

NYC - Civilian Complaint Review Board
June 10, 2020

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CIVILIAN COMPLAINT REVIEW BOARD

PUBLIC MEETING

JUNE 10, 2020

4:03 P.M.

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HELD VIA VIDEOCONFERENCE

B E F O R E:

FREDERICK R. DAVIE, CHAIR

JONATHAN DARCHE, ESQ., EXECUTIVE DIRECTOR

Transcribed by:

Julia M. Speros

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- 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

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BOARD MEMBERS PRESENT

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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

1 PROCEEDINGS

2 MR. DAVIE: Welcome everyone to the
3 second ever virtual meeting of the
4 Civilian Complaint Review Board.

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

12 Yojaira?

13 (No response.)

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

15 MS. ALVAREZ: Hello, everyone.

16 Thank you so much for joining us today.

17 Just a few items about today's
18 meeting:

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

24 How today will go is at the
25 conclusion of each presentation --

1 you'll hear a presentation from me about
2 the CCRB process, a presentation from
3 Harya about the findings of the Youth
4 Report -- at the conclusions of those
5 presentations, if you have specific
6 questions to that topic, you can use the
7 "Q" and "A" function and ask us, and we
8 will try to get that answered for you.

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

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

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

24 (No response.)

25 MS. ALVAREZ: Sorry, Mr. Davie,

1 you're on mute again.

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

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

10 MS. PINSKY: So moved.

11 MR. DAVIE: Is there a second?

12 UNKNOWN SPEAKER: Second.

13 MR. JOSEPH: Second.

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

16 (Chorus of "Ayes".)

17 MR. DAVIE: No?

18 (No response.)

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

21 So we're so glad that so many of you
22 have joined us for this discussion about
23 police community relations, an issue
24 that is always important, but of course
25 takes on particular significance in the

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1 midst of the conversations that have
2 been happening nationwide and of course
3 right here in our City.

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

8 So we will start with Corrine
9 English (sic).

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

12 MR. DAVIE: Sorry about that,
13 Corrine.

14 MS. IRISH: It's okay.

15 MR. DAVIE: So please, go ahead.

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

18 MR. DAVIE: Mr. Joseph.

19 MR. JOSEPH: Hello. Good evening.
20 My name is Nathan Joseph. I am a City
21 Council Designee from Staten Island.

22 MR. DAVIE: Ms. Pinsky.

23 MS. PINSKY: Hi. I'm Angela Pinsky.
24 I am a Mayoral Designee and I am in
25 Brooklyn.

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1 MR. DAVIE: Mr. Dwyer.

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

5 MR. DAVIE: Mr. Rivadeneyra.

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

9 MR. DAVIE: Mr. Freeman.

10 (No response.)

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

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

15 MR. DAVIE: Okay. Mr. Puma.

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

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

21 MR. SIEGAL: Yeah, Fred, John
22 Siegal.

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

25 MR. SIEGAL: I'm John Siegal. I'm

1 appointed to the Board by Mayor de
2 Blasio.

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

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

23 I don't to leave the impression that
24 I at least am here representing the
25 person who appointed me.

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1 MR. DAVIE: Thank you, Mr. Siegal --
2 thanks for that clarification.

3 And I see Ms. Bond has joined us.

4 (No response.)

5 MR. DAVIE: And I think you're on
6 mute.

7 MS. BOND: Can you hear me now?

8 MR. DAVIE: Yes.

9 MS. BOND: Okay. Great.

10 My apologies for joining late. I'm
11 Erica Bond, Mayoral Designee.

12 MR. DAVIE: Okay. Anyone else that
13 I missed?

14 (No response.)

15 MR. DAVIE: All right. Well, I
16 thank you all, and, again, thanks to
17 everybody for joining us tonight.

18 We're meeting at a time of great
19 unrest for our City and our nation, but
20 make no mistake, the protests we now see
21 in the streets of the United States and
22 around the world have been building, not
23 for weeks or months, but for years and
24 centuries.

25 For us here in New York City, the

1 tragic death of George Floyd in
2 Minneapolis, is a reminder that the
3 death of Eric Garner is not an
4 aberration. Those last words, "I can't
5 breathe" echo today in ways that force
6 us all, once again, to stop and think
7 about the role of police.

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

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

21 Our eyes must be fixed now on moving
22 forward. I know that that's the case
23 here for us at CCRB. Since these
24 demonstrations began at the end of May,
25 the CCRB has received more than 800

1 complaints related to at least 85
2 incidents. We're committed, as always,
3 to investigating these complaints fully
4 and fairly regardless of whether any
5 other entity investigates.

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

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

20 At the State level we have witnessed
21 the passage of legislation to reform
22 policing, most notably a bill to
23 dismantle Civil Rights Law Section 50-a,
24 and to bring transparency to New York's
25 police disciplinary system.

1 Anyone who looks at the progress
2 that we've seen in the last few weeks
3 and days and concludes that it happened
4 by chance is sorely mistaken. This
5 progress, much like every -- much like
6 the very existence of the CCRB itself,
7 is a product of people exercising their
8 all-American right to protest and demand
9 better of their government.

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

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

24 We also issued the first ever report
25 on the relationship between youth and

1 the NYPD. When you read that report,
2 which shows that a vast majority of
3 complaints involving young people
4 involve young males of color, it can be
5 easy to feel overwhelmed by what
6 happening in our City.

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

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

24 Before I turn things over to Jon and
25 acknowledge our guests, I want to again

1 thank the CCRB staff for all they're
2 doing to continue serving New York City,
3 particularly during these -- during the
4 last week when we've been presented with
5 additional challenges on top of the
6 challenge posed by COVID-19.

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

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

22 I will now ask Yojaira Alvarez if
23 there are elected official's offices we
24 want to acknowledge or elected officials
25 themselves that we want to have speak at

1 this time.

2 Yojaira.

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

6 MR. DAVIE: Would he like to speak?

7 (No response.)

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

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

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

18 MR. DAVIE: Thank you.

19 MS. ALVAREZ: Thank you.

20 MR. DAVIE: Thank you for being
21 here.

22 Anyone else Yojaira.

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

25 MR. DAVIE: Chief Hofmann.

1 (No response.)

2 MR. DAVIE: Would Chief Hofmann like
3 to speak?

4 (No response.)

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

7 (No response.)

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

11 MS. ALVAREZ: Yes.

12 MR. DAVIE: Anyone else, Yojaira?

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

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

18 (No response.)

19 MR. DAVIE: Assembly Member, are you
20 there?

21 (No response.)

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

25 Anyone else, Yojaira?

1 MS. ALVAREZ: And that's it for now.

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

7 MS. ALVAREZ: Oh, okay.

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

10 MS. ALVAREZ: Chief Nilda Hofmann.

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

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

16 MS. ALVAREZ: Assembly Member
17 Bichotte?

18 (No response.)

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

23 Our Executive Director, Jon Darche.

24 MR. DARCHE: Thank you, Fred. I
25 just wanted to echo your comments about

1 Mr. Floyd and the videos we've seen from
2 across the country.

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

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

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

24 The recent decision by the First
25 Department that allows the CCRB to

1 commence investigations based on
2 complaints from people who saw police
3 misconduct over social media, in the
4 news and elsewhere, have enabled
5 civilians who may have experienced
6 misconduct at protests to reach us more
7 easily and it brings the agency further
8 into the 21st century.

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

15 If you have access to a phone or an
16 internet and want to file a complaint,
17 still the best way to reach us is to go
18 to nyc.gov/ccrbcomplaint or
19 1-800-341-CCRB. Investigators are
20 working remotely and conducting civilian
21 interviews by telephone.

22 Investigators continue to subpoena
23 businesses and government entities.
24 Member of service interviews, which
25 typically happen in person, are

1 currently scheduled to begin the week of
2 June 22nd. The CCRB continues to work
3 with NYPD to request and obtain
4 documentary and video evidence.

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

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

19 With regard to public comment later
20 today -- later this evening -- if you
21 have a question or concern, or otherwise
22 wish to respond to something, please
23 either raise your hand using the hand
24 icon on your screen and wait to be
25 called, or type your question into the

1 "Q" and "A" section of the screen.

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

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

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

19 That's going to be followed by
20 Jerika Richardson, who is Special
21 Assistant to the agency and to the Board
22 to -- the members of the Board -- to
23 proceed with questions that we might
24 have after Yojaira gives her
25 presentation.

1 So Yojaira and then Jerika, please.

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

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

7 MS. ALVAREZ: Yes.

8 MS. HOFMANN: Okay. Thank you.

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

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

24 So thank you for this opportunity.

25 MR. DAVIE: Thank you, Chief --

1 thank you for being with us.

