees today who may not have been at meetings in the past, while I was appointed to the Board by the Mayor, I do not represent the Mayor on the Board.

It's my view that we are -- we are an independent all civilian -- and it's my view that I'm here to apply my own independent judgment and experience and knowledge on our cases. And in fact in the two years, at least that I've been on the Board, I've not had any contact with anyone in the Mayor's office about any matter before the CCRB, and that's my view the way we do business, and I just want to emphasize that because we have a lot of new people.

I don't to leave the impression that I at least am here representing the person who appointed me.
MR. DAVIE: Thank you, Mr. Siegal -- thanks for that clarification.
And I see Ms. Bond has joined us.
(No response.)
MR. DAVIE: And I think you're on mute.
MS. BOND: Can you hear me now?
MR. DAVIE: Yes.
MS. BOND: Okay. Great.
My apologies for joining late. I'm Erica Bond, Mayoral Designee.
MR. DAVIE: Okay. Anyone else that I missed?
(No response.)
MR. DAVIE: All right. Well, I thank you all, and, again, thanks to everybody for joining us tonight.
We're meeting at a time of great unrest for our City and our nation, but make no mistake, the protests we now see in the streets of the United States and around the world have been building, not for weeks or months, but for years and centuries.
For us here in New York City, the
tragic death of George Floyd in Minneapolis, is a reminder that the death of Eric Garner is not an aberration. Those last words, "I can't breathe" echo today in ways that force us all, once again, to stop and think about the role of police.

The videos force us all to consider the fact that before the advent of this technology -- before cellphone cameras and social media -- countless people, whose names will never be in a headline or in a hashtag died senselessly and needlessly at the hands of police.

Deep within the demonstrations we now see on the streets of New York is the spirit of Ferguson, the spirit of Selma, and the spirit of so many others who have stood before the status quo and simply said "No more".

Our eyes must be fixed now on moving forward. I know that that's the case here for us at CCRB. Since these demonstrations began at the end of May, the CCRB has received more than 800
complaints related to at least 85 incidents. We're committed, as always, to investigating these complaints fully and fairly regardless of whether any other entity investigates.

I have seen numerous references to "bad apples", but as we have witnessed, even one bad apple can cost a person their life if taken without justification and create turmoil and pain in communities and cities.

We will vigorously adjudicate complaints against "bad apples", but this is also a systemic problem, and the CCRB is committed to working with courts and advocates, every day New Yorkers and others, to engage this catalytic time in our history and to move us forward to a solution.

At the State level we have witnessed the passage of legislation to reform policing, most notably a bill to dismantle Civil Rights Law Section 50-a, and to bring transparency to New York's police disciplinary system.
Anyone who looks at the progress that we've seen in the last few weeks and days and concludes that it happened by chance is sorely mistaken. This progress, much like every -- much like the very existence of the CCRB itself, is a product of people exercising their all-American right to protest and demand better of their government.

It's the product of advocates, who for so long have been doing the work of pushing for change, and it's the product of lawmakers who acted in accordance with the will of their constituents.

It is encouraging to witness a new generation of young people rise to the occasion. As many of you may have seen, we are pleased to release new public service -- a new public service announcement produced by the CCRB Youth Advisory Council earlier this week. We will playing that for you during this meeting.

We also issued the first ever report on the relationship between youth and
the NYPD. When you read that report, which shows that a vast majority of complaints involving young people involve young males of color, it can be easy to feel overwhelmed by what happening in our City.

But when you hear from members of our Youth Advisory Council, who will be speaking tonight, it restores your hope in the future. When you hear from someone like Emerald Garner, who I know is here with us, who keeps us pushing and fighting despite having experienced unimaginable loss at such a young age, it restores that hope.

When you see young Americans across the country who hit the streets fueled by nothing more than faith that surely we can do better than this, it restores that hope. Despite all the turmoil in our world, I have found reasons to be hopeful and my greatest desire is that you all have too.

Before I turn things over to Jon and acknowledge our guests, I want to again
thank the CCRB staff for all they're
doing to continue serving New York City,
particularly during these -- during the
last week when we've been presented with
additional challenges on top of the
challenge posed by COVID-19.

I also want to thank all members of
the public for joining us this evening.
We all have a great deal on our minds
right now so it means so much that
you're here for discussion about
policing.

I want to thank the Board and on
behalf of our fellow New Yorkers, I want
to thank all the City's essential
workers who continue to go out and face
COVID-19, and that includes members of
the NYPD, who we are responsible for
holding accountable to their conduct. I
want to thank all of you who contribute
to making this City a better city.

I will now ask Yojaira Alvarez if
there are elected official's offices we
want to acknowledge or elected officials
themselves that we want to have speak at
this time.

Yojaira.

MS. ALVAREZ: Hi everyone. We want to acknowledge Lieutenant Antonio Jimenez, who's here from the NYPD.

MR. DAVIE: Would he like to speak?

(No response.)

MS. ALVAREZ: Sorin, can you un-mute the Lieutenant?

MR. JIMENEZ: Hi. Yes, thank you. Good afternoon, everybody. I know you probably can't see me, but I'm trying to work on my camera here -- but thank you for the invite.

I believe my Chief may be joining us, but I'll advise if she is -- but, yes, thank you for having me.

MR. DAVIE: Thank you.

MS. ALVAREZ: Thank you.

MR. DAVIE: Thank you for being here.

Anyone else Yojaira.

MS. ALVAREZ: Yeah, we have Chief Nilda Hofmann as well from the NYPD.

MR. DAVIE: Chief Hofmann.
(No response.)

MR. DAVIE: Would Chief Hofmann like to speak?

(No response.)

MR. DAVIE: And Sorin, are we un-muting her mic?

(No response.)

MR. DAVIE: Okay. Why don't we proceed; we can come back to Chief Hofmann.

MS. ALVAREZ: Yes.

MR. DAVIE: Anyone else, Yojaira?

MS. ALVAREZ: Yeah, we Assembly Member Bichotte in the meeting as well. Can you un-mute her?

MR. DAVIE: Assembly Member, would you like to speak?

(No response.)

MR. DAVIE: Assembly Member, are you there?

(No response.)

MR. DAVIE: Okay. We will come back to both the Assembly Member and the Chief.

Anyone else, Yojaira?
MS. ALVAREZ: And that's it for now.

MR. JIMENEZ: Yeah, Ms. Alvarez, this is Lieutenant Jimenez again. I think she just -- she's -- she was answering, but I think her microphone is muted. I don't know --

MS. ALVAREZ: Oh, okay.

MR. DAVIE: Okay. So is the Chief's mic un-muted now?

MS. ALVAREZ: Chief Nilda Hofmann.

MR. JIMENEZ: We're checking with her right now -- we're checking with her right now.

MR. DAVIE: Should we check with the Assembly Member?

MS. ALVAREZ: Assembly Member Bichotte?

(No response.)

MR. DAVIE: Okay. Why don't we proceed with Jon's remarks and then we will come back and see if we can pick them up after Jon speaks.

Our Executive Director, Jon Darche.

MR. DARCHE: Thank you, Fred. I just wanted to echo your comments about
Mr. Floyd and the videos we've seen from across the country.

From May 29th until today, the CCRB has received over 740 complaints related to the protests. Those complaints are about 129 separate incidents. The CCRB is determined and fully committed to investigating all the complaints we've received over the last two weeks.

We are also in contact with the Attorney General's Office and the Department of Investigation in an effort to ensure that our investigations do not conflict with each other. In addition, we've been in contact with several of the local prosecutor's offices.

The agency will do its best to reach a thorough fact-based and impartial determination in allegations of misconduct reported to us. We will be as transparent as possible to ensure New Yorkers know that is an accountability for police misconduct.

The recent decision by the First Department that allows the CCRB to
commence investigations based on complaints from people who saw police misconduct over social media, in the news and elsewhere, have enabled civilians who may have experienced misconduct at protests to reach us more easily and it brings the agency further into the 21st century.

I just would like to give you all an update on agency operations. We intend to open our office next week to civilians who want to make complaints but who may not have access to the internet or telephone.

If you have access to a phone or an internet and want to file a complaint, still the best way to reach us is to go to nyc.gov/ccrbcomplaint or 1-800-341-CCRB. Investigators are working remotely and conducting civilian interviews by telephone.

Investigators continue to subpoena businesses and government entities. Member of service interviews, which typically happen in person, are
currently scheduled to begin the week of June 22nd. The CCRB continues to work with NYPD to request and obtain documentary and video evidence.

    We are receiving documents and BWC about the events of the last 10 days and I want to thank the members of Internal Affairs Bureau and Legal Bureau who have been providing us with that information.

    There's going to be a sizable backlog for the agency to overcome with all these new investigations, plus the added difficulties of not being in the office, but after talking to staff, I know that they are committed to investigating these cases effectively and efficiently, and making sure that justice is done.

    With regard to public comment later today -- later this evening -- if you have a question or concern, or otherwise wish to respond to something, please either raise your hand using the hand icon on your screen and wait to be called, or type your question into the
"Q" and "A" section of the screen.

And I want to thank all of our staff for continuing the operations, especially Outreach for arranging this meeting, Investigations for the work on the complaints, and everyone at Operations and IT for keeping the lights on. And, again, I'd like to thank the members of the public for participating in this meeting.

MR. DAVIE: Thank you, Jon -- thank you Mr. Darche.

We'll now return to Yojaira Alvarez both to introduce the guests that we tried to get before, if they're available, and then to proceed with her report as the Director of Community Outreach and Intergovernmental Affairs.

That's going to be followed by Jerika Richardson, who is Special Assistant to the agency and to the Board to -- the members of the Board -- to proceed with questions that we might have after Yojaira gives her presentation.
So Yojaira and then Jerika, please.

MS. ALVAREZ: Thank you. So I think we fixed that issue, so Chief Hofmann, if you want to say hello.

MS. HOFMANN: Hi. Could you hear me now?

MS. ALVAREZ: Yes.

MS. HOFMANN: Okay. Thank you.

First of all, thank you for the opportunity to be part of this today. As you know, I am the Chief of Community Affairs here at the NYPD and this is just a great opportunity, you know, to hear from all and to hear, you know -- I mean, we know what's going on and we hear -- I mean, I've been hearing a lot from the community.

I've been spending the last couple of days -- and I'm hearing what the community is saying and I'm here really to listen and to provide that to the Police Commissioner on many of the comments that I'm going to hear today.

So thank you for this opportunity.

MR. DAVIE: Thank you, Chief --
thank you for being with us.

   MS. ALVAREZ: Thank you so much for coming.

   And Assembly Member Bichotte?

   MS. BICHOTTE: Thank you so much.

Can everybody hear me now?

   MS. ALVAREZ: Yes.

   MR. DAVIE: Yes.


Hi, everyone. Thank you for having me. My name is Assembly Member Rodneyse Bichotte. I represent Central Flatbush and I'm the Chair of the Minority Business Enterprise. I am also the newly elected democratic primary leader, so I -- I work with the City Council in helping -- (inaudible) -- on the Board.

You know, I just want to say thank you for all your hard work. My first interaction with CCRB was in -- I want to say it was around 2013 -- at the Eastern Parkway -- where Jumaane Williams, who was a City Councilman, got arrested -- and we were with him -- and I was interviewed by the CCRB in terms
of what happened to try the capture the
event back then -- that has been some
years ago and I was part of the passing
of a number of police reform bills.

As you know, the repeal of 50-a was
a huge agenda for us -- something that
we negotiated back and forth. It
involved CCRB; it involved talks about
racial profiling and I just want to let
you all know that there were some
concerns of having both statewide racial
profiling and statewide 50-a -- it said
one or the other. I was carrying the
racial profiling bill because pretty
much all parts of New York State still
have racial profiling and it's legal
right now.

And as we're trying to find just
data collection and analysis, that was a
push to have the police officers fill
out the forms. And why it was important
is because when Daniel O'Donnell was on
the floor discussing the changes in the
repeal of the 50-a bill, we talked about
substantiated and what's not --
unsubstantiated, and for the first time he told me that all the racial profiling cases that were sent to CCRB, were found unsubstantiated and so there were zero cases of racial profiling.

It was a little bit disturbing to hear that. Again, I was intimately familiar with the process obviously at the -- (inaudible) -- obviously with the recent actions that happened here, across the world, and -- (inaudible) -- more and more active.

Now, as you know, with 50-a, even if cases are not substantiated, it still will be made public so that you all can see and we have the opportunity to appeal to make it substantiated.

The racial profiling bill would also with substantiating complaints because we are also trying to look at data in terms of our police officers are interacting with civilians when they stop them. What initiated the stop, how they are they filling the form, the arrest, which is very different from
STAT Act.

So you know, we're trying our best; we're still fighting. We know there are talks about reform with the CCRB. Again, very new to me. I am learning; I am here to listen to how you guys work.

I -- this is just a great learning experience and I just want to make sure that, you know, we are doing the best that we can in terms of transparency and accountability and when we hear cases -- and I don't think anything happened with my case when the public advocate was arrested -- when they interviewed me.

I think the civilians, you know, they want to see outcomes, and so I'm happy that we're able to fix that part of 50-a where complaints now can be disclosed, whether they're substantiated or not substantiated.

And, you know, to a question to the Board -- and, you know, you may not -- you don't have to answer it now, but just to think about it -- when we ask for a report on racial profiling and to
say that there was zero cases, that's a concern. And I don't know how the process was, but that's a concern and I think that's why we need to certainly enforce by law to make sure that police officers, when they do stop, we fill out a form so that we have some data to work with.

