CIVILIAN COMPLAINT REVIEW BOARD
PUBLIC MEETING
January 12, 2022
6:35 p.m.

HELD VIA VIDEO CONFERENCE

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

Transcribed by:
Stephanie O'Keeffe
PUBLIC MEETING AGENDA

1. Call to Order
2. Adoption of Minutes
3. Report from the Chair
4. Report from the Executive Director
5. Presentation from Outreach on CCRB
6. Public Comment
7. Old Business
8. New Business
9. Adjourn to Executive Session
BOARD MEMBERS PRESENT

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1. Frederick Davie, Board Chair
2. Erica Bond, Board Member
3. Corrine Irish, Esq., Board Member
4. Dr. Demetrius S. Carolina Sr., Board Member
5. Arva Rice, Board Member
6. Esmeralda Simmons, Esq., Board Member
7. Joseph A. Puma, Board Member
8. Michael Rivadeneyra, Esq., Board Member
9. Herman Merritt, Board Member
10. Willie Freeman, Board Member
11. Salvatore F. Carcaterra, Board Member
12. John Siegal, Esq, Board Member
13. Frank Dwyer, Board Member

Presenters:

Jahi Rose - Director of Outreach
New York City Civilian Complaint Review Board
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MS. ALVAREZ:  Good evening, everyone. Thank you so much for joining us.

For those that would like ASL services, our ASL interpreters today are Aisha Simpson and Craig Ridgway. There will be a link in the chat that will provide you instructions on how to pin their videos and a CART services link will also be provided.

Thank you.

CHAIR DAVIE:  Thank you, Yojaira.

Good evening, everyone. Welcome to the Civilian Complaint Review Board's January Board Meeting.

My name is Fred Davie, I am the Chair of the Board, and this is our first meeting of 2022.

I'm going to ask my fellow board members if they will introduce themselves, and I will start with Mr. Carolina.

MR. CAROLINA:  Good evening.
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Demetrius Carolina, Staten Island
Mayoral Appointee.

CHAIR DAVIE: Thank you. Ms. Simmons.

MS. SIMMONS: Good evening. Esmeralda Simmons of Brooklyn, New York, Public Advocate appointee.

CHAIR DAVIE: Mr. Merritt.

MR. MERRITT: Council Representative from Brooklyn.

CHAIR DAVIE: Mr. Puma.

MR. PUMA: Good evening. My name is Joseph Puma. I am the City Council Representative on the Board from Manhattan, and a life-long resident of the lower East Side.

CHAIR DAVIE: Mr. Rivadeneyra.

MR. RIVADENEYRA: Good evening. Michael Rivadeneyra. I am the City Council Appointee for the Bronx, residing in the Bronx.

I just wanted to take a quick moment and thank everybody out there for all their prayers and support for
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the Bronx, the tragedy of this past weekend, and the Bronx is coming together.

CHAIR DAVIE: Indeed. Prayers for sure and all of our support and resources that we can render to help what is a horrific, horrific tragedy there in the Bronx.

Thank you, Michael.

Mr. Carcaterra.

MR. CARCATERRA: Good evening everyone. My name is Sal Carcaterra, and I'm a Police Commissioner Designee to the Board.

And to echo Michael's and the Chair's sentiments, you know, just prayers to families of those victims.

CHAIR DAVIE: Thank you.

MR. CARCATERRA: -- many victims.

CHAIR DAVIE: Thank you, Sal.

Ms. Bond.

MR. CARCATERRA: You're welcome.

CHAIR DAVIE: Sure. Is it not
working? Okay. Should I introduce you and we'll come back?

So Erica Bond is a Mayoral appointee and hails from Brooklyn. Is that right? Alright. And you're still on mute, unfortunately.

Did I miss anyone? Is there anyone else, any other Board member?

Alright. We are expecting some other Board members to sign on, a few are having technical difficulties, but if I'm correct, we have a quorum.

And as much as we do, I'm going to ask for an approval, a motion to approve the minutes from the last meeting.

Is there a motion?

MR. CAROLINA: So moved.

CHAIR DAVIE: Is there a second?

MR. CARCATERRA: Second.

CHAIR DAVIE: Are there any changes or corrections to the minutes?

(No Response.)