2 MS. ALVAREZ: Thank you so much for
3 coming.

4 And Assembly Member Bichotte?

5 MS. BICHOTTE: Thank you so much.
6 Can everybody hear me now?

7 MS. ALVAREZ: Yes.

8 MR. DAVIE: Yes.

9 MS. BICHOTTE: Yes. Okay. Great.

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

18 You know, I just want to say thank
19 you for all your hard work. My first
20 interaction with CCRB was in -- I want
21 to say it was around 2013 -- at the
22 Eastern Parkway -- where Jumaane
23 Williams, who was a City Councilman, got
24 arrested -- and we were with him -- and
25 I was interviewed by the CCRB in terms

1 of what happened to try the capture the
2 event back then -- that has been some
3 years ago and I was part of the passing
4 of a number of police reform bills.

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

18 And as we're trying to find just
19 data collection and analysis, that was a
20 push to have the police officers fill
21 out the forms. And why it was important
22 is because when Daniel O'Donnell was on
23 the floor discussing the changes in the
24 repeal of the 50-a bill, we talked about
25 substantiated and what's not --

1 unsubstantiated, and for the first time
2 he told me that all the racial profiling
3 cases that were sent to CCRB, were found
4 unsubstantiated and so there were zero
5 cases of racial profiling.

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

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

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

1 STAT Act.

2 So you know, we're trying our best;
3 we're still fighting. We know there are
4 talks about reform with the CCRB.

5 Again, very new to me. I am learning; I
6 am here to listen to how you guys work.

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

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

21 And, you know, to a question to the
22 Board -- and, you know, you may not --
23 you don't have to answer it now, but
24 just to think about it -- when we ask
25 for a report on racial profiling and to

1 say that there was zero cases, that's a
2 concern. And I don't know how the
3 process was, but that's a concern and I
4 think that's why we need to certainly
5 enforce by law to make sure that police
6 officers, when they do stop, we fill out
7 a form so that we have some data to work
8 with.

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

24 You know, please -- I mean, I was
25 there. I'm a co-sponsor for all of

1 these bills. I authored some of them,
2 so I'm here to answer your questions.
3 Thank you.

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

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

16 Jon, you want to speak more to this?

17 (No response.)

18 MR. DAVIE: And you're muted.

19 MR. DARCHE: Thank you, Mr. Chair.

20 So the agency has been working with
21 NYPD and the City Commissioner on Human
22 Rights to figure out the best way to
23 investigate racial profiling. I think
24 we all have seen in recent weeks with
25 the reports about disparate (sic) impact

1 of social distancing enforcement that
2 profiling is still an issue that needs
3 to be addressed and staff is working on
4 finding ways to address it and we hope
5 to have something back to the Board
6 soon.

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

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

17 And, again, I didn't know if this
18 Board took on allegation cases, but it
19 was told that it would be three people
20 appointed from the Board -- one from the
21 Mayor, one from the City Council, and
22 one from the Police Department -- Police
23 Commissioner -- they would review that
24 particular case to see if it was
25 substantiated or not and that's why I

1 thought you all were involved in the
2 number of racial profiling --
3 (inaudible) -- being substantiated.

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

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

24 MR. DAVIE: So yeah, just to
25 emphasize again so that the public is

1 clear -- and Assembly Member, we really
2 thank you for bringing this up -- again,
3 racial profiling is not an allegation
4 type that CCRB investigates or
5 adjudicates in any way.

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

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

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

24 MR. DAVIE: Sure.

25 MS. BICHOTTE: -- and I just -- we

1 would like the CCRB to take part in
2 investigating racial profiling
3 allegations. So it's definitely
4 something -- and even with filling out
5 the forms, we know that most of the
6 officers do not fill out the form.

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

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

23 Okay. There were 11 bills. This
24 was the only bill that was not passed.
25 It's a problem. They do not want to

1 collect the data. So I look forward to
2 working with you because data will help
3 substantiate and data will help AG to do
4 -- file a motion for injunction relief.

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

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

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

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

25 Senator Connery, do you want to say

1 a quick hello or -- and introduce
2 yourself?

3 (No response.)

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

6 Councilmember Rosenthal?

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

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

11 MS. ALVAREZ: Yes.

12 MS. ROSENTHAL: Oh, fantastic.

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

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

24 MR. DAVIE: Thank you so much and
25 thank you for your continued support of

1 this agency.

2 MS. ALVAREZ: Thank you so much
3 Councilmember.

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

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

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

14 Sorin, can you have me share my
15 screen?

16 (No response.)

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

19 (No response.)

20 MS. ALVAREZ: Jon, can you see that?

21 MR. DAVIE: Yes.

22 MS. ALVAREZ: Okay. All right. So
23 as you know, we are a City agency.
24 We're independent from the NYPD. We are
25 an agency composed entirely of

1 civilians. We are the nation's largest
2 independent oversight entity in the
3 country.

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

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

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

1 Patrol Guide to determine that.

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

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

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

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

25 I wanted to touch base on the Right

1 to Know Act. So this law went into
2 effect in 2018. There are some major
3 points that we really want all New
4 Yorkers to know.

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

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

18 Another thing that the Right to Know
19 Act has empowered civilians in
20 interactions is with stops and searches.
21 So if a police officer does not have the
22 legal justification to search you, they
23 must proactively ask you for consent and
24 inform you of your right to say "no".
25 If you feel that your right was violated

1 -- that you don't believe that the
2 police officer was abiding by the Right
3 to Know Act, please give us a call.

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

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

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

24 So if you've seen what appears to
25 you as misconduct, please give us a call

1 by filing that complaint online or by
2 phone and we will make sure to get back
3 to you.

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

18 So does anybody have any questions?

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

22 Mr. Puma.

23 MR. PUMA: Yes, thank you, Mr.
24 Chair, and thank you, Yojaira, for your
25 presentation.

1 I wanted to also add that the agency
2 was empowered with the Charter revisions
3 that were approved last fall to
4 investigate false official statements
5 made to the agency in the course of the
6 investigation.

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

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

20 MR. DARCHE: Mr. Chair, can I add to
21 something there?

22 MR. DAVIE: Sure.

23 MR. DARCHE: So the Charter change
24 gives the CCRB jurisdiction over
25 untruthful statements made to the CCRB.

1 So to change the acronym from FADO
2 at this point would give the
3 misimpression that people can bring
4 allegations that someone made a false
5 official statement in another venue
6 other than to the CCRB. And the staff
7 is actively working at whether
8 untruthful statements made to other
9 entities could be considered abuse of
10 authority.

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

13 MR. DARCHE: My apologies.

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

17 (No response.)

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

21 MS. ALVAREZ: Yes, just before you
22 proceed, I just wanted to acknowledge
23 that Sasha Barilla (phonetic) is here
24 from Councilmember Dean Phillips'
25 office.

1 MR. DAVIE: Great. Thank you and
2 welcome.

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

7 (No response.)

8 MR. DAVIE: And you may be on mute.

9 MS. RICHARDSON: Hi. Thank you
10 Chair Davie.

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

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

17 MR. DAVIE: Yes.

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

24 MS. RICHARDSON: Thank you.

25 Our next question comes from Shianna

1 Debellis (phonetic).

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

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

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

13 MR. DARCHE: Sure. When we receive
14 a complaint we begin investigating
15 immediately. We try to take statements
16 from as many civilian witnesses as
17 possible.

18 We obtain as much video and
19 documentary evidence as possible, both
20 from -- including medical records, or
21 cellphone video, or other surveillance
22 video that may have captured the
23 incident. We order police records and
24 body-worn camera footage.

25 Once we've obtained all that

1 information, we then schedule the member
2 of service for an interview and
3 interview the subject officer. Once we
4 obtain all that evidence, we marshal it,
5 put it in a report and it goes to the
6 Board, which generally meets in panels
7 of three Board members, one from each
8 appointing body, and then they vote and
9 if misconduct is substantiated, they
10 recommend a level of discipline that is
11 sent to the Police Commissioner.

12 MR. DAVIE: Thank you.

13 Please proceed, Jerika.

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

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

22 I know we are going to have a brief
23 overview of our Youth Report coming up
24 shortly. It may not answer the entire
25 question, but we will have Harya

1 Tarekegn from our Policy Unit talking
2 about youth.

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

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

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

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

18 Our next question comes from
19 (inaudible).

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

22 Yojaira, can you jump back on to
23 give us just a little guidance about
24 outreaches, methods of, you know,
25 sharing how to contact the CCRB and

1 about the work we do in the community?