But I thank all of you for having an interest and being on this Board, and acting on the behalf of all of us -- the civilians -- and I thank you so much for allowing me to speak, and I look forward to being more -- (inaudible) -- any questions on all the bills that were passed or to monitor the special prosecution, the IG, anti-choke bill, racial profiling, (inaudible), 911, any of those who -- (inaudible) medical attention to people who are arrested or in custody of law enforcement, banning -- sorry, not banning -- body-worn cameras for State Troopers.

You know, please -- I mean, I was there. I'm a co-sponsor for all of
these bills. I authored some of them, so I'm here to answer your questions. Thank you.

MR. DAVIE: Thank you, Assembly Member, and just a word about the word racial profiling issue.

Racial profiling -- and I'm going to ask Jon to speak to this as well -- but racial profiling has not been an allegation type that the CCRB has investigated, and there's discussion going on now between a number of entities in the City as to whether or not it should become an allegation type that we investigate.

Jon, you want to speak more to this?

(No response.)

MR. DAVIE: And you're muted.

MR. DARCHE: Thank you, Mr. Chair.

So the agency has been working with NYPD and the City Commissioner on Human Rights to figure out the best way to investigate racial profiling. I think we all have seen in recent weeks with the reports about disperate (sic) impact
of social distancing enforcement that
profiling is still an issue that needs
to be addressed and staff is working on
finding ways to address it and we hope
to have something back to the Board
soon.

MS. BICHOTTE: Thank you. Yeah, I
think -- thank you, Mr. Darche.

I think even before social
distancing racial profiling was
existing. I think the issue that
Mr. Assembly Member O'Donnell brought on
the floor is that for many years before
the social distancing, there were a
number of complaints and they were just
found to be not substantiated.

And, again, I didn't know if this
Board took on allegation cases, but it
was told that it would be three people
appointed from the Board -- one from the
Mayor, one from the City Council, and
one from the Police Department -- Police
Commissioner -- they would review that
particular case to see if it was
substantiated or not and that's why I
thought you all were involved in the
number of racial profiling --
(inaudible) -- being substantiated.

MR. DARCHE: Assembly Member, we
look at the individual cases of
misconduct. So if a person were to feel
that they were singled out because of
their race and inappropriately stopped,
we would look at the stop, but the
question -- the larger question of
whether there was profiling is done by
the Police Department.

And I believe that the 600 cases
that were investigated, that not a
single one was substantiated, was done
by the Police Department and CCRB is
working with Commission on Human Rights,
which the City Council, in the Charter,
has been made the lead agency on racial
profiling, and the department, to try
and find the best way to investigate
these cases, and I think it's important
that CCRB has a role in that too.

MR. DAVIE: So yeah, just to
emphasize again so that the public is
clear -- and Assembly Member, we really thank you for bringing this up -- again, racial profiling is not an allegation type that CCRB investigates or adjudicates in any way.

As Jon has said, if it comes up in allegation, then we will deal that -- the part of that allegation over which the agency has jurisdiction -- or the Board has jurisdiction. The profiling allegation goes to the NYPD.

And we have been requested, I guess, over the last three or four months, to look to see whether or not CCRB can itself investigate racial profiling, but I think it should be clear that it was not the CCRB who did not substantiate any cases in racial profiling. There's no jurisdiction at the moment for the agency, but it was the NYPD where the jurisdiction currently exists.

MS. BICHOTTE: Thank you so much for that clarification --

MR. DAVIE: Sure.

MS. BICHOTTE: -- and I just -- we
would like the CCRB to take part in investigating racial profiling allegations. So it's definitely something -- and even with filling out the forms, we know that most of the officers do not fill out the form.

So I don't know if there's an enforcement part in the CCRB; I can certainly recommend that. But, again, we're pushing this to be a statewide thing, and as you can see, this is still an issue everyone -- it's still an issue.

We passed all these bills; there's a lot more bills, you know, I have a bill where a police officer is required to identify themselves because in some cases in certain parts of the state, they're not required to identify their badge -- I mean there's so many (sic) other stuff, but racial profiling was an issue for the Senate.

Okay. There were 11 bills. This was the only bill that was not passed. It's a problem. They do not want to
collect the data. So I look forward to working with you because data will help substantiate and data will help AG to do -- file a motion for injunction relief.

Okay. So we need evidence to present your cases in the courts. So we can talk further. I certainly didn't take all the time from the CCRB Board -- (inaudible) -- agenda, but, again, thank you so much and thank you for clarifying this.

MR. DAVIE: Thank you, and thank you for being here and thank you for your interest and thanks for all the work that you do in Assembly as well, particularly on these issues that are really relevant to this agency. So thank you.

So, Yojaira, we have other, I think, elected officials who are now on the conference.

MS. ALVAREZ: Yeah, we just want to acknowledge Senator Connery and Councilmember Helen Rosenthal.

Senator Connery, do you want to say
a quick hello or -- and introduce
yourself?

(No response.)

MS. ALVAREZ: I think he might've
had another meeting.

Councilmember Rosenthal?

MS. ROSENTHAL: I'm not quite -- can
you hear me?

MR. DAVIE: Yes, there you are --
yes.

MS. ALVAREZ: Yes.

MS. ROSENTHAL: Oh, fantastic.

So I just really am here to listen
and to thank you for all the work you
do. I mean we're experiencing these
protests and watching the police respond
and we'll waiting to see what -- what
action NYPD will take.

But your role is more important than
ever and I really appreciate -- I'm here
just to say I appreciate the work that
you do and anything I can to be
supportive, keep me posted. Thank you.

MR. DAVIE: Thank you so much and
thank you for your continued support of
this agency.

MS. ALVAREZ: Thank you so much Councilmember.

If there are any other elected officials or representative from offices, feel free to send me a message.

I'm going to go ahead and start our Outreach presentation to give those here just an overview of what we do here at the agency.

Currently we have around 232 participants -- 264 participants and we're really excited that you are here.

Sorin, can you have me share my screen?

(No response.)

MS. ALVAREZ: All right. Can everybody see that?

(No response.)

MS. ALVAREZ: Jon, can you see that?

MR. DAVIE: Yes.

MS. ALVAREZ: Okay. All right. So as you know, we are a City agency.

We're independent from the NYPD. We are an agency composed entirely of
civilians. We are the nation's largest independent oversight entity in the country.

As the Board mentioned, the Board is composed of 15 members in total. Five are appointed by the Mayor, five appointed by the City Council, three designated by the Police Commissioner, and one appointed by the Public Advocate. That Public Advocate appointee will be taking office and assuming her duties on July 6th.

So although we investigate police misconduct, we don't have the authority to investigate all allegations of police misconduct. A way of knowing which allegations fall under our jurisdiction is by using the acronym FADO, F-A-D-O.

The "F" stands for "force". So any force used in interaction with a police officer falls under our jurisdiction and we would investigate that to determine if it's excessive or unnecessary given the totality of the circumstances and we would use guidelines provided in the
Patrol Guide to determine that.

Abuse of authority, that's a larger category. It includes improper stops, improper searched, police officer inappropriately entering my house, a police officer refusing to provide a shield -- his shield or badge number upon request, a police officer threatening to call ICE, etcetera.

The "D" is discourtesy. So that means a police officer using inappropriate language, like profanity, or an inappropriate gesture.

And, finally, offensive language. So this is language that inappropriately refers to my race, my ethnicity, my sexual orientation, my religion, my disability status. Those are allegations we take very seriously.

In the other categories, there may be situations where a police officer may have had reason to stop me, but with the use of offensive language, that's something that is uncalled for.

I wanted to touch base on the Right
to Know Act. So this law went into effect in 2018. There are some major points that we really want all New Yorkers to know.

One is that police officers are equipped with business cards. So those business cards have the police officer's name, command, and on the back some information on how to file a comment or complaint calling 311.

Police officers in a majority of situations must proactively give that card to civilians, but at any point, me as a civilian, can always request that card. If a police officer does not provide that card upon request, that would be something we would investigate.

Another thing that the Right to Know Act has empowered civilians in interactions is with stops and searches. So if a police officer does not have the legal justification to search you, they must proactively ask you for consent and inform you of your right to say "no". If you feel that your right was violated
-- that you don't believe that the
police officer was abiding by the Right
to Know Act, please give us a call.

Those are some -- (inaudible) -- so
I know that in this time a lot of
offices are closed. For the time being,
ours is one of them. So we want to make
sure that if you feel that misconduct
occurred, to please conduct us and there
multiple ways of doing that.

You can file a complaint online.
The website nyc.gov, backslash,
ccrbcomplaint -- we'll share the link in
the chat. You can also call us
directly, 1-800-341-2272 or CCRB, or you
can dial 311 as well and go through the
prompts and that will direct you to our
office.

And because of a recent ruling, we
are now able and empowered to
investigate allegations that a civilian
has witnessed on social media or any
footage that they've seen.

So if you've seen what appears to
you as misconduct, please give us a call
by filing that complaint online or by phone and we will make sure to get back to you.

Also, in this time with virtual presentations, we have a team of civics that is dedicated to going out to different communities virtually now and when we go proceed to the different phases, possibly in person as well. But if you have any request for presentation, please email me or Outreach at ccrb.nyc.gov and we'll be happy to either join in on your virtual meetings or host it ourselves and you can always follow us at ccrb_nyc, and we're also currently on Instagram at the same handle, ccrb_nyc.

So does anybody have any questions?

MR. DAVIE: Any Board members with any questions right now? We will go to the public a little bit later.

Mr. Puma.

MR. PUMA: Yes, thank you, Mr. Chair, and thank you, Yojaira, for your presentation.
I wanted to also add that the agency was empowered with the Charter revisions that were approved last fall to investigate false official statements made to the agency in the course of the investigation.

I'm not sure when that quite goes into effect, but I wanted to also add to the FADO slide that you normally include in that presentation.

MS. ALVAREZ: Yes, absolutely. With untruthful statements, that is something that the agency is now empowered to investigate. So over the course of that investigation -- over the course of that complaint, if we find that a police officer is providing a statement that is untruthful, that's something that may fall under our jurisdiction.

MR. DARCHÉ: Mr. Chair, can I add to something there?

MR. DAVIE: Sure.

MR. DARCHÉ: So the Charter change gives the CCRB jurisdiction over untruthful statements made to the CCRB.
So to change the acronym from FADO at this point would give the misimpression that people can bring allegations that someone made a false official statement in another venue other than to the CCRB. And the staff is actively working at whether untruthful statements made to other entities could be considered abuse of authority.

MR. DAVIE: Mr. Darche, your camera is off, but that's fine for now.

MR. DARCHE: My apologies.

MR. DAVIE: No worries. Anyone else with questions/comments from the Board? Again, we'll get to the public shortly.

(No response.)

MR. DAVIE: All right. So, Yojaira, are you -- is that the conclusion of your presentation?

MS. ALVAREZ: Yes, just before you proceed, I just wanted to acknowledge that Sasha Barilla (phonetic) is here from Councilmember Dean Phillips' office.
MR. DAVIE: Great. Thank you and welcome.

Now we're going to turn to Jerika Richardson, who may have some questions from the audience on Yojaira's presentation.

(No response.)

MR. DAVIE: And you may be on mute.

MS. RICHARDSON: Hi. Thank you Chair Davie.

So we have -- our first question actually goes back to Executive Director -- I think -- Darche's remarks earlier.

The first question comes from T-Pain. Does the NYPD provide body camera data to the CCRB at this point?

MR. DAVIE: Yes.

MR. DARCHE: Yes, and we received our body-worn camera footage today regarding incidents from the last 10 days. We've asked them to expedite them and they said they will. We're hoping to have more data soon.

MS. RICHARDSON: Thank you.

Our next question comes from Shianna
Debellis (phonetic).

There are two questions. The first is, what will accountability look like, and the second is, you say that police officers will be held accountable, again, what will that look like?

Executive Director Darche or Chair Davie, can -- maybe you just give a quick overview of our process just to address the accountability question?

MR. DAVIE: Jon, do you want to do that?

MR. DARCHIE: Sure. When we receive a complaint we begin investigating immediately. We try to take statements from as many civilian witnesses as possible.

We obtain as much video and documentary evidence as possible, both from -- including medical records, or cellphone video, or other surveillance video that may have captured the incident. We order police records and body-warn camera footage.

Once we've obtained all that
information, we then schedule the member of service for an interview and interview the subject officer. Once we obtain all that evidence, we marshal it, put it in a report and it goes to the Board, which generally meets in panels of three Board members, one from each appointing body, and then they vote and if misconduct is substantiated, they recommend a level of discipline that is sent to the Police Commissioner.

MR. DAVIE: Thank you.
Please proceed, Jerika.

MS. RICHARDSON: Thank you. Our next question comes from Carmita Morgan Randall (phonetic).

The question is how are police -- how are the police processing youth -- young adults -- with mental health diagnoses who are being detained and arrested?

I know we are going to have a brief overview of our Youth Report coming up shortly. It may not answer the entire question, but we will have Harya
Tarekegn from our Policy Unit talking about youth.

I don't know if the Board or the Executive Director wants to address this question now or if we want to hold it until we get to the youth section.

MR. DAVIE: Why don't we hold it until we get to the Youth section.

MS. RICHARDSON: Great. The next "Q" was from M. Joyce about -- she asks can we share Ms. Alvarez's PowerPoint.

We will share Ms. Alvarez's PowerPoint. We're going to upload it online to our website and then also share the link in this chat. So if you just give us a few minutes, we can circle back to you on that.

Our next question comes from (inaudible).

How are you getting this information across to the average person?

Yojaira, can you jump back on to give us just a little guidance about outreaches, methods of, you know, sharing how to contact the CCRB and
about the work we do in the community?

   MS. ALVAREZ: Yeah, that's a great question. We know that folks --
especially in these times, it's a little harder to meet folks where they are. That's why these meetings are very important and communication with New Yorkers is very important.

   So I have my email in the chat. Please email me of any opportunities that you come across or any students or even neighbors that you work with. We will be on -- I'm going to jump on and share this information.

   Historically, we've gone to Community Boards, schools, Alternative to Incarceration programs. We launched an initiative to meet folks where they are as you mentioned. So we've made an effort to go to basketball courts, to soccer fields and share that information directly with folks.

   We're always open to suggestions and really want to make this information as widely available as possible. Our Coms
(sic) team has expanded their efforts online, so our Instagram page just launched this week, so you can follow us there at ccrb_nyc and a YouTube page as well, but we're looking meet you where you are. So let us know.

MR. DAVIE: Thank you, Yojaira.

Jerika, are there other questions?

MS. RICHARDSON: We do have several other questions.

The next comes from Malcolm Hill.
The question is, who writes the Patrol Guide; is that totally under control of the NYPD? If so, is that problematic when investigating excessive force?

For example, City Council members brought up their many exceptions to the chokehold ban.

MR. DAVIE: Jon --

MR. DARCHE: So the NYPD is the -- traditionally is the sole author of the Patrol Guide. In recent years, the portions dealing with stop, question and frisk have been under the review of a federal monitor as a result of the Floyd
lawsuit.

So it is -- but generally speaking, the NYPD controls the Patrol Guide.

MR. DAVIE: Thank you, Jon.

MS. RICHARDSON: Thank you, Jon. We have a few more questions. I do want to keep us moving. I will read the questions that I currently have in our chat, but we have some other presentations that are coming up.

And just to remind everyone, if you have a comment or something that's not related to any of the presentations, if you could hold that for -- until our public comment section, and at that point you can virtually raise your hand and we will call on everyone in the order that those hands are received.

So the next question comes from Alisa Lerner (phonetic).

Given that -- what FADO covers, how or why is it that racial profiling is outside of the scope?

MR. DAVIE: I think that has to do with the history of what allegations the
agency would -- that would be under the agency's jurisdiction. I'm going to ask Jon to speak to this again.

I think Jon mentioned that I think the Charter actually places racial profiling to some degree with the Human Rights Commission and with the NYPD.

But, Jon, do you want to talk more about that?

MR. DARCHE: I understand and share the questioner's puzzlement over why abuse of authority does not include racial profiling. It was that way when I got to the agency several years ago.

I will say that racial profiling and all kinds of profiling are -- in many cases involve a much more significant level of investigation than what we are currently equipped to do right now.

If you look at individual incidents and see whether or not a member of service or members of service committed misconduct by what they did, whether they broke the law or violated the Patrol Book, and profiling is a much
more sophisticated level of analysis because it may be that a member of service acted lawfully when they did something, but that members of service have a pattern and practice of enforcing the law differently for different groups or that the way the law is enforced has a different impact.

So you can't answer that question just by looking at an individual incident. So it would be a real lift for this agency to undertake those types of investigations.

But as I said earlier to the Assembly Member, I think it's something that we are working with our partners on figuring out if the CCRB has a role in those investigations and how we can take on that responsibility.

MR. DAVIE: Thank you, Jon. I'll just say that expanded civilian oversight of the NYPD is clearly something it seems that many desire and I think if that is the case, then the City has to be serious about the
resources that it puts into this work and it only does -- it would only do the public a disservice for their to be a decision that the agency will have increased jurisdiction and then the resources in order to carry that out don't follow.

That is a -- that is a -- that is not serving the public well if that's how we go about this. So I want to applaud the staff on being judicious in negotiations around whether or not racial profiling is an allegation -- form of allegation this agency investigates.

But I think if it becomes a conclusion of relevant bodies and public officials that the agency should, then the accompanying resources and support really have to be there, otherwise it really is a disservice to the public.

Jerika.

MS. RICHARDSON: One moment, please. (Perusing.)

So we have a question from --
sorry -- from Angeli Segobin (phonetic).

The question is, what are your opinions on de-funding the NYPD and redirecting these funds to the youth programs that are committed to black communities?

MR. DAVIE: So I think that there's a lot of misinformation. I think that people are using de-funding the NYPD in -- to mean many different things.

I'll speak for myself and not speaking for the Board. I think we've heard from both the Commissioner and the Mayor and others that it is -- that it is important to look both at what the opportunities are within the Department to redirect some of those funds to some of the priorities that people have suggested, including youth services and related programs.

My personal opinion is that there should also be some effort to look at whether or not the Department is doing things that it doesn't need to do and can those services be allocated to or
assigned to the agencies of the City
that might be better equipped to do them
and then the dollars follow.

We'll have a full discussion of
this, I'm sure as these next weeks and
months unfold. But let me -- if any of
my colleagues would want to comment.

(No response.)

MR. DAVIE: Okay. So we will
continue to have this discussion about
what "de-funding" of NYPD means and how
we should proceed as a City with regard
to this.

Jerika, any other questions related
to Yojaira's presentation.

MS. RICHARDSON: We have one
additional question from Audra Jones.

What authority does the Police
Commissioner have to supersede or
downgrade your recommendations?

MR. DAVIE: Complete authority.

Now, we work hard with the
Department to try to get concurrent on
the disposition of discipline that's
recommended, but the final authority by
law -- in statute and regulation -- on disciplining officers of the NYPD belongs with the Commissioner.  

Jon, do you want to comment on this at all or any of the other Board members?  

MR. SIEGAL: Fred, John Siegal, I have a question, but I'll let you go ahead first.  

MR. DAVIE: Jon -- Jon Darche.  

MR. DARCHE: Sorry, Mr. Chair.  

There's a little disturbance over here, but you were correct in that the Police Commissioner is the final arbiter. We now are notified when he gives us a -- for his reasons if the Commissioner deviates on discipline in APU cases, which are the most serious cases or in the non-APU cases, which include cases where the CCRB has recommended either a command discipline or training.  

And sorry for the disturbance.  

MR. DAVIE: It's understood.  

John Siegal.  

MR. SIEGAL: Yes, I have a question.
We're -- you know, the 50-a legislation passed late yesterday. I think there's a number of questions about what its impact will be -- the question I'm raising -- and I don't necessarily expect anyone to be able to answer it off the cuff right now, but we do get memoranda communications from the Department when the Police Commissioner downgrades our recommendations -- the charges.

And my question is, what will be the public records impact of that with the repeal of 500-a and what level of disclosure of those memoranda will become public?

MR. DAVIE: It's a very good question. In fact, I think with the Charter change in November, any time there's a deviation on anything, I think, from command level up, if I'm correct, there's a written communication from the Commissioner.

MR. SIEGAL: So the question is will that now become public record?
MR. DAVIE: No, and I guess that we'll have to sort out.

MR. JOSEPH: I have --

MR. DAVIE: Go ahead.

MR. JOSEPH: Nathan Joseph.

Jon mentioned the APU. I don't think many people in the public know what that is and what its function is. So it might be helpful, since he mentioned it, if someone could explain what our Administrative Prosecution Unit is.

MR. DAVIE: So I'll take a stab and then I'll turn it over to the experts.

I think it was somewhere around 2013 when there was an agreement and a Memorandum of Understanding that the Civilian Complaint Review Board would be responsible for prosecuting charges and specifications against officers in a departmental trial.

The best example of that that the public will know would be the process that led to the Officer Daniel Pantaleo who was responsible for the death of
Eric Garner.

The CCRB brought charges, which is the highest -- which is the highest charge that the agency can bring against -- Officer Pantaleo. That Memoranda of Understanding allows the CCRB to prosecute that case. That case was prosecuted by the unit within the CCRB that's named the Administrative Prosecution Unit, that APU.

The prosecutors of the Administrative Prosecution Unit, the APU, prosecuted the case in a departmental trial, which is what the memoranda calls for, before a trial judge, and of course a guilty verdict came out of that with a recommendation for termination that the judge agreed with, that the Commissioner ultimately agreed with and Officer Pantaleo was fired.

So that's the APU, at least as I understand it in layperson's terms, but I'll turn it over to the experts and see if they want to embellish or correct
anything I said.

   MR. DARCHE: I cannot embellish it
   and I think there's someone who
   (inaudible).

   MR. DAVIE: I'm sorry, Jon. Say
   that again.

   MR. DARCHE: I can't do better than
   you just did and I think we should see
   if Ms. Garner would like to speak.


   MS. RICHARDSON: My apologies. Our
   "Q" and "A" ran a little long and Ms.
   Garner had to drop off. We'll check to
   see if she's able to join later, but she
   had to drop off at this time.

   MR. DAVIE: All right. So are we
   done with our "Q" and "A" on Yojaira's
   report? We'll come back to more "Q" and
   "A" from the public shortly.

   MS. RICHARDSON: I think it makes
   sense for us to move onto our next
   presentation. Some of those -- the
   questions that we have in the chat will
   still be relevant at that point.

   MR. DAVIE: Great. So we're going
to hear then from -- let me see -- where
am I here -- (perusing) -- on -- we have
a presentation on policy from our Policy
Department on data and I will turn it
over to Harya Tarekegn, who's our Senior
Counsel of Policy and Advocacy.

Harya.

MS. TAREKEGN: Thank you so much,
Fred -- Chair Davie -- and I will go
straight into my presentation, but
before I do, I want to echo yours and
Jon's sentiments about the protests that
we have seen over the last 15 days.

It has been remarkable, particularly
to see young people lead us into asking
for a better future and a world that we
all deserve. We at the CCRB have seen
it personally from the youth people on
our Youth Advisory Council and the young
people that we have worked with, and we
are pleased to share our reporting --
our report findings with you, a lot
which came from a youth summit organized
by our Youth Advisory Council.

So I will begin by talking a little
about what the Youth Advisory Council is, followed by what our youth summit was in 2019, and finally what led to the Youth Report.

Our CCRB Youth Advisory Council is a council made up of young people from all across New York City, ages 10 to 24. They advise the agency on how best to engage other young people and they help us coordinate events, create public information materials, and serve as community leaders and liaisons on social justice and policing issues.

Our first class of the Youth Advisory Council helps us organize Speak Up Speak Out, a youth summit on policing in New York City. This event, which was co-hosted by our partners at NYU helped us bring together over 250 young people from all five boroughs to talk about policing issues, their suggested solutions, and then they were able to brainstorm with practitioners, academics, and others to think about how to make their solutions come to light.
You can find more information about the summit and the program for the summit at the link below. My presentation is already up on the website for those of you who either want to follow along or want any of this information when I'm done.

So we took the information from that youth summit and also looked at our complaints from January 2018 to halfway through 2019 to come up with the findings for this report.

The key findings from the report is that about 83 percent of our complaints that involved young people were actually reported by adults. This was very important for CCRB to learn because we -- that signaled to us that we needed to not only increase our outreach to young people, but suggested that potentially if an adult wasn't around, we would not have heard about these complaints that involved the young people.

Most of our complaints -- about 65 percent of our complaints -- involved
young men -- young males of color --
young boys of color -- and this is about
20 percent higher than young males of
color that are representative in other
CCRB complaints.

We also found that young people of
color were stopped for seemingly
innocuous activities, and by that we
mean activities like running, playing
with sticks, high-fiving and carrying
backpacks.

Finally, a large percentage of our
complaints where we were unable to
identify the officer, which is quite
rare in CCRB complaints, involved
plain-clothes officers, and we also
found that this was an issue because
some young people -- some young people's
noncompliance with orders from an
officer out of uniform was rooted in
uncertainty about the officer's actual
legitimacy.

From the report and the data that we
looked at, along with all of the
information that we got from our youth
summit, we were able to make recommendations for NYPD.

One of those recommendations is that we believe the use of force data, that NYPD publishes publicly, should include age and race so that the public can know who NYPD is using forces on.

We also in that same recommendation asked for the NYPD to make the discipline recommendations and final discipline of school safety agents, who are the agents inside schools that are not under the jurisdiction of CCRB but still interact with young people, public and include that discipline in their reports about school safety agents.

We also recommend that the NYPD consider the victims ages when making penalty recommendations because we believe that misconduct, particularly against a young person, requires a second look to make sure that the penalty recommendation is appropriate.

Finally, we found that there was not a lot of information about training that
officers received between the difference
between policing adults and policing
young people. And so we made that
recommendation for all officers, but
particularly for officers that are being
trained as a part of NYPD's new youth
initiative, which includes Youth
Coordination Officers.

Speaking of that initiative, we ask
that the entire report be taken into
account by the Department when shaping
this new initiative, as we want to make
sure that young people all over New York
City, and particularly brown and black
young people, are not over-criminalized
by the NYPD.

Finally, we asked for the NYPD to
strengthen the requirement for officers
to notify parents or guardians when
young people are brought into the police
precinct and processed for arrest.

We are happy to report that in
NYPD's public response to our report
they have accepted all of our
recommendations and are working to
implement them.

The Youth Report, like our other reports, can be found on our website at nyc.gov/ccrbreports, and for more information about this report or any data policy questions you might have, you can contact us at policy@ccrb.nyc.gov.

With that, I am happy to take any questions that Jerika may have received during the course of my presentation.

MR. DAVIE: Thank you, Harya.

While Jerika is looking at those questions let me ask the Board members if they have any questions or comments on the report.

(No response.)

MR. DAVIE: Okay. Jerika, any questions from the participants?

(No response.)

MR. DAVIE: And Jerika, both your mic and your camera are off.

MS. RICHARDSON: I'm back.