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

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

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

23 We're always open to suggestions and
24 really want to make this information as
25 widely available as possible. Our Coms

1 (sic) team has expanded their efforts
2 online, so our Instagram page just
3 launched this week, so you can follow us
4 there at ccrb_nyc and a YouTube page as
5 well, but we're looking meet you where
6 you are. So let us know.

7 MR. DAVIE: Thank you, Yojaira.

8 Jerika, are there other questions?

9 MS. RICHARDSON: We do have several
10 other questions.

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

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

19 MR. DAVIE: Jon --

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

1 lawsuit.

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

4 MR. DAVIE: Thank you, Jon.

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

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

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

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

24 MR. DAVIE: I think that has to do
25 with the history of what allegations the

1 agency would -- that would be under the
2 agency's jurisdiction. I'm going to ask
3 Jon to speak to this again.

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

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

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

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

20 If you look at individual incidents
21 and see whether or not a member of
22 service or members of service committed
23 misconduct by what they did, whether
24 they broke the law or violated the
25 Patrol Book, and profiling is a much

1 more sophisticated level of analysis
2 because it may be that a member of
3 service acted lawfully when they did
4 something, but that members of service
5 have a pattern and practice of enforcing
6 the law differently for different groups
7 or that the way the law is enforced has
8 a different impact.

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

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

20 MR. DAVIE: Thank you, Jon. I'll
21 just say that expanded civilian
22 oversight of the NYPD is clearly
23 something it seems that many desire and
24 I think if that is the case, then the
25 City has to be serious about the

1 resources that it puts into this work
2 and it only does -- it would only do the
3 public a disservice for their to be a
4 decision that the agency will have
5 increased jurisdiction and then the
6 resources in order to carry that out
7 don't follow.

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

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

22 Jerika.

23 MS. RICHARDSON: One moment, please.

24 (Perusing.)

25 So we have a question from --

1 sorry -- from Angeli Segobin (phonetic).

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

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

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

21 My personal opinion is that there
22 should also be some effort to look at
23 whether or not the Department is doing
24 things that it doesn't need to do and
25 can those services be allocated to or

1 assigned to the agencies of the City
2 that might be better equipped to do them
3 and then the dollars follow.

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

8 (No response.)

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

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

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

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

21 MR. DAVIE: Complete authority.

22 Now, we work hard with the
23 Department to try to get concurrent on
24 the disposition of discipline that's
25 recommended, but the final authority by

1 law -- in statute and regulation -- on
2 disciplining officers of the NYPD
3 belongs with the Commissioner.

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

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

10 MR. DAVIE: Jon -- Jon Darche.

11 MR. DARCHE: Sorry, Mr. Chair.
12 There's a little disturbance over here,
13 but you were correct in that the Police
14 Commissioner is the final arbiter. We
15 now are notified when he give us a --
16 for his reasons if the Commissioner
17 deviates on discipline in APU cases,
18 which are the most serious cases or in
19 the non-APU cases, which include cases
20 where the CCRB has recommended either a
21 command discipline or training.

22 And sorry for the disturbance.

23 MR. DAVIE: It's understood.

24 John Siegal.

25 MR. SIEGAL: Yes, I have a question.

1 We're -- you know, the 50-a legislation
2 passed late yesterday. I think there's
3 a number of questions about what its
4 impact will be -- the question I'm
5 raising -- and I don't necessarily
6 expect anyone to be able to answer it
7 off the cuff right now, but we do get
8 memoranda communications from the
9 Department when the Police Commissioner
10 downgrades our recommendations -- the
11 charges.

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

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

24 MR. SIEGAL: So the question is will
25 that now become public record?

1 MR. DAVIE: No, and I guess that
2 we'll have to sort out.

3 MR. JOSEPH: I have --

4 MR. DAVIE: Go ahead.

5 MR. JOSEPH: Nathan Joseph.

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

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

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

22 The best example of that that the
23 public will know would be the process
24 that led to the Officer Daniel Pantaleo
25 who was responsible for the death of

1 Eric Garner.

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

11 The prosecutors of the
12 Administrative Prosecution Unit, the
13 APU, prosecuted the case in a
14 departmental trial, which is what the
15 memoranda calls for, before a trial
16 judge, and of course a guilty verdict
17 came out of that with a recommendation
18 for termination that the judge agreed
19 with, that the Commissioner ultimately
20 agreed with and Officer Pantaleo was
21 fired.

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

1 anything I said.

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

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

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

10 MR. DAVIE: Sure. Jerika.

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

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

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

25 MR. DAVIE: Great. So we're going

1 to hear then from -- let me see -- where
2 am I here -- (perusing) -- on -- we have
3 a presentation on policy from our Policy
4 Department on data and I will turn it
5 over to Harya Tarekegn, who's our Senior
6 Counsel of Policy and Advocacy.

7 Harya.

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

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

25 So I will begin by talking a little

1 about what the Youth Advisory Council
2 is, followed by what our youth summit
3 was in 2019, and finally what led to the
4 Youth Report.

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

14 Our first class of the Youth
15 Advisory Council helps us organize Speak
16 Up Speak Out, a youth summit on policing
17 in New York City. This event, which was
18 co-hosted by our partners at NYU helped
19 us bring together over 250 young people
20 from all five boroughs to talk about
21 policing issues, their suggested
22 solutions, and then they were able to
23 brainstorm with practitioners,
24 academics, and others to think about how
25 to make their solutions come to light.

1 You can find more information about
2 the summit and the program for the
3 summit at the link below. My
4 presentation is already up on the
5 website for those of you who either want
6 to follow along or want any of this
7 information when I'm done.

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

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

24 Most of our complaints -- about
25 65 percent of our complaints -- involved

1 young men -- young males of color --
2 young boys of color -- and this is about
3 20 percent higher than young males of
4 color that are representative in other
5 CCRB complaints.

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

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

23 From the report and the data that we
24 looked at, along with all of the
25 information that we got from our youth

1 summit, we were able to make
2 recommendations for NYPD.

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

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

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

24 Finally, we found that there was not
25 a lot of information about training that

1 officers received between the difference
2 between policing adults and policing
3 young people. And so we made that
4 recommendation for all officers, but
5 particularly for officers that are being
6 trained as a part of NYPD's new youth
7 initiative, which includes Youth
8 Coordination Officers.

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

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

22 We are happy to report that in
23 NYPD's public response to our report
24 they have accepted all of our
25 recommendations and are working to

1 implement them.

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

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

12 MR. DAVIE: Thank you, Harya.

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

17 (No response.)

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

20 (No response.)

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

23 MS. RICHARDSON: I'm back.

24 MR. DAVIE: Great.

25 MS. RICHARDSON: So we do have some

1 questions from the participants. It
2 looks all of these questions are
3 holdovers from some of the earlier
4 conversation.

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

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

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

23 MR. DAVIE: Great. That's perfect.

24 MS. TAREKEGN: Great. So before --
25 after the PSA, I would like -- Youth

1 Report came out with a report on Monday.
2 I just want to say that this Public
3 Service Announcement was really a labor
4 of love.

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

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

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

1 happen.

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

4 (PSA played for attendees.)

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

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

20 Yojaira.

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

1 and last year.

2 First off, we're going to hear from
3 Aliyah Davenport who is our YAC class of
4 2020.

5 Sorin.

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

8 MS. ALVAREZ: Okay.

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

11 MS. ALVAREZ: Yeah, no problem.

12 January Lewis.

13 MR. LEWIS: Hello. I'm January
14 Lewis; I was part of the PSA and I am
15 part of the YAC.

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

1 we improve.

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

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

21 And this is just a couple of many
22 ideas that's out there in improving the
23 police interactions with us and we can
24 avoid misconduct with the police. And
25 for us to know that we have the CCRB

1 behind us is great and know that we can
2 improve our communities is a goal that
3 we're striving for.

4 MR. DAVIE: Thank you January.

5 Let's see if any of the Board
6 members have any questions for January.

7 (No response.)

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

10 MS. ALVAREZ: All right. We have --
11 Aliyah Davenport is good to go. She's
12 also from our class of 2020 who helped
13 create this PSA.

14 (No response.)

15 MS. ALVAREZ: Hello, Aliyah?

16 MS. TAREKEGN: I don't believe she's
17 ready yet.

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

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

25 MR. MITCHELL: Hi. I am Christopher

1 Mitchell; I am the class of 2019 of the
2 CCRB Youth Advisory Council.

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

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

20 Secondly, I'd like to reflect on
21 growing up as an African American male
22 within the five boroughs of the City. I
23 have witnessed the horrors and
24 injustices that have been occurring far
25 too often in America and New York and I

1 will not tolerate it.