MR. DAVIE: Great.

MS. RICHARDSON: So we do have some
questions from the participants. It looks all of these questions are holdovers from some of the earlier conversation.

So if we can try to move through these because I know we're going to have some speakers that are related to the Youth Report from our YAC.

MR. DAVIE: So Jerika, let me ask if we can go ahead and move to the next report since that involves the YAC, correct?

MS. RICHARDSON: Correct. So if Harya could share her screen and we're going to play our PSA, and then we will allow speakers from our YAC -- our Youth Advisory Council -- who worked -- who contributed to the report in some way as well as the PSA -- to speak and then we can save these questions for after that portion cause we'll be going into public comment.

MR. DAVIE: Great. That's perfect.

MS. TAREKEGN: Great. So before -- after the PSA, I would like -- Youth
Report came out with a report on Monday.
I just want to say that this Public
Service Announcement was really a labor
of love.

We started on this project at top of
the year and back then we were still
explaining to our YAC what a PSA was,
and since that time it has been a joy to
see these young members work so hard and
really put their all into this -- into
making sure that young New Yorkers, like
themselves, are able to know about the
CCRB and work with the CCRB.

Their level of commitment has really
been outstanding and we want to thank
them. I'm going to say their names very
quickly, but Thomas, Aliyah, April,
Nisa, Nistrak, Pala, Shania, January,
Leah, Charles, Anwar and Elias. This
couldn't have been done without you.

Also, thank you to the production
company, Never Whisper Justice, John
Thomas and Chad Williamson, who worked
with us, and finally, of course, Emerald
Garner, we want to thank for making this
happen.

I will share my screen now and here is our PSA.

(PSA played for attendees.)

MR. DAVIE: Thank you. Let me just say before we hear from the young people, I want to just say that I had a chance to attend the youth summit when it happened now many months ago, and I've been able to witness firsthand this process that has gone into the making of this PSA.

The commitment of the young people over the course of this -- (inaudible) -- thank you -- and so I want to thank them for their -- really their dedication to doing this, not just for themselves, but on behalf of all the young people of the City of New York.

Yojaira.

MS. ALVAREZ: We agree. We had a really great time working with the YAC members and moving onto the community group portion, we are going to be hearing from YAC members from this year
and last year.

First off, we're going to hear from Aliyah Davenport who is our YAC class of 2020.

Sorin.

MS. TAREKEGN: Sorry, Aliyah's computer just shut down on her.

MS. ALVAREZ: Okay.

MS. TAREKEGN: Can we move her to the end of the list?

MS. ALVAREZ: Yeah, no problem.

Jamuary Lewis.

MR. LEWIS: Hello. I'm Jamuary Lewis; I was part of the PSA and I am part of the YAC.

And first and foremost, I want to say thank you for allowing me to speak in this meeting, and at first when I first joined the YAC, I wasn't very educated on what's going on today and all these issues. But hearing my friends, who were a part of the YAC, talk about all these issues made me become interested and want to learn more on how I can make it better and how can
we improve.

    I knew this would be a great opportunity for me and I knew that since we're in a time of trouble that I could voice out and allow people to know that they have support behind us and themselves too. And as you know with everything going on today with the police and our interaction with them, and we are just seeking justice for this.

    And a couple of ways we could probably seek justice for this is improving the interaction with police, like allowing them to interact us in a non-enforcement environment or situation. This can allow people to have a better connection, understand that the police is (sic) there for us and hope for the better for all of us.

    And this is just a couple of many ideas that's out there in improving the police interactions with us and we can avoid misconduct with the police. And for us to know that we have the CCRB
behind us is great and know that we can
improve our communities is a goal that
we're striving for.

MR. DAVIE: Thank you Jamuary.
Let's see if any of the Board
members have any questions for Jamuary.
(No response.)

MR. DAVIE: All right. We will go
to Yojaira.

MS. ALVAREZ: All right. We have --
Aliyah Davenport is good to go. She's
also from our class of 2020 who helped
create this PSA.
(No response.)

MS. ALVAREZ: Hello, Aliyah?
MS. TAREKEGN: I don't believe she's
ready yet.

MS. ALVAREZ: Okay. All right. No
problem.

So we're going to go back a year to
our 2019 class. We're going to hear
from Christopher Mitchell. He was the
class of 2019 and we'll just wait a
second for Sorin to cue that up.

MR. MITCHELL: Hi. I am Christopher
Mitchell; I am the class of 2019 of the CCRB Youth Advisory Council.

As a member of the Civilian Complaint Board's Advisory Council, I would like to reflect on my enriching and valuable time at the CCRB in which we had a youth summit to speak out on police brutality and law enforcement issues.

I have been blessed with amazing leaders and world changers to stand up beside me -- to stand beside me in this ongoing battle for peace and justice, and I'm truly grateful for the knowledge I have acquired and insatiable hunger for justice that I have amassed through the CCRB Youth Advisory Council's youth summit and our highly productive meeting.

Secondly, I'd like to reflect on growing up as an African American male within the five boroughs of the City. I have witnessed the horrors and injustices that have been occurring far too often in America and New York and I
I've been given a voice for a reason and a life for a reason, meaning that I should use both to advocate for true equality. I'm saddened by the horrific murders of innocent black Americans such as Breonna Taylor and George Floyd, and many others whose names go unknown while their lives aren't any less valuable and relevant for this cause.

All of these citizens were innocent until proven guilty in a court of law with due process, yet they were tried, convicted and executed in their streets and in their homes. I know that it is time for this generation to stand up and realize its true power to fight for equality and the wellbeing of our people.

We are part of the change we've been waiting to see and it's time to let our voices be heard in this fight for justice. And I'm once again grateful to be part of the CCRB's Youth Advisory.

Thank you.
MR. DAVIE: Thank you, Christopher.

Any comments or questions from the Board members?

(No response.)

MR. DAVIE: Thank you.

Yojaira, do we have other Youth Advisory Council speakers?

MS. ALVAREZ: Yes, we have Jagger Helfand and then after that we'll hear from Aliyah.

MS. HELFAND: Hi. Can you guys hear me?

MR. DAVIE: Yes.

MS. HELFAND: Okay. Awesome. My name is Jagger and I was part of the YAC in 2019.

I first decided to become a member after I experienced the same perspective shift that most kids go through and started to fear the people that are supposed to protect me, and being a member of the CCRB's Advisory Council was an incredible experience.

I met others who are extremely passionate about improving police
community relations. My voice was heard and I was empowered. All of the actions that the CCRB has taken concerning youth outreach are incredible. I believe that continuing and strengthening this outreach is a critical part of the solution to make change, improve relations, achieve social justice, ensure that all citizens feel safe.

Probably one of my favorite parts of being a member of the Youth Advisory Council was planning and attending the first youth summit. Listening to the voices of NYC's youth was empowering and justified that we are here to improve our City, the police department, and to make a change. Attending the summit made me and other attendees hopeful knowing that our voices had been heard.

My peers and I have many ideas about actions that we need to take. I think that the CCRB should continue with outreach especially in a time like this when so many people are empowered to fight for change.
A subject that came up a lot during our meetings was that not enough of NYC's youth know about the CCRB, the resources available to them. A youth summit and Public Service Announcement that this year's Youth Council had, had huge strides and I think that the CCRB should possibly further partner with NYC's public schools to further the message, open up more job or involvement opportunities for youths, such as summer virtual internships and offer like writing platforms where youth can submit ideas.

I know that myself and many of my peers have been looking for ways to get more involved with criminal justice reform, protesting the Black Lives Matter movement. Personally, I've been unable to attend protests due to my family's concerns about the current pandemic, so I've been trying to use my voice.

In addition, I have multiple friends who have even run away from home in
order to protest and that I know would
like to get involved.

   Finally, I just want to briefly
state that I support the sentiment of my
peer's statements. The police system
may be corrupt before reform. The
institution is violent and unjust, and
regardless of individual beliefs, I
think that it is increasingly important
for the CCRB to continue to hear the
voices of the youth and to integrate our
voices into the mission to recommend
needed action. Thanks.

   MR. DAVIE: Thank you, Jagger.

   Board members, comments, questions?
   (No response.)

   MR. DAVIE: So I want to thank -- we
have one more.

   Yojaira.

   MS. ALVAREZ: Yes and thank you so
much Jagger. That was really great --
and Chris and Jamuary, those are really
powerful statements.

   Last but not least we have Aliyah
Davenport on from our 2019 class.
MS. DAVENPORT: Hi. Can everyone hear me?

MR. DAVIE: Yes.

MS. DAVENPORT: I just want to say it's an honor to speak on this especially on these troubling times. I know it's very hard for everyone and I just want to share my perspective on everything that has been happening.

So when I first heard and saw what happened with George Floyd, to be honest, my reaction was just like so numb because it's something that we see on a daily (sic). We see innocent black lives being lost and we many officers walking away without punishment.

And I feel like, as a youth, sometimes we're in this like state of hopelessness where it's like, okay, what can we do? Like, how we can use our political rights; how we can our voice to advocate for our pain and our community.

And at first I struggled with that until YAC was really, really helping me
with even reaching out to like my
school, reaching out to people in my
community to be active in what's going
on. So I just want to give, of course,
like a thank you to them.

And like this year we were able to
work on a PSA to promote CCRB as you
guys see, and honestly I was even able
to share it to my school and it was
shared to more schools. And like even
something little like that, it was
slowly bringing change and I feel like
in time like this, it's so hard to see
how can we make a difference; how can we
start changing a system that was made to
oppress us in the beginning.

And I feel like to me it really
starts with our generation. Like,
bringing up youth in the right way;
like, letting us know we can advocate
for our voice. Letting the police be
accountable for their action and -- oh,
sorry -- making sure that we have the
right relationships between police
officers and in the community.
Cause I was talking to one of my friends and, you know, there's many places and like communities where you have they're over-policing, but then you also have police officers that build a communal relationship with the people so they trust that if there's no violence, there's like a kind of neutral understanding, if you understand what I'm saying.

And I feel like that's very important because, yes, we can be angry and we can be frustrated, but we also have to try to find a state of, okay, what's next; how can we go forward? How can we bring a positive change; how can we not just leap further into chaos and destruction.

And I know it's a big statement to put out there, but honestly in my opinion it starts with the little things and it really starts with the youth. And I just want thank YAC for continuing to do what they do and CCRB to continue to reach out to the community because
there's so many people that need to hear this.

So many people need to know that we're there for them and that they have a voice when they feel like their rights are being violated. So that's all I have to say.

MR. DAVIE: Thank you so much Aliyah. Thanks to Jagger, and Christopher, and January. Thank you for your leadership, your commitment and your dedication. And I see future -- I hear future CCRB Board members, mayors, city council members, legislators, and then even a president or two within your number.

But I want to thank you for your leadership and I hope we can continue to have these conversations about how to be most responsive to young people, particularly when it comes to policing and particularly when it comes to what CCRB can do to try to improve the relationship between young people and the officers who have sworn to serve
them.

Any other comments from any of the other Board members?

MR. JOSEPH: Yes, Chair Davie.

MR. DAVIE: Sure.

MR. JOSEPH: This is Nathan Joseph.

I echo everything you said; you beat me to it, but I'm glad that you said it because you related it better than I could.

The YAC has really impressed me. I'm impressed and I'm heartened by their passion and their dedication. Thank you. You guys are awesome.

MR. DAVIE: Mr. Rivadeneyra.

MR. RIVADENEYRA: No -- I definitely echo both you, Chair, and Nathan. It's energizing to hear our youth speak in this way especially, you know, in this time, and it just, you know, gives me hope.

And I want to say thank you to all the YAC classes -- both classes -- for all the work that you contributed to this document. It was a hard document
to read, just to read some of the
experiences that were annotated in the
report, but your stories that you shared
and the PSA that was created out of this
are, you know, necessary for us to
understand that we need to do an
investment in our youth rather than seek
to just use measures of law enforcement
against our youth.

We should trust our youths. Our
youths are definitely our future
leaders. So I say thank you to that and
I want to just mention since we have
elected reps here and elected officials
on this particular meeting, that -- to
take a look at the recommendations
because I do believe for the CCRB to do
some of the things that are being
recommended, we need some policy
changes.

So please look at the
recommendations and please take strong
consideration for what our youth are
saying because they are the ones that
live through this and we should be
listening to them. Thank you.

MR. DAVIE: Thank you,

Mr. Rivadeneyra.

Other comments?

Ms. Irish -- get it right this time

-- Corrine.

MS. IRISH: Thank you. I just

wanted to say this is why you can feel

hopeless and hopeful at the same time in

these moments because of how impressive

you guys are -- the members of our Youth

Advisory Council are -- and you inspire

us and you certainly give us hope that

the things that have gone on for decades

and some of the abuse and the things

that we have tried for many long years

to get past and to improve are actually

going to change.

So thank you so much for your

efforts.

MR. DAVIE: Thank you. Other

comments, questions?

Mr. Puma.

MR. PUMA: Yes, it's hard to follow

so many powerful and eloquent
statements, but I just wanted to extend
my congratulations and just word my
feeling of inspiration by the members of
the Youth Advisory Council.

I got -- had the privilege of
meeting the 2019 class upon their
graduation, and by a fluke I was able to
meet the 2020 class the day before the
filming of the PSA.

So I recall some of the nerves that
were in the room, but I have to say the
PSA, you know, turned out fantastic, and
I believe -- and I said that at the time
when I stepped into their meeting --
that this going to be a really valuable
contribution, not only to the agency,
but to other youth in the City.