2 I've been given a voice for a reason
3 and a life for a reason, meaning that I
4 should use both to advocate for true
5 equality. I'm saddened by the horrific
6 murders of innocent black Americans such
7 as Breonna Taylor and George Floyd, and
8 many others whose names go unknown while
9 their lives aren't any less valuable and
10 relevant for this cause.

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

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

1 MR. DAVIE: Thank you, Christopher.

2 Any comments or questions from the
3 Board members?

4 (No response.)

5 MR. DAVIE: Thank you.

6 Yojaira, do we have other Youth
7 Advisory Council speakers?

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

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

13 MR. DAVIE: Yes.

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

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

24 I met others who are extremely
25 passionate about improving police

1 community relations. My voice was heard
2 and I was empowered. All of the actions
3 that the CCRB has taken concerning youth
4 outreach are incredible. I believe that
5 continuing and strengthening this
6 outreach is a critical part of the
7 solution to make change, improve
8 relations, achieve social justice,
9 ensure that all citizens feel safe.

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

20 My peers and I have many ideas about
21 actions that we need to take. I think
22 that the CCRB should continue with
23 outreach especially in a time like this
24 when so many people are empowered to
25 fight for change.

1 A subject that came up a lot during
2 our meetings was that not enough of
3 NYC's youth know about the CCRB, the
4 resources available to them. A youth
5 summit and Public Service Announcement
6 that this year's Youth Council had, had
7 huge strides and I think that the CCRB
8 should possibly further partner with
9 NYC's public schools to further the
10 message, open up more job or involvement
11 opportunities for youths, such as summer
12 virtual internships and offer like
13 writing platforms where youth can submit
14 ideas.

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

24 In addition, I have multiple friends
25 who have even run away from home in

1 order to protest and that I know would
2 like to get involved.

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

14 MR. DAVIE: Thank you, Jagger.
15 Board members, comments, questions?
16 (No response.)

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

19 Yojaira.

20 MS. ALVAREZ: Yes and thank you so
21 much Jagger. That was really great --
22 and Chris and January, those are really
23 powerful statements.

24 Last but not least we have Aliyah
25 Davenport on from our 2019 class.

1 MS. DAVENPORT: Hi. Can everyone
2 hear me?

3 MR. DAVIE: Yes.

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

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

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

24 And at first I struggled with that
25 until YAC was really, really helping me

1 with even reaching out to like my
2 school, reaching out to people in my
3 community to be active in what's going
4 on. So I just want to give, of course,
5 like a thank you to them.

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

17 And I feel like to me it really
18 starts with our generation. Like,
19 bringing up youth in the right way;
20 like, letting us know we can advocate
21 for our voice. Letting the police be
22 accountable for their action and -- oh,
23 sorry -- making sure that we have the
24 right relationships between police
25 officers and in the community.

1 Cause I was talking to one of my
2 friends and, you know, there's many
3 places and like communities where you
4 have they're over-policing, but then you
5 also have police officers that build a
6 communal relationship with the people so
7 they trust that if there's no violence,
8 there's like a kind of neutral
9 understanding, if you understand what
10 I'm saying.

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

19 And I know it's a big statement to
20 put out there, but honestly in my
21 opinion it starts with the little things
22 and it really starts with the youth.
23 And I just want thank YAC for continuing
24 to do what they do and CCRB to continue
25 to reach out to the community because

1 there's so many people that need to hear
2 this.

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

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

17 But I want to thank you for your
18 leadership and I hope we can continue to
19 have these conversations about how to be
20 most responsive to young people,
21 particularly when it comes to policing
22 and particularly when it comes to what
23 CCRB can do to try to improve the
24 relationship between young people and
25 the officers who have sworn to serve

1 them.

2 Any other comments from any of the
3 other Board members?

4 MR. JOSEPH: Yes, Chair Davie.

5 MR. DAVIE: Sure.

6 MR. JOSEPH: This is Nathan Joseph.
7 I echo everything you said; you beat me
8 to it, but I'm glad that you said it
9 because you related it better than I
10 could.

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

15 MR. DAVIE: Mr. Rivadeneyra.

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

22 And I want to say thank you to all
23 the YAC classes -- both classes -- for
24 all the work that you contributed to
25 this document. It was a hard document

1 to read, just to read some of the
2 experiences that were annotated in the
3 report, but your stories that you shared
4 and the PSA that was created out of this
5 are, you know, necessary for us to
6 understand that we need to do an
7 investment in our youth rather than seek
8 to just use measures of law enforcement
9 against our youth.

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

21 So please look at the
22 recommendations and please take strong
23 consideration for what our youth are
24 saying because they are the ones that
25 live through this and we should be

1 listening to them. Thank you.

2 MR. DAVIE: Thank you,
3 Mr. Rivadeneyra.

4 Other comments?

5 Ms. Irish -- get it right this time
6 -- Corrine.

7 MS. IRISH: Thank you. I just
8 wanted to say this is why you can feel
9 hopeless and hopeful at the same time in
10 these moments because of how impressive
11 you guys are -- the members of our Youth
12 Advisory Council are -- and you inspire
13 us and you certainly give us hope that
14 the things that have gone on for decades
15 and some of the abuse and the things
16 that we have tried for many long years
17 to get past and to improve are actually
18 going to change.

19 So thank you so much for your
20 efforts.

21 MR. DAVIE: Thank you. Other
22 comments, questions?

23 Mr. Puma.

24 MR. PUMA: Yes, it's hard to follow
25 so many powerful and eloquent

1 statements, but I just wanted to extend
2 my congratulations and just word my
3 feeling of inspiration by the members of
4 the Youth Advisory Council.

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

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

18 And I just wanted to echo that and I
19 hope that these youth ambassadors will
20 continue to remain involved and just
21 keep in mind that, you know, it's young
22 people that really do push social
23 change. History shows that and young
24 people are in the majority at the
25 protests.

1 And so I just want to urge you to
2 continue to stay involved. Thank you.

3 MR. DAVIE: Thank you, Mr. Puma.

4 All right. We will go then to our
5 public comment, and, again, I want to
6 thank January, and Christopher, and
7 Jagger, and Aliyah for presenting to us.

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

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

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

23 So with the public portion, I know
24 that Jordan Woke (phonetic) had
25 something to say.

1 Sorin, can you un-mute Mr. Woke?

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

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

12 Thank you in advance.

13 MR. DAVIE: Great.

14 MR. WOKE: Am I un-muted yet?

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

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

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

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

23 MR. DAVIE: Sure.

24 MS. TAREKEGN: Thank you, Mr. Woke,
25 for your question.

1 So we have not only increased our
2 social media presence to Instagram and
3 YouTube, for the young people, but that
4 is really we are leaning on our YAC.

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

17 We were very deliberate about making
18 sure that this could be shared as widely
19 as possible and on any and every
20 platform that young people use. We, of
21 course, always are open to hearing more
22 suggestions, but we are making a
23 targeted effort to reach social media,
24 to reach kids through their schools, and
25 to reach young New Yorkers where they

1 are and not wait for them to come to us
2 or our social media platforms to see
3 this PSA.

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

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

8 MR. DAVIE: Thank you.

9 Other speakers.

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

13 So Angeli?

14 MS. SEGOBIN: Hi. Can you hear me?

15 MS. ALVAREZ: Yes.

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

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

25 I call for more representation for

1 black people in our communities and more
2 funding redirected from the NYPD to
3 organizations in support of black youth.

4 As a community that is also highly
5 underrepresented, it's important to
6 educate the youth and the people of
7 their rights and voting rights. With
8 the 2020 census, we need a call for
9 action to represent people of colored
10 communities and vote for officials that
11 will represent our needs and desires.

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

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

25 Overall I believe the power that

1 police officers exhibit must be limited
2 and given to the people who are most
3 affected. Thank you.

4 MR. DAVIE: Thank you. Our next
5 speaker.

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

9 MS. MARKOWITZ: Okay. Thank you.

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

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

18 And then the second under
19 Dispositions or Case Abstracts, it
20 sounds like the preponderance of the
21 evidence for a case weighs against the
22 complainant and I was wondering if you
23 could speak to that, specifically there
24 was an unsubstantiated claim where two
25 civilians were stopped by four officers

1 who claimed that they were frisked and
2 searched.

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

11 MR. DAVIE: Thank you.

12 Jon, do you want to take those --
13 Mr. Darche.

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

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

25 It also -- while we've been able to

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

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

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

22 With regard to preponderance of the
23 evidence, the -- generally speaking in
24 American law, the person who is making
25 the claim has the burden on them. The

1 burden on a civilian in this case is not
2 beyond a reasonable doubt; it is that
3 they don't have to prove things to a
4 certainty. They only have to prove it
5 to a preponderance of the evidence,
6 which is slightly more than 50 percent.