And I just wanted to echo that and I
hope that these youth ambassadors will
continue to remain involved and just
keep in mind that, you know, it's young
people that really do push social
change. History shows that and young
people are in the majority at the
protests.
And so I just want to urge you to continue to stay involved. Thank you.

MR. DAVIE: Thank you, Mr. Puma.

All right. We will go then to our public comment, and, again, I want to thank Jamuary, and Christopher, and Jagger, and Aliyah for presenting to us.

Yojaira, are we -- is that conclusion of the report?

MS. ALVAREZ: Yes. So moving onto the public session, if you want to speak, just use the raise your hand function. It's found on the right-hand side of your screen. If you hit the bottom button with the blue circle, we will see the raise your hand function.

Before moving onto the public session -- public portion, I do want to acknowledge that Taquoia Jones from Councilmember Francisco Moya is here, as well James Thomas from Manhattan Borough President's office.

So with the public portion, I know that Jordan Woke (phonetic) had something to say.
Sorin, can you un-mute Mr. Woke?

MR. DAVIE: Sorin, someone is sharing their screen.

MS. ALVAREZ: Yeah, so Sorin is going to be sharing his screen with the minute -- the timer on it. We just want to reiterate we want to hear from as many people as possible given the time, so really stick to the two minute timeframe. The two minute clock will be shown on the screen.

Thank you in advance.

MR. DAVIE: Great.

MR. WOKE: Am I un-muted yet?

MS. ALVAREZ: We can hear you, Mr. Woke.

MR. WOKE: Okay. How will this PSA reach the target audience?

MR. DAVIE: Yojaira, do you want to address that?

MS. TAREKEGN: I can also take that, Chair Davie.

MR. DAVIE: Sure.

MS. TAREKEGN: Thank you, Mr. Woke, for your question.
So we have not only increased our social media presence to Instagram and YouTube, for the young people, but that is really we are leaning on our YAC.

They have done a great job of getting this shared by their schools. We have reached out -- our Outreach team have reached out specifically to several schools and -- (transmission interruption) -- already seen it shared by several schools across the City, and I know that at least one or two of our Youth Advisory Council members have made sure that it is on TikTok, Snapchat, and all platforms that young people are using.

We were very deliberate about making sure that this could be shared as widely as possible and on any and every platform that young people use. We, of course, always are open to hearing more suggestions, but we are making a targeted effort to reach social media, to reach kids through their schools, and to reach young New Yorkers where they
are and not wait for them to come to us
or our social media platforms to see
this PSA.

MR. WOKE: I look forward to seeing
the statistics on liking and sharing.

MS. TAREKEGN: Great. And we would
love for you to share it too, Mr. Woke.

MR. DAVIE: Thank you.

Other speakers.

MS. ALVAREZ: Great. Now we'll be
hearing from Angeli Segobin, followed by
Doug Markowitz (phonetic).

So Angeli?

MS. SEGOBIN: Hi. Can you hear me?

MS. ALVAREZ: Yes.

MS. SEGOBIN: Hi. So my name is
Angeli and I just wanted to thank
everyone for their commitment to ending
police brutality.

With the recent murder of George
Floyd and countless other black people
that go unnamed, I feel it is imperative
that we, as a community, stop attacking
innocent people based off of their race.

I call for more representation for
black people in our communities and more funding redirected from the NYPD to organizations in support of black youth. As a community that is also highly underrepresented, it's important to educate the youth and the people of their rights and voting rights. With the 2020 census, we need a call for action to represent people of colored communities and vote for officials that will represent our needs and desires.

We need to end this racial injustice and hold those accountable for continuing it. I also want to emphasize that unnecessary actions of the police force known as broken window crimes or minor crimes. I believe the role of the police officers need to change, as well as their relationship with the community.

In recent days a police officer in Brooklyn reenacted the murder of George Floyd upon a protestor and his fellow officers were in support of him.

Overall I believe the power that
police officers exhibit must be limited
and given to the people who are most
affected. Thank you.

MR. DAVIE: Thank you. Our next
speaker.

MS. ALVAREZ: So Doug Markowitz,
followed by Charlotte Hope and Gregory
Antinillo (phonetic).

MS. MARKOWITZ: Okay. Thank you.

Along with expressing solidarity
first, because I wanted to ask two
specific questions from the most recent
monthly report.

First, it looks like 43 percent of
body camera requests for footage are
more than 90 days pending. I was
wondering if you would comment on that.

And then the second under
Dispositions or Case Abstracts, it
sounds like the preponderance of the
evidence for a case weighs against the
complainant and I was wondering if you
could speak to that, specifically there
was an unsubstantiated claim where two
civilians were stopped by four officers
who claimed that they were frisked and searched.

The officers -- none of the officers turned on their body cam footage and the ruling was that the CCRB was unable to determine what happened by a preponderance of the evidence. I'm curious why the burden isn't on the officers to refute the charges. Thank very much.

MR. DAVIE: Thank you.

Jon, do you want to take those --

MR. DARCHE: Sorry, Mr. Chair. Still getting use to the mute/un-mute.

The -- with regard to the initial question about body-worn camera footage, shortly -- early this year we signed a Memorandum of Understanding with the Police Department that would've set up a viewing room and a process for identifying body-worn camera footage that would've greatly reduced the backlog.

It also -- while we've been able to
implement some parts of that Memorandum of Understanding, the part that would've let us view footage simultaneous to the Department while they were doing the search and also have investigators analyze it prior to it being redacted, it has not been able to be implemented because shortly before we were about to start working on a secure room, we began working from home due to the pandemic.

So it is one of the priorities with the hopeful return to the office that we will be able to get that moving again.

That being said, we have gotten cooperation from the Department about the incidents. Most recently, they're trying to get us the footage on that on a rolling basis as soon as they can and it is -- we're hoping to overcome the difficulties just by being persistent and persevere through the struggle.

With regard to preponderance of the evidence, the -- generally speaking in American law, the person who is making the claim has the burden on them. The
burden on a civilian in this case is not beyond a reasonable doubt; it is that they don't have to prove things to a certainty. They only have to prove it to a preponderance of the evidence, which is slightly more than 50 percent.

So if you get to 50 percent and a little bit over, that is a burden -- that is preponderance of the evidence and the burden has been met and the allegations should be substantiated.

MR. DAVIE: Thank you, Jon.

More speakers.

MR. SIEGAL: Mr. Chair, can I speak on both of those issues?

MR. DAVIE: Absolutely.

MR. SIEGAL: First off, the COVID crisis has obviously interrupted a lot of the work of this agency, as, you know, a society and the economy.

I don't know when it's going to end or how it's going to end and to what extent there's going to be a continued reopening, and I think the public should know it has -- one way that it has
interrupted our work is that my understanding is there have been no interviews conducted of members of service in our investigation since mid-March.

It's not a decision made by the CCRB, not it is a directive of the NYPD. My understanding is that has occurred basically because of the real impediments to doing things, plus the resistance by attorneys in the process to engage in virtual interviews.

The Executive Director knows I've been a pest about this and arrangements are being made to try to do interviews in person when the office reopens.

I just want to urge publicly that the agency be utilized to the maximum extent necessary -- virtually technology -- for investigative interviews, and that to the extent that we continue to receive resistance by counsel to producing their clients or witnesses, we're going to need to wave the red flag on that and see (inaudible) and
authority to make that happen.

Other City agencies are conducting investigative interviews virtually.
Bail and arraignments are happening in all the courts across the City constantly, virtually -- bail hearings -- all sorts of other legal proceedings.
That actually is the new normal and we're going to have to insist on cooperation in that regard.

In terms of the preponderance of the evidence, I -- my own approach to these cases is there is no burden of proof, and the burden -- there's certainly not a burden of proof on a complainant in the CCRB.

When we have cases where there's a he said/he said situation and just difference of facts between a complainant and a respondent officer, I know what I do -- and I think all the Board members -- is to review the entire record, look for corroborating evidence, look for a video -- if there are other circumstances that allow us to make a
determination as to whether it's
50.1 percent or 49.9 percent in terms of
substantiation.

And I don't believe there's a
presumption, and if will there is, I
think that's a matter we should discuss
cause that's not how I've been
approaching these cases, nor do I think
that's how most or all of the Board
members are.

MR. DAVIE: Thank you, Mr. Siegal.

Any other comments, questions?

MR. DARCHÉ: Mr. Chair, can I
clarify one thing?

MR. DAVIE: Sure.

MR. DARCHÉ: So I just want to make
clear that while the agency hasn't
been --

MR. DAVIE: Your camera isn't on, Mr. Darche.

MR. DARCHÉ: Oh -- while the agency
hasn't been conducting member of service
interviews, we have been conducting
civilian interviews this whole time, as
well as doing other investigative work.
MR. DAVIE:  Thank you.

MR. SIEGAL:  I appreciate the clarification.

MR. DAVIE:  Thank you.

Other comments, questions from Board members.

MR. JOSEPH:  Nathan --

MR. DAVIE:  Mr. Joseph, yes.

MR. JOSEPH:  I agree with Mr. Siegal. I don't put the burden on the complainant to prove anything. They make the complaint and then we look at all the available data and decide whether there's enough evidence to support the claim of misconduct or not. The complainant doesn't have to bring anything to the table other than the complaint.

MR. DAVIE:  Thank you, Mr. Joseph.

Other comments, questions?

(No response.)

MR. DAVIE:  All right. So our next speaker.

MS. ALVAREZ:  Before going to our next speaker, Charlotte, I just wanted
to acknowledge that Neighborhood Bridges
and the Brooklyn Adult Learning Center
is also in attendance. So thank you so
much for coming.

Charlotte.

MS. HOPE: -- (inaudible) -- based
organization engaged in youth organizing
and advocacy. We strongly the new youth
policing strategy since its
announcement. So we agree that this
report comes at an important time and we
thank you for bringing transparency to
these really egregious cases.

With the first recommendation for
the Department, we'd ask for this
aggregated data to include gender, as
we've seen in other reporting, that
black and brown girls and non-binary
youth of color are disproportionately
impacted by policing.

And we know in the Board's monthly
reports in the closed cases section of
the appendix, uniformed officers with
school safety are parsed out as a
miscellaneous command, and we'd ask if
Youth Coordination Officers or even NCOs could also be broken down as a unique kind of policing.

Perhaps also in the annual report, the characteristics of officers can be broken down further, otherwise we ask for some creative ways to bring some long-term transparency to youth policing.

We feel it's important to offer some more context around the work to limit policing in schools and clarify that the 2019 organizing named in the report did not call for more counselors than cops, but rather called for counselors not cops.

The report also framed the MOU between to the NYPD and DOE far too generously. To be quick, the amendments to the MOU included language deferring to the discretion of police undermining the MOUs potential impact. That same critique exists for the Patrol Guide revisions and school-bases policing.

And lastly, just to clear, the MOU
is just a document. It does not include
the things that were listed. Like, it
did create restorative justice programs.
All of those other reforms happened
independent of the MOU and largely
absent the NYPD's involvement.

So thank you again. We really
appreciate this work and your time.

MR. DAVIE: Thank you. Any
questions or comments on the speaker's
presentation?

MS. TAREKEGN: Yes, Chair Davie.
Can I respond, please?

CHAIR DAVIE: Thank you so much.

MS. TAREKEGN: -- (inaudible) -- for
your comments.

I would love to talk to you more
about your recommendations for our
reports. Our general email is
policy@ccrb.nyc.gov. Mine,
specifically, is htarekegn,

But I do want to say that we are
looking into tracking both NCOs and YCOs
separately. So that is something that
the agency is already considering.

As to the issues that you noted in
the report, we did not mean to speak
about -- make a judgment on the MOU. We
were simply noting that it existed for
context, but thank you so much for
bringing those issues up during this
meeting.

MR. DAVIE: Thank you, Harya.

Any other comments?

(No response.)

MR. DAVIE: So our next speaker.

MS. ALVAREZ: Before going to our
next speaker, which is Gregory
Antinillo, I would like to just
acknowledge that Alina Chen (phonetic)
from Assembly Member Brian Barnwell's
office is here today, and Michelle
Hernandez from Councilmember Alexandria
Ocasio-Ortez is also here.

So Gregory.

MR. ANTINILLO: I'm here -- I'm
here.

MR. DAVIE: We can hear you. Go
ahead.
MR. ANTINILLO: Oh, you can hear me.

Okay. Thank you.

Well, thanks for a public presentation. I just happened to see it and was very curious to attend and listen.

I think that some of the explanations given for not completing certain investigations on the COVID crisis are a bit too convenient because when I looked on the CCRB website, the latest annual statistics -- and I didn't look at the most recent monthly report, I'll admit -- said -- you know, did not indicate what percentage of claims were sustained -- I believe that's the right word -- indicated, but I had to go through the total number of complaints and the total number of sustained complaints over the past five years before 2018.

And I did the math twice -- I did the math twice and it was one-half of one percent in which you sustained complaints brought by the public, and if
I'm wrong on that, I'd like to know. But that seems to me to be a very, very high burden, much more than the preponderance of the evidence, and I cannot understand it.

So while I appreciate the aims of the CCRB, it doesn't seem to me like it's doing any good. Thank you.

MR. DAVIE: Thank you, Gregory.

Jon, do you or anyone else -- maybe someone from the Policy Unit --

MR. DARCHE: Sure. I think if you look at our full investigations, roughly 20 percent of our full investigations result in a substantiation.

So -- and if you think that slightly less than half of our cases are fully investigated because of the requirements for a sworn complaint, that means 10 percent of the complaints made by civilians get substantiated, which is -- it is -- it is not one percent -- it is not less than one percent; it is 10 percent.

The -- I'm taking what Mr. Joseph
and Mr. Siegal said about the -- there
not being a burden, but one of the
things that we have to do in order to
substantiate allegations is show that
the preponderance of the evidence shows
that the event occurred, that it is the
right member of service, and that it was
misconduct.

So if you look at another section of
our cases is that we are exonerating
police work because of the events that
the civilians said did occur, the Patrol
Guide and the law allow them to, and the
CCRB does not make the law and does not
write the Patrol Guide; the Patrol
Guide, we interpret. So I think that
also might account for the numbers being
what they are.

I think it is important to note that
since the widespread implementation of
body-worn cameras, the substantiation
rate has gone up, especially for
complaints -- allegation involving
discourtesy and threats because we now
have audio with a lot of those
situations so we are able to determine
that, yes, discourtesy was used, or,
yes, there was an appropriate threat
made, and can substantiate those
allegations.

MR. DAVIE: Thank you. Any other
comments, questions?

MS. NAPOLITANO: Mr. Davie, this is
Nicole -- Nicole Napolitano, Chair of
Policy and Advocacy.

I just wanted to jump in and
reiterate the email address that Harya
had mentioned earlier,
policy@ccrb.nyc.gov.

Anyone who is interested talking
more about our data and how these
numbers are derived and where our data
comes from, I would love to talk more
with. And so folks can feel free to
email us there and we can help walk you
through exactly how those numbers are
calculated and exactly what the
percentages are.

MR. DAVIE: Thank you. Thank you,
both.
Anyone else?

(No response.)

MR. DAVIE: All right. Our next speaker.

MS. ALVAREZ: Awesome. Thank you for that.

So the next speaker that we have is Hannah Coleman (phonetic) followed by Jared (inaudible) and Justin Agomonte.

So Hannah.

MS. COLEMAN: Hi everyone. I have a question actually on two parts.

So for background, I'm actually a former CCRB investigator myself, back in the mid-2000s, so I understand intimately how challenging effectively investigating complaints can be when you're overwhelmed with a particular volume.

So the first part of my question is, what have the affects of COVID-19 been on the agency's ability to complete investigations and to close cases?

I know that we've already talked about no MOS has done an interview in
three months. What kind of backlog has
that created that investigators are now
going to have to struggle to overcome
once those interviews are completed?

And the second part of my question
is, taking into account those inevitable
delays -- on top of what is an avalanche
of complaints over the last few weeks
resulting from the protests -- what is
the CCRB doing -- and does the CCRB even
have the ability to take the steps that
you think are necessary to ensure that
these complaints are going to be
investigated in a quick and efficient
way?

Again, as someone who has done this
job, I know that's incredibly -- becomes
exponentially more difficult to come to
an affirmative finding -- so a
substantiation -- or an unfounding (sic)
rather than -- an un-substantiation --
as weeks and potentially months go by
after a complaint is filed -- memories
fade and statements become less
consistent -- and things that I'm
particularly interested in knowing, you know, is there approved overtime for investigators -- can you do that -- can you get increased -- (inaudible) --

MS. ALVAREZ: Sorry, Hannah, you cut out on that last part. Can you repeat that last part?

MS. COLEMAN: Sure. Just saying, particularly -- specifically, you know, is there approved overtime for investigators; is there increased funding for hiring additional people or getting extra help?

You know, what are the concrete steps that the agency is taking or would like to take to ensure that these complaints are investigated efficiently and effectively?

MR. DAVIE: Thank you.

Jon, do you want to take that one?

MR. DARCHE: Thank you, Mr. Chair.

So while the agency hasn't conducted interviews of members of service, they have been -- investigators have been working very, very hard to conduct work
from our home, and it is difficult. People have been going above and beyond to get their work done, but the --

With regard to fully investigating cases, the fact that some of the steps we've taken during the pandemic to conduct virtual interviews of civilians may actually cause the full investigation rate to increase and that is going to cause additional workload for investigators.

The Charter reform that was passed last year was supposed to, at the end of this month, cause our head count to go up by -- what we had originally calculated was 17 investigations.

The -- when the initial financial implications of the pandemic came in, the Office of Management and Budget asked us for -- (inaudible) -- which means like how are we going to -- they asked for a five percent reduction in our budget and we -- because there is a hiring freeze, decided to give up our new bodies and also not hire for the
people who had left.

We had approximately 10 investigative positions that we didn't -- that were unfilled at the time that we were going to -- (inaudible) -- and it is -- it would've made things extremely difficult without the events of the last 10 days.

We have since gone back to the Office of Management and Budget, made a request for -- to at least hire up to our current head count and we're waiting to hear back to ask some questions about how we would train people while we are in a work from home situation.

We've answered those questions and I'm hopeful that -- I'm hopeful there will be a success on that front.

With regard to overtime, I think we have to be careful not to overburden people. And so if investigators want to work overtime, we will make it available, but I don't want to impose mandatory overtime when, frankly, people are already very stressed.
So we need to make sure that the burdens of doing the job are not -- they don't burn people out.

MR. DAVIE: Thank you, Jon.

And let me also say that I've been heartened -- and we'll have to stay with this process -- to see a number of City Council members publicly state that they are committed to ensuring that the funding is there so that the agency can carry out the mandates of the Charter revision that were voted in November.

And a couple of City Council members are actually on the record in the newspapers over the last couple of days having taken that position, and we've had a couple at our last meeting -- at least one who also stated it.

So we're going to work with those Council members and anyone else to ensure that the agency gets as many resources as it possibly can to be and able to do the job that now sits before it.

To our next speaker.
MS. ALVAREZ: Thank you. Next we'll be hearing Justin -- sorry -- Jared Jado (phonetic). Then Justin Agomonte and Noel Valencia (phonetic).

MR. JADO: Hello. Can you guys hear me?

MR. DAVIE: Yes.

MR. JADO: All right. Thank you. First of all, I'd just say thank you to the Board and to the youth. That was an excellent presentation and I got to watch your last month's meeting, so I got a little bit more versed on what you guys do. So thank you and I understand the obstacles.

I want to just start this by just expressing that I think we need to expand our definition of how we're looking at what civilian oversight means because a lot of what this Board does, which is great, is also reactionary.

So it's looking at the worst instances of police abuse and then figuring out how we can prosecute those or bring about, you know, some sort of
restitution. And I think what we need is really more of a rolling persistent window into policing, so we can catch trends and bias. You know, so is an officer typically stopping people -- men of color.

So what I've come up with and what I've been brainstorming on social media with some people is an idea that -- centers around body-worn camera footage and I just wanted to get your insight into what you guys have been asking for because I think this is something, particularly in this climate, that you might be able to get achieved.

So what I would love is maybe there to be a subset within your committee that -- maybe it's, you know, citizens who are elected, but they're civilians and it might be sort of like a -- what we do with jury duty, where people serve a certain of amount of time --

But basically, could you guys potentially ask for a secondary server that is an exact mirror -- a carbon copy
of what the police have in terms of when
officers are uploading their footage
because right now, what you're doing is
you're sending these requests, waiting
10 days -- three months, however long --
to then begin an investigation?

What I would think, especially now
you can ask for it, is to ask for a copy
that your team has access to at all
times, you know, with the one we're
talking about, reallocating the policing
budget, hire out a particular task force
that is devoted to looking at a random
selection of footage daily -- maybe a
certain number of hours per week -- so
that officers know that they have the
potential -- you know, being the subject
of a random screening, similar to what
we do in drug tests.

That could encourage more of a --
you know, a sustained -- oh, there is
this watchful eye. I have to be held
accountable because civilians are
understanding that they see me.

In addition, you know, if we can try
to levy this into career advancement for officers, so when a police -- when a particular officer is tagged for a promotion, if that were the trigger within the Board, a requirement that they have to review that material officer's footage to understand how do you interact with the public, not just what's on your record, but you do you know how to de-escalate situations; do you have any noticeable trends of bias.

And if you guys could then put out a public written -- you know, just an expression of what you believe that that officer's qualifications are, I think that would really help.

So my question is -- sorry -- my question is, with the repeal of 50-a, do you think that you could ask for this sort of secondary instance that you could have a more proactive view into this sort of data?

MR. DAVIE: Thank you.

Jon, Nicole -- and I'll make a comment -- but let me let you guys speak
first, if you want to address this.

MR. DARCHE: So the -- I think the problem lies that the Charter gives us jurisdiction over individual cases, and so we would have to work out an agreement with the Department to get the wider access to all body-worn camera footage. I think it's something that makes a lot of sense.

As you were speaking, I was thinking, I wonder if this guy needs a job -- but the -- I -- both sides, when we agreed to the MOU, there were things that would be achieved that we were very happy about and there were things that we did not achieve and that's a compromise.

So I understand that there may be systems that work better than what we have -- hopefully will get set up soon, but to your answer about who is monitoring body-worn camera on the regular basis, I believe the Police Department has set up a system where they spot check a certain amount of -- I
guess they call if audit, cause they're fancy -- they audit a certain number of body-worn camera recordings per week per man to ensure that people are complying with the regulations around body-worn cameras and also what they're doing on that -- on the recordings.

MR. DAVIE: Thanks, Jon.

Any other comments from Board members; anyone else?

(No response.)

MR. DAVIE: I would say that often the Policy Department looks at trends, things that we are seeing that continue to recur and communicates that in various ways to the Department.

So it is to say that it's not just reactive, but there's an effort to actually influence how the Department actually both trains officers and disciplines them as well.

Next speaker.

MS. ALVAREZ: Thank you so much.

So next we have Justin Agomonte, followed by Noel Valencia, and Nicole
Aversa (phonetic).

MR. AGOMONTE: Hello. Am I audible?

MR. DAVIE: Yes -- yes, you are.

MR. AGOMONTE: Awesome. Thank you so much for having me. Members, the youth who spoke before me, and all previous speakers who are all so eloquent and just inspire me like no others.

I would like to speak about something that hopefully the CCRB is able to in some way influence as potential other activists or be able to influence themselves with the power that they have.

Specifically, I would like to speak about something that I'm sure that youth may have heard of on social media, which is reinvestment of the budget allocated to NYPD to other programs, especially community programs.

In a study labeled -- (inaudible) -- we imagine the safety and security in our communities. The communities, United for Police Reform, a -- sorry --
a campaign to end discriminatory policing practices in New York, which brought together a movement of community members, lawyers, researchers and activists estimated that with the 100 million that is essentially the cost associated with hiring a proposed 10,000 police officers, they could fund programs for the youth -- which is why I'm bringing this up toward relevancy that you spoke of before -- and fund programs, such as after-school programs, which would cost about 13.6 million or summer youth programs would cost under 100 million.

The reason I bring this up is because these are programs that give people -- and especially youth who don't have so many opportunities that other children have -- those opportunities to branch out and diversify places that they might not be able to touch, such as the arts or programs that are typically extracurricular.

We've seen it before that these
schools get budget cuts to their art programs and students are just left with the bare minimum, but I believe that with this reinvestment strategy, part of these programs cannot only touch the schools, but it also can just be reallocated to the community as a whole.

I'd like to finish with a question specifically about the Youth Report and CCB (sic) distribution. Specifically I want to touch on how non-English speakers can --

MR. DAVIE: I think you should try to do it as quickly as you can cause there are other people behind you as well who want to speak.

MR. AGOMONTE: Okay. This is my last sentence.

MR. DAVIE: Mm-hmm.

MR. AGOMONTE: How non-native English speakers who are most vulnerable to police misconduct and have the most trouble being the ones to represent themselves, are able to receive this information.
MR. DAVIE: So let me just speak to the issue of police budget reallocation. We spoke to that earlier and I made a personal comment about being supportive of the position that the Commissioner and the Mayor have taken about looking at the Department's budget and redirecting some of those resources toward youth-related and perhaps other types of social service programs.

I also made a personal statement earlier that I believe that a maybe even greater and more enough look will be taken at the budget to make sure that there aren't activities that the NYPD is doing that could better done someplace else and that those activities be moved out of the Department and funded through the appropriate agencies of the City.

There's a lot of debate and discussion coming on that one.

As to non-English speakers and the NYPD and investigations, Jon or someone else from the staff, you want to speak to that?
MR. DARCHE: With regard to non-English speakers, first, we try and hire as diverse a staff as possible to endure that we have people who can speak as many languages as possible on staff, but New York City, with over 200 languages, that's just not possible.

And so we have access to language lines to provide translation services — interpretive services.

MR. DAVIE: Thank you. Anyone else questions on this one or any other?

(No response.)

MR. DAVIE: All right. Thank you, Justin.

Next speaker.

MS. ALVAREZ: Noel Valencia.

MR. DAVIE: Noel.

MR. VALENCIA: Hello.

MR. DAVIE: Yes. Go ahead.

MR. VALENCIA: Hello. My name is Noel (inaudible) Valencia. I'm a college student here in Queens and I would like to talk more about filing complaints and the issue with so-called LH REPORTING SERVICES, INC. 718-526-7100
instances of he said/she said
complaints.

I'd like to point out that there
would no burden of proof on a complaint
for either party if the NYPD was
transparent with the body cam footage.

The New York Police Department and
state legislator should promote public
transparency over police body camera
footage by establishing policies that
require the use of body cameras and
dashboard cameras by police departments,
all body camera to be accessible to
review all that body camera footage to
be accessible for review by the Civilian
Review Board (sic), and stored unless
specifically requested not to, notify
civilians who have been recorded by
police body cameras that they have the
right to remain anonymous if they
choose, allow civilians to have full
access to body camera footage of
themselves or their family members,
require that police officers -- require
for police officers to provide evidence
when denying a Freedom of Information request for body or dash cam footage, and determine whether footage has tampered with or is missing as a negative evidentiary factor in criminal and administrative proceeding.