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

12 MR. DAVIE: Thank you, Jon.

13 More speakers.

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

16 MR. DAVIE: Absolutely.

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

21 I don't know when it's going to end
22 or how it's going to end and to what
23 extent there's going to be a continued
24 reopening, and I think the public should
25 know it has -- one way that it has

1 interrupted our work is that my
2 understanding is there have been no
3 interviews conducted of members of
4 service in our investigation since
5 mid-March.

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

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

17 I just want to urge publicly that
18 the agency be utilized to the maximum
19 extent necessary -- virtually technology
20 -- for investigative interviews, and
21 that to the extent that we continue to
22 receive resistance by counsel to
23 producing their clients or witnesses,
24 we're going to need to wave the red flag
25 on that and see (inaudible) and

1 authority to make that happen.

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

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

17 When we have cases where there's a
18 he said/he said situation and just
19 difference of facts between a
20 complainant and a respondent officer, I
21 know what I do -- and I think all the
22 Board members -- is to review the entire
23 record, look for corroborating evidence,
24 look for a video -- if there are other
25 circumstances that allow us to make a

1 determination as to whether it's
2 50.1 percent or 49.9 percent in terms of
3 substantiation.

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

11 MR. DAVIE: Thank you, Mr. Siegal.
12 Any other comments, questions?

13 MR. DARCHE: Mr. Chair, can I
14 clarify one thing?

15 MR. DAVIE: Sure.

16 MR. DARCHE: So I just want to make
17 clear that while the agency hasn't
18 been --

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

21 MR. DARCHE: Oh -- while the agency
22 hasn't been conducting member of service
23 interviews, we have been conducting
24 civilian interviews this whole time, as
25 well as doing other investigative work.

1 MR. DAVIE: Thank you.

2 MR. SIEGAL: I appreciate the
3 clarification.

4 MR. DAVIE: Thank you.

5 Other comments, questions from Board
6 members.

7 MR. JOSEPH: Nathan --

8 MR. DAVIE: Mr. Joseph, yes.

9 MR. JOSEPH: I agree with
10 Mr. Siegal. I don't put the burden on
11 the complainant to prove anything. They
12 make the complaint and then we look at
13 all the available data and decide
14 whether there's enough evidence to
15 support the claim of misconduct or not.

16 The complainant doesn't have to
17 bring anything to the table other than
18 the complaint.

19 MR. DAVIE: Thank you, Mr. Joseph.

20 Other comments, questions?

21 (No response.)

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

24 MS. ALVAREZ: Before going to our
25 next speaker, Charlotte, I just wanted

1 to acknowledge that Neighborhood Bridges
2 and the Brooklyn Adult Learning Center
3 is also in attendance. So thank you so
4 much for coming.

5 Charlotte.

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

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

21 And we know in the Board's monthly
22 reports in the closed cases section of
23 the appendix, uniformed officers with
24 school safety are parsed out as a
25 miscellaneous command, and we'd ask if

1 Youth Coordination Officers or even NCOs
2 could also be broken down as a unique
3 kind of policing.

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

10 We feel it's important to offer some
11 more context around the work to limit
12 policing in schools and clarify that the
13 2019 organizing named in the report did
14 not call for more counselors than cops,
15 but rather called for counselors not
16 cops.

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

25 And lastly, just to clear, the MOU

1 is just a document. It does not include
2 the things that were listed. Like, it
3 did create restorative justice programs.
4 All of those other reforms happened
5 independent of the MOU and largely
6 absent the NYPD's involvement.

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

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

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

14 CHAIR DAVIE: Thank you so much.

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

17 I would love to talk to you more
18 about your recommendations for our
19 reports. Our general email is
20 policy@ccrb.nyc.gov. Mine,
21 specifically, is htarekegn,
22 T-A-R-E-K-E-G-N, @ccrb.nyc.gov.

23 But I do want to say that we are
24 looking into tracking both NCOs and YCOs
25 separately. So that is something that

1 the agency is already considering.

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

9 MR. DAVIE: Thank you, Harya.

10 Any other comments?

11 (No response.)

12 MR. DAVIE: So our next speaker.

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

21 So Gregory.

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

24 MR. DAVIE: We can hear you. Go
25 ahead.

1 MR. ANTINILLO: Oh, you can hear me.
2 Okay. Thank you.

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

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

22 And I did the math twice -- I did
23 the math twice and it was one-half of
24 one percent in which you sustained
25 complaints brought by the public, and if

1 I'm wrong on that, I'd like to know.
2 But that seems to me to be a very, very
3 high burden, much more than the
4 preponderance of the evidence, and I
5 cannot understand it.

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

9 MR. DAVIE: Thank you, Gregory.

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

12 MR. DARCHE: Sure. I think if you
13 look at our full investigations, roughly
14 20 percent of our full investigations
15 result in a substantiation.

16 So -- and if you think that slightly
17 less than half of our cases are fully
18 investigated because of the requirements
19 for a sworn complaint, that means
20 10 percent of the complaints made by
21 civilians get substantiated, which is --
22 it is -- it is not one percent -- it is
23 not less than one percent; it is
24 10 percent.

25 The -- I'm taking what Mr. Joseph

1 and Mr. Siegal said about the -- there
2 not being a burden, but one of the
3 things that we have to do in order to
4 substantiate allegations is show that
5 the preponderance of the evidence shows
6 that the event occurred, that it is the
7 right member of service, and that it was
8 misconduct.

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

19 I think it is important to note that
20 since the widespread implementation of
21 body-worn cameras, the substantiation
22 rate has gone up, especially for
23 complaints -- allegation involving
24 discourtesy and threats because we now
25 have audio with a lot of those

1 situations so we are able to determine
2 that, yes, discourtesy was used, or,
3 yes, there was an appropriate threat
4 made, and can substantiate those
5 allegations.

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

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

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

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

24 MR. DAVIE: Thank you. Thank you,
25 both.

1 Anyone else?

2 (No response.)

3 MR. DAVIE: All right. Our next
4 speaker.

5 MS. ALVAREZ: Awesome. Thank you
6 for that.

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

10 So Hannah.

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

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

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

24 I know that we've already talked
25 about no MOS has done an interview in

1 three months. What kind of backlog has
2 that created that investigators are now
3 going to have to struggle to overcome
4 once those interviews are completed?

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

16 Again, as someone who has done this
17 job, I know that's incredibly -- becomes
18 exponentially more difficult to come to
19 an affirmative finding -- so a
20 substantiation -- or an un-founding (sic)
21 rather than -- an un-substantiation --
22 as weeks and potentially months go by
23 after a complaint is filed -- memories
24 fade and statements become less
25 consistent -- and things that I'm

1 particularly interested in knowing, you
2 know, is there approved overtime for
3 investigators -- can you do that -- can
4 you get increased -- (inaudible) --

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

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

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

19 MR. DAVIE: Thank you.

20 Jon, do you want to take that one?

21 MR. DARCHE: Thank you, Mr. Chair.

22 So while the agency hasn't conducted
23 interviews of members of service, they
24 have been -- investigators have been
25 working very, very hard to conduct work

1 from our home, and it is difficult.

2 People have been going above and beyond
3 to get their work done, but the --

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

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

17 The -- when the initial financial
18 implications of the pandemic came in,
19 the Office of Management and Budget
20 asked us for -- (inaudible) -- which
21 means like how are we going to -- they
22 asked for a five percent reduction in
23 our budget and we -- because there is a
24 hiring freeze, decided to give up our
25 new bodies and also not hire for the

1 people who had left.

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

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

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

19 With regard to overtime, I think we
20 have to be careful not to overburden
21 people. And so if investigators want to
22 work overtime, we will make it
23 available, but I don't want to impose
24 mandatory overtime when, frankly, people
25 are already very stressed.

1 So we need to make sure that the
2 burdens of doing the job are not -- they
3 don't burn people out.

4 MR. DAVIE: Thank you, Jon.

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

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

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

25 To our next speaker.

1 MS. ALVAREZ: Thank you. Next we'll
2 be hearing Justin -- sorry -- Jared Jado
3 (phonetic). Then Justin Agomonte and
4 Noel Valencia (phonetic).

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

7 MR. DAVIE: Yes.

8 MR. JADO: All right. Thank you.

9 First of all, I'd just say thank you
10 to the Board and to the youth. That was
11 an excellent presentation and I got to
12 watch your last month's meeting, so I
13 got a little bit more versed on what you
14 guys do. So thank you and I understand
15 the obstacles.

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

22 So it's looking at the worst
23 instances of police abuse and then
24 figuring out how we can prosecute those
25 or bring about, you know, some sort of

1 restitution. And I think what we need
2 is really more of a rolling persistent
3 window into policing, so we can catch
4 trends and bias. You know, so is an
5 officer typically stopping people -- men
6 of color.

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

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

23 But basically, could you guys
24 potentially ask for a secondary server
25 that is an exact mirror -- a carbon copy

1 of what the police have in terms of when
2 officers are uploading their footage
3 because right now, what you're doing is
4 you're sending these requests, waiting
5 10 days -- three months, however long --
6 to then begin an investigation?

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

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

25 In addition, you know, if we can try

1 to levy this into career advancement for
2 officers, so when a police -- when a
3 particular officer is tagged for a
4 promotion, if that were the trigger
5 within the Board, a requirement that
6 they have to review that material
7 officer's footage to understand how do
8 you interact with the public, not just
9 what's on your record, but you do you
10 know how to de-escalate situations; do
11 you have any noticeable trends of bias.

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

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

23 MR. DAVIE: Thank you.

24 Jon, Nicole -- and I'll make a
25 comment -- but let me let you guys speak

1 first, if you want to address this.

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

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

18 So I understand that there may be
19 systems that work better than what we
20 have -- hopefully will get set up soon,
21 but to your answer about who is
22 monitoring body-worn camera on the
23 regular basis, I believe the Police
24 Department has set up a system where
25 they spot check a certain amount of -- I

1 guess they call if audit, cause they're
2 fancy -- they audit a certain number of
3 body-worn camera recordings per week per
4 man to ensure that people are complying
5 with the regulations around body-worn
6 cameras and also what they're doing on
7 that -- on the recordings.

8 MR. DAVIE: Thanks, Jon.

9 Any other comments from Board
10 members; anyone else?

11 (No response.)

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

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

22 Next speaker.

23 MS. ALVAREZ: Thank you so much.

24 So next we have Justin Agomonte,
25 followed by Noel Valencia, and Nicole

1 Aversa (phonetic).

2 MR. AGOMONTE: Hello. Am I audible?

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

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

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

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

22 In a study labeled -- (inaudible) --
23 we imagine the safety and security in
24 our communities. The communities,
25 United for Police Reform, a -- sorry --

1 a campaign to end discriminatory
2 policing practices in New York, which
3 brought together a movement of community
4 members, lawyers, researchers and
5 activists estimated that with the 100
6 million that is essentially the cost
7 associated with hiring a proposed 10,000
8 police officers, they could fund
9 programs for the youth -- which is why
10 I'm bringing this up toward relevancy
11 that you spoke of before -- and fund
12 programs, such as after-school programs,
13 which would cost about 13.6 million or
14 summer youth programs would cost under
15 100 million.

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

25 We've seen it before that these

1 schools get budget cuts to their art
2 programs and students are just left with
3 the bare minimum, but I believe that
4 with this reinvestment strategy, part of
5 these programs cannot only touch the
6 schools, but it also can just be
7 reallocated to the community as a whole.

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

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

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

19 MR. DAVIE: Mm-hmm.

20 MR. AGOMONTE: How non-native
21 English speakers who are most vulnerable
22 to police misconduct and have the most
23 trouble being the ones to represent
24 themselves, are able to receive this
25 information.

1 MR. DAVIE: So let me just speak to
2 the issue of police budget reallocation.
3 We spoke to that earlier and I made a
4 personal comment about being supportive
5 of the position that the Commissioner
6 and the Mayor have taken about looking
7 at the Department's budget and
8 redirecting some of those resources
9 toward youth-related and perhaps other
10 types of social service programs.

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

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

22 As to non-English speakers and the
23 NYPD and investigations, Jon or someone
24 else from the staff, you want to speak
25 to that?

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1 MR. DARCHE: With regard to
2 non-English speakers, first, we try and
3 hire as diverse a staff as possible to
4 endure that we have people who can speak
5 as many languages as possible on staff,
6 but New York City, with over 200
7 languages, that's just not possible.

8 And so we have access to language
9 lines to provide translation services --
10 interpretive services.

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

13 (No response.)

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

16 Next speaker.

17 MS. ALVAREZ: Noel Valencia.

18 MR. DAVIE: Noel.

19 MR. VALENCIA: Hello.

20 MR. DAVIE: Yes. Go ahead.

21 MR. VALENCIA: Hello. My name is
22 Noel (inaudible) Valencia. I'm a
23 college student here in Queens and I
24 would like to talk more about filing
25 complaints and the issue with so-called

1 instances of he said/she said
2 complaints.

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

7 The New York Police Department and
8 state legislator should promote public
9 transparency over police body camera
10 footage by establishing policies that
11 require the use of body cameras and
12 dashboard cameras by police departments,
13 all body camera to be accessible to
14 review all that body camera footage to
15 be accessible for review by the Civilian
16 Review Board (sic), and stored unless
17 specifically requested not to, notify
18 civilians who have been recorded by
19 police body cameras that they have the
20 right to remain anonymous if they
21 choose, allow civilians to have full
22 access to body camera footage of
23 themselves or their family members,
24 require that police officers -- require
25 for police officers to provide evidence

1 when denying a Freedom of Information
2 request for body or dash cam footage,
3 and determine whether footage has
4 tampered with or is missing as a
5 negative evidentiary factor in criminal
6 and administrative proceeding.

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

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

23 Thank you. I yield my time.

24 MR. DAVIE: Thank you, Noel.

25 Any questions or comments from my

1 colleagues on the Board or staff?

2 MS. IRISH: I --

3 MR. DAVIE: Sure.

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

20 So we have a public that is taking
21 agency -- taking initiative to make
22 recordings themselves and that is also
23 playing a role in increasing the number
24 of substantiations that we're able to
25 make.

1 And, you know, I agree with Jon -- I
2 would add too that the burden of proof
3 is not on the complainant, but it is on
4 us as CCRB in making a recommendation
5 for discipline that we are able to
6 substantiate it to the level that we
7 feel comfortable and that is a
8 preponderance of the evidence standard.

9 MR. DAVIE: Thank you, Corrine.

10 Any other comments?

11 (No response.)

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

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

25 They should be careful not to

1 interfere with what's going on, and then
2 officers have an obligation, and I think
3 there's an attempt at some legislation
4 around this, not to interfere with
5 people who are and recording. And I
6 think there are many -- too many
7 instances of that that we need to
8 continue to address, and we need to make
9 sure that the officers turn on their
10 body-worn camera footage as required.

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

17 MR. DAVIE: Thank you, Mr. Darche.

18 Other comments?

19 (No response.)

20 MR. DAVIE: Next speaker then.

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

1 question.

2 Can you please explain to me more
3 what exactly de-funding of the
4 NYPD/Police Department exactly means?
5 Although there is a movement now to
6 dismantle the police due to recent and
7 past acts, what repercussions will this
8 movement of funds have to public safety?

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

18 (No response.)

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

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

24 MR. DAVIE: Are you there?

25 MR. HILL: Yeah, can you hear me?

1 MR. DAVIE: Yes, we can.

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

8 My main question is, from everything
9 you've shared -- (inaudible) -- you guys
10 are really -- (inaudible) -- in a number
11 of ways. I understand from your website
12 that you have a 15 million dollar
13 budget; the NYPD has close to a
14 6 million dollar budget.

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

25 So just I want to ensure you sincere

1 effort. It seems like there's a lot of
2 systematic obstacles that your work
3 faces and I would like to know from you
4 guys who should civilians and others who
5 think that that's not right contact to
6 see that some of those changes happen so
7 that you can do your work even better?

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

11 MR. HILL: Great.

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

20 In some ways the agency takes a look
21 at systematic issues and comments on
22 them and how changes might be made
23 through our policy reports and other
24 measures. The staff does it one on one,
25 but clearly more needs to be done.

1 And you're right, it is kind of a
2 David and Goliath relationship, but we
3 persevere and I think that --

4 MR. DARCHE: David won.

5 MR. DAVIE: I'm sorry, Jon?

6 MR. DARCHE: David won.

7 MR. DAVIE: David won. (Laughter.)

8 David did indeed and we're going to
9 persevere and continue to try to
10 represent the civilians of this City as
11 a Civilian Complaint Review Board to
12 hear their -- to hear their allegations
13 against officers and adjudicate them
14 within the jurisdiction that we have as
15 best we can, and we're going to continue
16 to work on resources to allow us to do
17 that and changes at the Department that
18 are more responsive to this
19 relationship, but also more responsive
20 to the citizens of the City.