Other policies that should be implemented include preventing the use of facial recognition software in conjunction with body camera footage to identify and create databases on civilians, and to prohibit officers from reviewing footage before completing initial reports and interviewing -- and interviews of incidents.

They should also ban officers from confiscating cellphones and other recording devices without the owner's consent or without a warrant, and they should punish officers who wrongfully confiscate or destroy a citizen's recording device.

Thank you. I yield my time.

MR. DAVIE: Thank you, Noel.

Any questions or comments from my
colleagues on the Board or staff?

MS. IRISH: I --

MR. DAVIE: Sure.

MS. IRISH: I just wanted to say quickly, like, body-worn camera footage is very important and we work hard to get it. But we are also seeing in complaints other camera footage and our investigators are great at getting security camera footage, any kind of camera footage that's available we are also seeing that in complaints, and that's very helpful, as well as seeing New Yorkers and anybody who is a complainant or somebody that has just observed something that they think is inappropriate -- taking out their camera -- filming it and getting that footage as well.

So we have a public that is taking agency -- taking initiative to make recordings themselves and that is also playing a role in increasing the number of substantiations that we're able to make.
And, you know, I agree with Jon -- I would add too that the burden of proof is not on the complainant, but it is on us as CCRB in making a recommendation for discipline that we are able to substantiate it to the level that we feel comfortable and that is a preponderance of the evidence standard.

MR. DAVIE: Thank you, Corrine.

Any other comments?

(No response.)

MR. DAVIE: I would just reiterate that body-worn camera footage is extremely important to the work that the agency does, and as Jon Darche pointed out earlier, with body-worn camera footage, we do substantiate at a higher rate and close cases at a higher rate.

But I also agree with Corrine. This new technology helps us shine a light on an increased transparency in policing and people should take it upon themselves to record interactions if they choose to.

They should be careful not to
interfere with what's going on, and then
officers have an obligation, and I think
there's an attempt at some legislation
around this, not to interfere with
people who are and recording. And I
think there are many -- too many
instances of that that we need to
continue to address, and we need to make
sure that the officers turn on their
body-worn camera footage as required.

MR. DARCHE: Mr. Chair, I just want
to make clear to everyone that the CCRB
does investigate members of service who
interfere with civilians recording
police interactions and that is
considered an abuse of authority.

MR. DAVIE: Thank you, Mr. Darche.

Other comments?

(No response.)

MR. DAVIE: Next speaker then.

MS. ALVAREZ: So the next speaker is
Nicole Aversa. She has some Wi-Fi
issues, so I'm going to ask her question
for you. It might be outside of our
bounds, but I wanted to respect her
question.

Can you please explain to me more what exactly de-funding of the NYPD/Police Department exactly means?

Although there is a movement now to dismantle the police due to recent and past acts, what repercussions will this movement of funds have to public safety?

MR. DAVIE: Yeah, I think we have sort of dealt with that now -- this might be the third or fourth time, so maybe the recording here or the transcript from the -- the minutes from the meeting, we can share with that question unless the Board members have some comments or questions, I'm going to go to the next speaker.

(No response.)

MR. DAVIE: All right. Next speaker, please.

MS. ALVAREZ: All right. Next we have Malcolm Hill. After that we have Maria Young and Rosalia Diaz.

MR. DAVIE: Are you there?

MR. HILL: Yeah, can you hear me?
MR. DAVIE: Yes, we can.

MR. HILL: Thank you so much for your presentation and also thank you to the youth. It was very informative and inspiring, as others have said. And -- and I'm sorry, my dog is barking in the background.

My main question is, from everything you've shared -- (inaudible) -- you guys are really -- (inaudible) -- in a number of ways. I understand from your website that you have a 15 million dollar budget; the NYPD has close to a 6 million dollar budget.

I understand that the NYPD in some cases is slow-walking their compliance with their agreement to supply body camera footage, refusing to be interviewed virtually while other agencies are doing that, and I've learned today that the rules -- many of the rules that you're enforcing are written by the NYPD for the NYPD in the Patrol Guide book.

So just I want to ensure you sincere
effort. It seems like there's a lot of systematic obstacles that your work faces and I would like to know from you guys who should civilians and others who think that that's not right contact to see that some of those changes happen so that you can do your work even better?

MR. DAVIE: I'll take a stab at it and I'll ask my colleagues both on the staff and on the Board.

MR. HILL: Great.

MR. DAVIE: Just, I think on the big picture when it comes to resources, it's the -- it's public officials; it's the City Council, and City Hall, and the Mayor's office to some degree. But I think advocating for full-funding for the CCRB with public officials is really extremely important.

In some ways the agency takes a look at systematic issues and comments on them and how changes might be made through our policy reports and other measures. The staff does it one on one, but clearly more needs to be done.
And you're right, it is kind of a David and Goliath relationship, but we persevere and I think that --

MR. DARCHE: David won.
MR. DAVIE: I'm sorry, Jon?
MR. DARCHE: David won.
MR. DAVIE: David won. (Laughter.)
David did indeed and we're going to persevere and continue to try to represent the civilians of this City as a Civilian Complaint Review Board to hear their -- to hear their allegations against officers and adjudicate them within the jurisdiction that we have as best we can, and we're going to continue to work on resources to allow us to do that and changes at the Department that are more responsive to this relationship, but also more responsive to the citizens of the City.

Any other comments, Board members?
MR. RIVADENEYRA: (Indicating.)
MR. DAVIE: Mr. Rivadeneyra.
MR. RIVADENEYRA: Thank you, Chair.
I just wanted to piggyback on your
comment about -- in terms of some of the
systemic barriers that we have, funding
being one of them. Yes, definitely we
try to counsel to the Council members
cause they're the ones who control the
budget, negotiations with the Mayor and
his administration.

But, you know, we recently saw a
change up in Albany with legislation
around 50-a and the majority of the
Board here did support a repeal of 50-a,
but that couldn't be done without, you
know, members of the public reaching out
to their state legislators as well.

So please reach out to your state
legislators when you see that, you know,
there is room for change and policy.
They are listening right now and, you
know, hopefully we can see some of these
barriers removed.

MR. DAVIE: Thank you, Mr.
Rivadeneyra.

Other comments?
(No response.)

MR. DAVIE: All right. Thank you,
Malcolm.

And our next -- was that -- our next speaker.

MS. ALVAREZ: So next we'll be hearing from Maria Young, followed by Rosalia Diaz and James Yates.

MS. YOUNG: Hi. Can you hear me?

MR. DAVIE: We can indeed.

MS. YOUNG: All right. So thank you for having me. I'm an African American proud Queens resident and I wanted to speak about community involvement in police oversight. I'm speaking for many people in my community and others as well as a frustrated citizen.

The community feels very fervent about a lot of different policy solutions for the Police Department during this crucial time such as the banning of chokeholds, mandating that officers expand all forms of non-lethal use of force on suspects, the firing of all police officers found to have used excessive force or covering their badges, giving the public access to
officer's records, and mandating that
all police officers give civilians their
name, badge number, and reason for the
stop after proceeding through their
regular stop procedures.

And these are only a few policy
solutions of many that need to be heard
in an effort to stop the unnecessary
killing of people.

Also, I wanted to bring up some
concerns of the people that feel as if
the Civilian Complaint Review Board
should have more authority that will
actually make the people feel as if
they're being represented and heard.

Your Board should be actively
auditing policies and practices of the
NYPD so that we can ultimately, you
know, prevent police misconduct
complaints in the first place. It
shouldn't take a complaint to compel an
investigation on whether there are
broader policy decisions or unwritten
practices that lead to police misconduct
and the targeting of people of color.
And the community also wonders if the Memorandum of Understanding is enough when it comes to the authority that you guys have with these investigations.

We believe that the head of police needs to be bound by the independent factual investigation of the Civilian Review Board (sic) and bound by possible given range of punishments included by the Civilian Review Board (sic) when disciplining officers that are found guilty of misconduct.

But -- yeah, that's all and thank you.

MR. DAVIE: Thank you very much Maria and I will say that a number of people are working -- advocates and others are working diligently to always increase the authority and the -- of the agency to do its work and its jurisdiction. And it's a worthy task and we should all stay with it, but thank you for your comments.

Next speaker, please.
MS. ALVAREZ: Next we'll be hearing from Rosalia.

MS. DIAZ: Yes. Can you hear me?

MR. DAVIE: Yes, we can.

MS. DIAZ: Okay. So I'm a CUNY faculty person and I'm here this evening advocating for students called the Environmental Action Lab, and so this is their concern -- their question.

They've been doing some work in the Brooklyn area. They're testing soil and doing local clean-ups in the railroad -- by the railroad tracks in Brooklyn and they've had three interactions with police officers where they've been asked -- initially they were scared away by the police.

During the second interaction, they were -- they were told it was okay when a students introduced themselves and spoke about what it was that they trying to accomplish. And then the third time when it was two girls of color, they were told to leave and that they shouldn't be there. That they needed
some kind of permit or whatever.

So the students have reached out to Assembly and Council Members in the vicinity to try to ask for what it is that they need in order to be able to do the work that they're doing, which by the way, they get no funding for.

So this is a group of students that are out there trying to clean up the community with the eventual goal of starting a food forest and a sustainable action -- environmental actions for the community.

So what do they need to do -- what do they need in order to be able to do this work without being harassed by police? Are there Council Members or Assembly people that they should be speaking to?

That's basically -- those are my questions; who should they go to? What can they -- what paperwork do they need in order to be able to do this work?

MR. DAVIE: I'll take a stab at this and just make a suggestion and then ask
my colleagues, again, both staff and Board members to comment.

    But I would say it could be useful for the students and whoever their -- whoever their faculty sponsor is, to arrange a conversation with the local precinct about the work that the students are doing so that the local precinct is aware and makes all the officers aware and then this becomes less of an issue.

    That would be my first thought, but I open it up to my colleagues to see if they have other suggestions.

(No response.)

    MR. DAVIE: All right. So that would be what I would suggest and I think whoever the local Council person is, I'm sure that they would be willing to work with the students and their faculty sponsor -- or just the students -- to ensure that conversation can happen with the precinct and this can be sorted through.

    The Neighborhood Coordinating
Officer would be one good person also to have a conversation with about this so that the precinct knows what this activity is.

MS. TAREKEGN: Chair Davie --

MR. DAVIE: Yes.

MS. TAREKEGN: -- can I -- that I think if you believe that you have witnessed police misconduct with police interacting with these young people, as a witness you can also file a complaint with the CCRB.

And I would implore all our speakers who have witnessed or experienced police misconduct who are speaking with us today to also file a complaint with the CCRB. We will put the link to file a complaint in the chat for all participants, but you can file on our website, or call our number directly, or call 311.

MR. DAVIE: Thank you, Harya.

MR. DWYER: And I would just -- I join with the Chair's recommendation to make an appointment with the NCO, but I
would also suggest that -- and I don't know all the specifics of this piece of land -- but if this is a CUNY sponsored activity, to give the students letters that they can carry with them explaining that the students are engaged in a project cause it's always possible the one officer who would show up on a given day would be the officer who didn't get the message about this, so that they can take out a letter and show the person, this is part of our academic activity and that could be of great assistance. So often these things are just a matter of people having communicated with each other on both sides.

MR. DAVIE: Thank you, Mr. Dwyer.

Other comments from Board members or staff?

(No response.)

MR. DAVIE: Thank you. Next speaker, please.

MS. ALVAREZ: Next we have James Yates.

MR. DAVIE: Mr. Yates, I think we
know you.

(No response.)

MR. DAVIE: Are you there?

(No response.)

MR. DAVIE: He might be on mute.

MS. ALVAREZ: Okay. We'll go on and see if he comes back.

So next we have Audra Jones.

(No response.)

MR. DAVIE: Is the speaker there?

MS. JONES: Hello.

MR. DAVIE: Yes, we can hear you.

Please go ahead.

MS. JONES: Yes, thank you all so much for your efforts. I'm just really becoming aware of the work of the CCRB and reading your statistics and being -- going over your website, it's really heartening to know that we do have a committee of citizens who are attempting to oversee the work of the police.

I was a witness to numerous countless instances of police brutality over the past 10 days beginning at Barclay Center on May 29th. I can say
with complete confidence that the police force is out of control.

I don't think that they're in the least bit fearful or threatened by the CCRB. I don't think that they're in the least bit fearful or threatened by wearing body cams, which most of them did not have on.

They covered their name tags; they indiscriminately grabbed teenagers -- visibly teenagers -- young people, black and brown primarily -- and beat them with their sticks within one second of encountering them. The police are out of control.

I'm concerned as a citizen and New Yorker from birth -- 50 years now -- 20 years in Brooklyn -- how the CCRB really has authority and force behind it. I don't think you're big enough; I don't think you're funded enough.

Looking at the statistics, it's disheartening to see that a body of citizens that could have so much power has very little power with all due
respect to all of your work.

I'm concerned that the police act as a blind force of zombies just witnessing their behavior. They're not intimidated by any of us.

So, yes, de-fund, dismantle, renew, and I thank you for listening.

MR. DAVIE: Thank you for your comments.

MS. JONES: I have filed with your -- with the CCRB. I've been contacted by two investigators. That interaction, so far, as been encouraging -- yeah, so we'll see. I will report to you all.

MR. DAVIE: Well, as I think we said at the top of the meeting, we have a commitment to investigating all of those complaints fully and fairly, and any others that come the way of the agency.

I would agree with you, we can always use more money, and I do think that some additional authority is warranted as well. But those are conversations that we'll continue to pursue for time -- for some time to
come, but thank you for your comments.