21 Any other comments, Board members?

22 MR. RIVADENEYRA: (Indicating.)

23 MR. DAVIE: Mr. Rivadeneyra.

24 MR. RIVADENEYRA: Thank you, Chair.

25 I just wanted to piggyback on your

1 comment about -- in terms of some of the
2 systemic barriers that we have, funding
3 being one of them. Yes, definitely we
4 try to counsel to the Council members
5 cause they're the ones who control the
6 budget, negotiations with the Mayor and
7 his administration.

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

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

21 MR. DAVIE: Thank you, Mr.
22 Rivadeneyra.

23 Other comments?

24 (No response.)

25 MR. DAVIE: All right. Thank you,

1 Malcolm.

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

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

7 MS. YOUNG: Hi. Can you hear me?

8 MR. DAVIE: We can indeed.

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

16 The community feels very fervent
17 about a lot of different policy
18 solutions for the Police Department
19 during this crucial time such as the
20 banning of chokeholds, mandating that
21 officers expand all forms of non-lethal
22 use of force on suspects, the firing of
23 all police officers found to have used
24 excessive force or covering their
25 badges, giving the public access to

1 officer's records, and mandating that
2 all police officers give civilians their
3 name, badge number, and reason for the
4 stop after proceeding through their
5 regular stop procedures.

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

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

16 Your Board should be actively
17 auditing policies and practices of the
18 NYPD so that we can ultimately, you
19 know, prevent police misconduct
20 complaints in the first place. It
21 shouldn't take a complaint to compel an
22 investigation on whether there are
23 broader policy decisions or unwritten
24 practices that lead to police misconduct
25 and the targeting of people of color.

1 And the community also wonders if
2 the Memorandum of Understanding is
3 enough when it comes to the authority
4 that you guys have with these
5 investigations.

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

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

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

25 Next speaker, please.

1 MS. ALVAREZ: Next we'll be hearing
2 from Rosalia.

3 MS. DIAZ: Yes. Can you hear me?

4 MR. DAVIE: Yes, we can.

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

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

18 During the second interaction, they
19 were -- they were told it was okay when
20 a students introduced themselves and
21 spoke about what it was that they trying
22 to accomplish. And then the third time
23 when it was two girls of color, they
24 were told to leave and that they
25 shouldn't be there. That they needed

1 some kind of permit or whatever.

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

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

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

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

24 MR. DAVIE: I'll take a stab at this
25 and just make a suggestion and then ask

1 my colleagues, again, both staff and
2 Board members to comment.

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

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

15 (No response.)

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

25 The Neighborhood Coordinating

1 Officer would be one good person also to
2 have a conversation with about this so
3 that the precinct knows what this
4 activity is.

5 MS. TAREKEGN: Chair Davie --

6 MR. DAVIE: Yes.

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

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

22 MR. DAVIE: Thank you, Harya.

23 MR. DWYER: And I would just -- I
24 join with the Chair's recommendation to
25 make an appointment with the NCO, but I

1 would also suggest that -- and I don't
2 know all the specifics of this piece of
3 land -- but if this is a CUNY sponsored
4 activity, to give the students letters
5 that they can carry with them explaining
6 that the students are engaged in a
7 project cause it's always possible the
8 one officer who would show up on a given
9 day would be the officer who didn't get
10 the message about this, so that they can
11 take out a letter and show the person,
12 this is part of our academic activity
13 and that could be of great assistance.

14 So often these things are just a
15 matter of people having communicated
16 with each other on both sides.

17 MR. DAVIE: Thank you, Mr. Dwyer.

18 Other comments from Board members or
19 staff?

20 (No response.)

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

23 MS. ALVAREZ: Next we have James
24 Yates.

25 MR. DAVIE: Mr. Yates, I think we

1 know you.

2 (No response.)

3 MR. DAVIE: Are you there?

4 (No response.)

5 MR. DAVIE: He might be on mute.

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

8 So next we have Audra Jones.

9 (No response.)

10 MR. DAVIE: Is the speaker there?

11 MS. JONES: Hello.

12 MR. DAVIE: Yes, we can hear you.

13 Please go ahead.

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

22 I was a witness to numerous
23 countless instances of police brutality
24 over the past 10 days beginning at
25 Barclay Center on May 29th. I can say

1 with complete confidence that the police
2 force is out of control.

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

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

16 I'm concerned as a citizen and New
17 Yorker from birth -- 50 years now --
18 20 years in Brooklyn -- how the CCRB
19 really has authority and force behind
20 it. I don't think you're big enough; I
21 don't think you're funded enough.

22 Looking at the statistics, it's
23 disheartening to see that a body of
24 citizens that could have so much power
25 has very little power with all due

1 respect to all of your work.

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

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

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

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

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

20 I would agree with you, we can
21 always use more money, and I do think
22 that some additional authority is
23 warranted as well. But those are
24 conversations that we'll continue to
25 pursue for time -- for some time to

1 come, but thank you for your comments.

2 Next speaker.

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

5 MR. DAVIE: Go ahead.

6 (No response.)

7 MS. ALVAREZ: James?

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

10 (No response.)

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

14 MR. DAVIE: Is --

15 MR. FRIGMAN: (Inaudible.)

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

18 MS. FRIGMAN: (Inaudible.)

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

24 Let's go to the next speaker.

25 MS. ALVAREZ: Ilia, thank you so

1 much. We couldn't hear you so I'm going
2 to call you -- I'm going to call you
3 back and un-mute you in just a second
4 after the next speaker and see if we can
5 fix those audio problems.

6 So next we have Kathleen Vetty
7 (phonetic).

8 (No response.)

9 MR. DAVIE: Is the speaker there?

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

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

20 In addition to that question, I'm
21 wondering if you're set up to work with
22 volunteers, and if not, do you think
23 it's possible to remedy the hurdles that
24 prevented you from being able to use
25 them in the past?

1 My last question is, is the CCRB
2 funded 100 percent through City funds,
3 and if not, what are the other sources?

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

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

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

20 With regard to the concurrence rates
21 with the -- concurrence rates with the
22 Commissioner upholding our
23 recommendations, it is -- I don't have
24 those numbers for five years, but -- I
25 had them a minute ago --

1 MS. NAPOLITANO: Jon, it's Nicole.

2 I can jump in with the stats --

3 MR. DARCHE: Sure, Nicole.

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

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

13 MS. NAPOLITANO: Better?

14 MR. DAVIE: Yes.

15 MS. NAPOLITANO: Okay. So in 2019
16 there was a 51 percent discipline
17 concurrence rate for cases in which
18 there were no charges recommended --
19 discipline, training, or instructions.
20 28 percent of the time there was
21 discipline difference, meaning there was
22 some discipline given, but less than
23 what was recommended. 15 percent of the
24 time there was no discipline given.

25 For our APU cases, last year, there

1 was a discipline concurrence of 32
2 percent, meaning those are the cases in
3 which what was given was the penalty
4 that was requested by our APU
5 prosecutors.

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

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

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

23 MR. DAVIE: Thank you, Nicole.

24 And concurrence rates continue to be
25 an issue and it is one of the arguments

1 that is being made about -- about sort
2 of final authority. So it's one we'll
3 continue to work on, but thank you for
4 your question and your comments.

5 Next speaker, please.

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

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

10 MS. FRIGMAN: (Inaudible.)

11 MS. ALVAREZ: Ilia?

12 MR. DAVIE: Ilia?

13 MS. FRIGMAN: (Inaudible.)

14 MR. DAVIE: So let's --

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

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

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

1 way.

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

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

11 MR. DAVIE: Jon?

12 (No response.)

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

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

21 So we have chosen a room that is
22 actually on the same floor as the
23 current CCRB is for the initial secure
24 room so that it would be convenient for
25 our staff to be able to go and view --

1 (inaudible).

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

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

14 Just as we were about to get back
15 moving again, the protests occurred and
16 the Department shifted their manpower
17 again so that people were working
18 12-hour shifts with no days off, which
19 made it tough for us to work with folks
20 who were instead of being able to do
21 their normal work were elsewhere.

22 The -- you know, we're -- I'm
23 hopeful that we can resume member of
24 service's interview -- member of service
25 interviews on the week of the 22nd and

1 that we'll be able to start reviewing
2 body-worn camera footage much sooner
3 than that on these current cases cause I
4 feel like events of the last 10 days are
5 not -- these are the type of events that
6 the CCRB was created for.

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

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

22 MR. DAVIE: Thank you, Mr. Darche.

23 Any comments, questions from the
24 Board members?

25 (No response.)

1 MR. DAVIE: All right. We'll go to
2 our next speaker.

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

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

8 MR. DAVIE: Good evening.

9 MR. RIGGINS: Thank you guys once
10 again for doing this awesome work.
11 Every avenue that the citizens have to
12 share their apprehensions and thoughts
13 about policing and justice is a blessing
14 and a pleasure.

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

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

1 investigations?

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

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

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

18 (No response.)

19 MR. DAVIE: If they want to.

20 MR. DARCHE: The most important
21 thing that will happen is that the
22 public will be able to look at the
23 information that we have and the
24 decisions that the Board makes and that
25 the Department has made after the Board

1 sends up cases and to determine whether
2 or not justice was done, and that will
3 help public focus their efforts on how
4 to reform things or whether they need to
5 be reformed at all.

6 MR. DAVIE: Any other comments from
7 Board members?

8 (No response.)

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

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

13 MS. FRIGMAN: (Inaudible.)

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

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

20 MS. McELLIOT: Great. Thanks so
21 much and thanks to everyone on the CCRB,
22 especially thanks to the Youth Advisory
23 Council for the great presentation and
24 for your participation in the meeting
25 today.

1 I was really struck by the
2 similarities between the experiences
3 that you reported in the June 8th report
4 of what youth had been enduring in New
5 York with what so many of us had been
6 seeing in the last 10 days in terms of
7 NYPD's -- a very high rate of NYPD
8 criminal assault and violations of New
9 Yorker's constitutional rights and it
10 seems not just -- you know, again, not
11 just handfuls, but dozens and hundreds
12 of officers who don't seem to know what
13 the law is or what the constitutional
14 violations they're committing even are.

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

21 So I just wanted to reach out to the
22 folks on the Youth Advisory Council who
23 contributed to the report and contribute
24 their expertise to the conversation that
25 I think even if there's a lot of New

1 Yorkers who are focused right now on the
2 budget, a lot of New Yorkers who are
3 focused right now on accountability
4 around these most recent crimes, that
5 the larger conversation about, you know,
6 why aren't there more dismissals of
7 police officers who do these repeatedly.
8 What are the structural things that need
9 to change?

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

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

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

25 Anyone -- Board members, staff?

1 MS. TAREKEGN: Yes, I would love to
2 respond.

3 MR. DAVIE: Sure. Is that Harya?

4 MS. TAREKEGN: Yes.

5 MR. DAVIE: Please.

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

17 And so we have tried to memorialize
18 that, but definitely it is a
19 conversation that we continue to have
20 with our Youth Advisory Council members,
21 and for everyone who is on this call,
22 actually please look out in early fall,
23 around September, is when our
24 application goes up for the Youth
25 Advisory Council.

1 So if you know young New Yorkers,
2 ages 10 to 24, we would highly encourage
3 them to apply and we look forward to
4 receiving their applications.

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

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

11 MR. JOSEPH: Okay. Now I'm ready.
12 Speaking about the Youth Advisory
13 Council, earlier on there was a question
14 about the PSA and I think the question
15 was whether it was available in
16 languages other than English and what
17 were those languages and where was it
18 found.

19 MR. DAVIE: Yojaira --

20 MS. ALVAREZ: Yeah, so on staff we
21 have folks that obviously are
22 multilingual. With the -- so for
23 presentations, I think previously they
24 were asking about that. We'd be happy
25 to conduct presentations in whatever

1 language you request and we can have
2 that translation.

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

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

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

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

25 MR. DAVIE: I don't know how that

1 last contribution actually got to the
2 program, but I'm glad it did.

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

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

16 (No response.)

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

19 (No response.)

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

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

24 MR. DAVIE: Is there a second?

25 UNKNOWN SPEAKER: Second.

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

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

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

19 (Chorus of "Ayes".)

20 MR. DAVIE: Opposed?

21 (No response.)

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

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at this point. Thank you.

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

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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.



Julia M. Speros

<p>& 2:4,13</p> <p>10th 167:18</p> <p>12hour 154:18</p> <p>1800341ccrb 20:19</p> <p>21st 20:8</p> <p>22nd 21:2 154:25</p> <p>29th 19:3 144:25</p> <p>500a 57:14</p> <p>50a 12:23 25:5,12,24 26:13 27:18 57:1 118:18 135:10,11 157:14 (11)</p> <p>6th 37:12</p> <p>8th 159:3</p> <p>===== ===== ===== ===== 2:3 ===== ===== ===== ===== ===== 3:3</p> <p>@ccrbnycgov 103:22</p> <p>aberration 11:4</p> <p>abiding 40:2</p> <p>ability 109:22 110:11</p> <p>able 27:17 40:20 57:6 60:14 62:22 65:1 69:12 70:10 81:6,8 87:7 94:25 95:7,13 108:1 114:23 116:15</p>	<p>121:12,13 122:22 123:24 128:24 129:5 140:5,15,23 148:24 153:5,25 154:20 155:1,18 157:9,22 160:16 (35)</p> <p>about 4:17 5:1,3,10 6:22 7:12 9:18 11:7 15:11 18:25 19:6 21:6 25:8,24 27:4,24 29:5,25 47:2,10,23 48:1 51:9 52:25 53:10 55:10 57:3 61:12 62:1,20,24 63:1,14,22,24 64:2,21 65:16,25 67:5 69:12 71:23 76:25 77:20 78:3,21 83:19 90:17 94:17 95:8,15 97:14 103:18 104:4 107:1 108:16 109:25 113:13 115:25 117:11 119:15,21 121:10,17 122:13 123:9 124:4,6 125:24 135:1 136:12,17 139:21 141:7 142:2 143:10 148:11,12 149:10,13 151:20 152:1,1 153:9 154:14 156:13 157:7 158:14 160:5 162:12,14,24 163:9 164:11 (94)</p> <p>above 112:2</p> <p>absent 103:6</p> <p>absolutely 42:11 96:16</p> <p>abstracts 93:19</p> <p>abuse 38:2 43:9</p>	<p>51:12 86:15 115:23 130:16 (6)</p> <p>academic 143:12</p> <p>academics 62:24</p> <p>accepted 66:24</p> <p>access 20:13,15 117:9 119:7 125:8 126:22 136:25 (7)</p> <p>accessible 126:13,15</p> <p>accompanying 53:19</p> <p>accomplish 139:22</p> <p>accordance 13:13</p> <p>account 66:11 107:17 110:6</p> <p>accountability 19:22 27:11 45:3,10 148:11 160:3 (6)</p> <p>accountable 15:19 45:5 81:22 92:13 117:23 (5)</p> <p>achieve 77:8 119:16</p> <p>achieved 116:15 119:14</p> <p>acknowledge 14:25 15:24 16:4 34:23 43:22 88:19 101:1 104:16 (8)</p> <p>acquired 74:15</p> <p>acronym 37:18 43:1 163:22</p>	<p>across 14:16 19:2 26:11 47:21 48:11 62:7 90:11 98:5 (8)</p> <p>act 27:1 39:1,19 40:3 146:2 (5)</p> <p>acted 13:13 52:3</p> <p>acting 28:11</p> <p>action 35:18 79:13 81:22 92:9 139:8 140:12 167:14 (7)</p> <p>actions 26:10 77:2,21 92:15 140:12 (5)</p> <p>active 26:12 81:3</p> <p>actively 43:7 137:16</p> <p>activists 121:13 122:5</p> <p>activities 64:8,9 124:15,17 (4)</p> <p>activity 142:4 143:4,12</p> <p>acts 131:7</p> <p>actual 64:21</p> <p>actually 44:12 51:5 63:15 86:17 98:8 109:12,13 112:8 114:14 120:19,20 137:14 153:22 161:22 164:1 (15)</p> <p>add 42:1,8,20 129:2 (4)</p> <p>added 21:13</p> <p>addition 19:14</p>	<p>78:24 117:25 148:20 (4)</p> <p>additional 15:5 55:17 111:12 112:10 146:22 (5)</p> <p>additionally 153:8</p> <p>address 30:4 45:10 47:4 89:20 108:12 119:1 130:8 (7)</p> <p>addressed 30:3</p> <p>adjourn 2:18 164:21,22</p> <p>adjourned 165:23</p> <p>adjudicate 12:12 134:13</p> <p>adjudicates 32:5</p> <p>administration 135:7</p> <p>administrative 58:11 59:9,12 127:6 (4)</p> <p>admit 105:14</p> <p>adoption 2:6</p> <p>adult 63:21 101:2</p> <p>adults 46:19 63:16 66:2</p> <p>advance 89:12</p> <p>advancement 118:1</p> <p>advent 11:9</p> <p>advise 16:16 62:8</p>
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