Next speaker.

MS. ALVAREZ: So we're going to go back to James.

MR. DAVIE: Go ahead.

(No response.)

MS. ALVAREZ: James?

MR. DAVIE: Mr. Yates, are you there?

(No response.)

MS. ALVAREZ: We'll move onto Audra Jones -- oh, sorry -- Ilia Frigman (phonetic).

MR. DAVIE: Is --

MR. FRIGMAN: (Inaudible.)

MS. ALVAREZ: Ilia, there's a little bit of an echo.

MS. FRIGMAN: (Inaudible.)

MR. DAVIE: I'm sorry; we can't make this speaker out. Sorin, let's -- yeah, let's -- let's see if we can get back to that speaker and figure out what the technical issues are.

Let's go to the next speaker.

MS. ALVAREZ: Ilia, thank you so
much. We couldn't hear you so I'm going to call you -- I'm going to call you back and un-mute you in just a second after the next speaker and see if we can fix those audio problems.

So next we have Kathleen Vetty (phonetic).

(No response.)

MR. DAVIE: Is the speaker there?

MS. VETTY: Hi. Good evening. We spoke earlier about accountability and I see some data on your site about discipline rates.

When the Police Commissioner makes a final disciplinary decision, I'm curious to know the rate at which the Police Commissioner follows your recommendation in general over a period of, let's say, five years?

In addition to that question, I'm wondering if you're set up to work with volunteers, and if not, do you think it's possible to remedy the hurdles that prevented you from being able to use them in the past?
My last question is, is the CCRB funded 100 percent through City funds, and if not, what are the other sources?

MR. DAVIE: So, Jon, do you want to answer those?

MR. DARCHE: So with regard to the volunteers, we have worked with interns -- some who were paid, some who have gotten credit -- and there have been conversations with law firms about having pro bono services provided.

I think there may be legal difficulties about volunteers with the different collective bargaining agreements and we'd have to look into it. I'm not opposed to it on its face; it's just -- it's more complicated than just saying, "Come on down" and putting you to work.

With regard to the concurrence rates with the -- concurrence rates with the Commissioner upholding our recommendations, it is -- I don't have those numbers for five years, but -- I had them a minute ago --
MS. NAPOLITANO: Jon, it's Nicole.
I can jump in with the stats --

MR. DARCHE: Sure, Nicole.

MS. NAPOLITANO: So in 2019, which
is the most recent year that we have
available date -- and we can go back
five years to -- (inaudible) -- for
non-charges -- (inaudible) -- there was
a 51 percent -- (inaudible) --

MR. DAVIE: Nicole, can you get
closer to your computer and just speak a
little louder.

MS. NAPOLITANO: Better?

MR. DAVIE: Yes.

MS. NAPOLITANO: Okay. So in 2019
there was a 51 percent discipline
concurrence rate for cases in which
there were no charges recommended --
discipline, training, or instructions.

28 percent of the time there was
discipline difference, meaning there was
some discipline given, but less than
what was recommended. 15 percent of the
time there was no discipline given.

For our APU cases, last year, there
was a discipline concurrence of 32 percent, meaning those are the cases in which what was given was the penalty that was requested by our APU prosecutors.

In situations in which there was a difference in discipline, 30 percent of those cases were cases in which the officer was found not guilty by the Criminal Commissioner. That's the largest -- (inaudible).

In some cases, 20 percent of the time, the penalty was lower than what was requested at trial, which sometimes happens when some allegations are found not guilty while officers have others substantiated by the Trial Commissioner.

And we have a lot of data available via the website, so for more in depth conversations about youth data, again, feel free email me at policy@ccrb.nyc.gov.

MR. DAVIE: Thank you, Nicole.

And concurrence rates continue to be an issue and it is one of the arguments
that is being made about -- about sort
of final authority. So it's one we'll
continue to work on, but thank you for
your question and your comments.

Next speaker, please.

MS. ALVAREZ: We're going to try
Ilia Frigman one more time.

MR. DAVIE: Okay. Ilia, are you
there?

MS. FRIGMAN: (Inaudible.)

MS. ALVAREZ: Ilia?

MR. DAVIE: Ilia?

MS. FRIGMAN: (Inaudible.)

MR. DAVIE: So let's --

MS. ALVAREZ: Okay. So we're going
to move onto -- next we have Eileen
Grench (phonetic).

MS. GRENCH: Hi. I just had a quick
question.

Considering what seems to be, from
your last report, the 40 percent of
pending body-worn camera requests that
are older than 90 days, agency -- the
Department can get you body-worn camera
footage for recent cases in an expedited
way.

What is keeping them from getting you footage for the backlog cases, and then especially without -- I know you guys said that you have not been able to implement the MOU yet, but what -- why can't they help you?

And then also, additionally, what about COVID keeps the Police Department from creating this room?

MR. DAVIE: Jon?

(No response.)

MR. DAVIE: Mr. Darche, are you there?

MR. DARCHE: Yes. So the contractors who would be putting it -- who would be setting up the room, and our staff and the civilian staff who have been working on implementing the MOU are not in the office.

So we have chosen a room that is actually on the same floor as the current CCRB is for the initial secure room so that it would be convenient for our staff to be able to go and view --
(inaudible).

So we finally agreed on a location after much negotiation and then the pandemic occurred and put a halt to a lot of our plans.

With regard to the backlog, much of the unit that provides us with the body-worn camera footage was either -- the civilians were not in the office and working from home or the uniformed members of service had been deployed because of manpower shortages due to illness from the pandemic.

Just as we were about to get back moving again, the protests occurred and the Department shifted their manpower again so that people were working 12-hour shifts with no days off, which made it tough for us to work with folks who were instead of being able to do their normal work were elsewhere.

The -- you know, we're -- I'm hopeful that we can resume member of service's interview -- member of service interviews on the week of the 22nd and
that we'll be able to start reviewing body-worn camera footage much sooner than that on these current cases cause I feel like events of the last 10 days are not -- these are the type of events that the CCRB was created for.

The Tompkins Square Park riots that resulted in the movement that pushed for -- successfully pushed for the creation of the CCRB, this is a similar situation that we're seeing now. So the agency is making an effort to prioritize these cases to move swiftly on these cases.

With regard to body-worn camera footage, if we didn't move the current cases to the front, we would probably have a backlog, and there's going to be a backlog, but I'm hopeful we'll be able promptly and effectively investigate these cases and get them to the Board soon.

MR. DAVIE: Thank you, Mr. Darche. Any comments, questions from the Board members?

(No response.)
MR. DAVIE: All right. We'll go to our next speaker.

MS. ALVAREZ: Okay. Next we Vincent Riggins (phonetic) and then we'll Ilia one more time.

MR. RIGGINS: Okay. Good afternoon -- good evening.

MR. DAVIE: Good evening.

MR. RIGGINS: Thank you guys once again for doing this awesome work.

Every avenue that the citizens have to share their apprehensions and thoughts about policing and justice is a blessing and a pleasure.

I believe that someone asked my question in regards to how many recommendations that you make to the Commissioner for disciplining of officers and I believe she just answered that question.

So my question would be, if she can answer it -- you don't have to -- but if not, you can elaborate -- but my other question is, will the repeal of Civil Right Law 58 assist you in your future...
investigations?

    MR. DAVIE: I'll take a stab at this and then have the other Board member comment.

    What it will allow us to do is to provide more information to the complainant and the victim about the outcome of these cases, which is something we've not been able to do and not to a degree that we should, and it will allow us to put in the context for people, why this decisions were reached that were reached, which is also something that 50-a hindered the agency from doing.

    But I'll let staff and other Board members comment as well.

    (No response.)

    MR. DAVIE: If they want to.

    MR. DARCHE: The most important thing that will happen is that the public will be able to look at the information that we have and the decisions that the Board makes and that the Department has made after the Board
sends up cases and to determine whether
or not justice was done, and that will
help public focus their efforts on how
to reform things or whether they need to
be reformed at all.

MR. DAVIE: Any other comments from
Board members?

(No response.)

MR. DAVIE: Thank you, speaker.
Next speaker.

MS. ALVAREZ: We're going to try
Ilia.

MS. FRIGMAN: (Inaudible.)

MS. ALVAREZ: Sorry about that.
Maybe you can send us an email with that
question. I'll provide my email in the
chat.

So the last speaker that we have is
Margaret McElliot (phonetic).

MS. McELLIOT: Great. Thanks so
much and thanks to everyone on the CCRB,
especially thanks to the Youth Advisory
Council for the great presentation and
for your participation in the meeting
today.
I was really struck by the similarities between the experiences that you reported in the June 8th report of what youth had been enduring in New York with what so many of us had been seeing in the last 10 days in terms of NYPD's -- a very high rate of NYPD criminal assault and violations of New Yorker's constitutional rights and it seems not just -- you know, again, not just handfuls, but dozens and hundreds of officers who don't seem to know what the law is or what the constitutional violations they're committing even are.

And then it becomes clear from the response of NYPD leadership and the Police Benevolent Association, of both New York City and New York State, that they defend this behavior and this criminal style of policing.

So I just wanted to reach out to the folks on the Youth Advisory Council who contributed to the report and contribute their expertise to the conversation that I think even if there's a lot of New
Yorkers who are focused right now on the budget, a lot of New Yorkers who are focused right now on accountability around these most recent crimes, that the larger conversation about, you know, why aren't there more dismissals of police officers who do these repeatedly. What are the structural things that need to change?

You know, that that's going to time, but it's entirely possible through both budgetary pressure and electoral pressure of more and more people who are pointing to all the similarities and these experiences with the police to be able to create systemic change that lasts, and it will take time.

But with your guidance, and more and more New Yorkers support, we can get it done. So just thanks so much for your service and appreciate this forum. Thank you.

MR. DAVIE: Thank you. Thank you for your comments.

Anyone -- Board members, staff?
MS. TAREKEGN: Yes, I would love to respond.

MR. DAVIE: Sure. Is that Harya?

MS. TAREKEGN: Yes.

MR. DAVIE: Please.

MS. TAREKEGN: Thank you so much for your comment and I do agree with you and want to take this opportunity to point out to "2" of our report which starts on page 38. It really highlights youth voices that were at the youth summit. They had a lot of suggestions and solutions of their own -- more systemic solutions focusing on counselors, focusing on where they would like to see money being spent.

And so we have tried to memorialize that, but definitely it is a conversation that we continue to have with our Youth Advisory Council members, and for everyone who is on this call, actually please look out in early fall, around September, is when our application goes up for the Youth Advisory Council.
So if you know young New Yorkers, ages 10 to 24, we would highly encourage them to apply and we look forward to receiving their applications.

MR. DAVIE: Thank you, Harya. That's extremely helpful. Thank you so much.

I think we are at the end of the speakers -- public speaking session and -- Mr. Joseph.

MR. JOSEPH: Okay. Now I'm ready.

Speaking about the Youth Advisory Council, earlier on there was a question about the PSA and I think the question was whether it was available in languages other than English and what were those languages and where was it found.

MR. DAVIE: Yojaira --

MS. ALVAREZ: Yeah, so on staff we have folks that obviously are multilingual. With the -- so for presentations, I think previously they were asking about that. We'd be happy to conduct presentations in whatever
language you request and we can have that translation.

In regards to the PSA, we only have it closed captioned and in English, but, yeah, that would be something that we would consider moving forward.

MR. DARCHE: And, Chair, I forgot to answer one question that kind of relates to this, which was about our funding.

The agent is normally 100 percent funded by City levies, but for the Youth Advisory Council we receive charitable contributions from several sources, including the NYU McSilver Institute last year who was a co-host for the event and Jerika, could you tell who all the contributors were?

MS. RICHARDSON: Sure. We also had the Pinkerton Foundation, and then also NYU Law School, their institute on race -- I'm forgetting the rest of the acronym -- but they also contributed to us, as well as Union Theological Seminary also contributed.

MR. DAVIE: I don't know how that
last contribution actually got to the program, but I'm glad it did.

I was going to say this is a good place for the CCRB and community groups who represent different constituencies whose primary language is not English might work together to identify both public and private sources to support translations -- closed caption translations of the PSA. So we should have more conversations about that as well.

Any other comments from Board members -- is there any old business to come before the Board?

(No response.)

MR. DAVIE: Any new business to come before the Board?

(No response.)

MR. DAVIE: Is there then a motion to adjourn to executive session?

MR. JOSEPH: Motion made to adjourn to executive session.

MR. DAVIE: Is there a second?

UNKNOWN SPEAKER: Second.
MR. DAVIE: I'm going to just make a comment and that is I want to thank everybody, again, for the way in which they performed so well in the midst of a set of circumstances none of us could have imagined even three months ago or maybe even two-and-a-half months ago.

But the resiliency and the commitment have made an enormous difference and so I want to thank the staff of the CCRB; I want to thank this Board and I want to thank others that we worked with to help this agency continue to do the work that it does.

Hearing no objections to -- hearing -- having made and seconded a motion, all those in favor of that motion, please say "aye".

(Chorus of "Ayes").

MR. DAVIE: Opposed?

(No response.)

MR. DAVIE: No. The motion is passed. We are adjourned to executive session. Thank you and Sorin, you will put us in whatever mode it is we go into
at this point. Thank you.

(Time noted: 7:01 p.m.)
CERTIFICATION

I, JULIA M. SPEROS, a Notary Public for and within the State of New York, do hereby certify:

That the witness whose testimony as herein set forth, was duly sworn by me; and that the within transcript is a true record of the testimony given by said witness.

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

IN WITNESS WHEREOF, I have hereunto set my hand this 10th day of June, 2020.

[Signature]
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