Hearing none, all those in favor
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of approving the minutes, please say aye.

(Chorus of "ayes")

Any opposed?

(No response)

The minutes are approved. Thank you.

I'm gonna remind Board members to mute and then when, when we're back or when you're speaking, then remember to unmute and that will help cut down on some of the background noise.

So, as many of you know, I have served as Chair of the CCRB for the last five years. Today will be my last Board meeting.

In June, I reached out to Mayor Adams to congratulate him on becoming the Democratic Nominee for Mayor, and I informed him then in that new year, I plan to step down as Chair. I reiterated this in November, and shared my decision with key advisers.

My resignation has only to do
with my believing I've served in this role long enough, and it's time for someone else to take the helm.

It's been an honor and a privilege to serve the City and the people of New York as part of the CCRB.

I joined the Board in 2016 and became Chair in 2017, and over these six years, we have made great strides. I am proud to have worked with City Hall, the City Council, the State Legislature Advocates, and many others to strengthen civilian oversight of the NYPD.

Just this year, the City Council approved multiple bills expanding the Agency's powers. In April, they passed a bill expanding the CCRB's jurisdiction to include investigating bias-based policing and racial profiling. This new unit will finally provide recourse for victims of biased-based policing, and is led by
Darius Charney, one of the country's leading civil rights lawyers. Mr. Charney has long championed the fight against racial profiling in New York City, and I look forward to seeing him and his new unit continue fighting for justice for marginalized New Yorkers.

This expansion of CCRB's jurisdiction happened shortly after the Board voted to adopt new rules to allowing the Agency to investigate sexual misconduct and false official statements made by NYPD officers. While the police unions continue to fight these expanded investigative powers, just two months ago the State Supreme Court of New York upheld the CCRB's right to investigate these types of misconduct.

In November, the City Council passed another Bill granting the CCRB the power to self-initiate complaints. Council member, and now Speaker, Adrienne Adams, spearheaded the Bill,
which finally shifts the burden of responsibility away from the victim and back onto the Agency. It also ensures that all misconduct can be addressed, whether or not there is a viable complainant who can be the responsibility of that role.

These new powers of investigation are critical developments, and I want to thank our partners and my fellow Board members for their work in making them happen. However, in order for the CCRB to fully investigate these additional forms of misconduct, the Agency needs access to all records of police misconduct, including sealed records. Records are often sealed due to police misconduct, and it is crucial that the CCRB be exempt from sealing statutes in order to properly address all misconduct.

In 2019 the City -- the City proved for some New Yorkers, the CCRB
is the only form of recourse after experiencing misconduct, even if this misconduct results in death.

Daniel Pantaleo, the officer responsible for Eric Garner's death, was not held accountable for his actions until the CCRB took the case to trial, thanks to the hard work of our investigators, the Administrative Prosecution Unit, the NYP -- the Administrative Prosecution Unit, the NYPD finally terminated Mr. Pantaleo, making New York safer for everyone.

Strengthening the Agency throughout my tenure included also enhancing services to civilians and expanding personnel. For instance, we created the Civilian Assistance Unit, staffed by victim's advocates, licensed social workers, trauma services professionals to provide free and confidential assistance to victims and complainants.

We also started the Youth
Advisory Council, made up of a group of young New Yorkers who are passionate about improving policing. Given young people are often victims of police misconduct, we wanted to ensure their voice is heard as the CCRB grows.

The CCRB also worked to increase transparency for all New Yorkers. In 2020, in response to years of organizing by advocates and the protest against police misconduct after the murder of George Floyd, New York State repealed Civil Rights Law 50-a. The CCRB immediately began working on a way to make the work we've done for so long available to the public.

Immediately after, the U.S. Second Circuit Court of Appeals lifted its order and the Court's stay on the City and the CCRB, the Agency released its officer history in a public database, available on the CCRB
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website. The searchable database includes many details of the case, including Board disposition, the NYPD disposition, and the NYPD penalty imposed.

We started 2021 with hopeful signs of cooperation, such as signing the MOU on the Disciplinary Matrix with Commissioner Shea. When I joined the Board, the Board only recommended that ten percent of officers receive the most serious form of discipline; whereas, now the Board recommends that 48 percent of the officers against whom it has substantiated misconduct, receive charges, the most serious form of discipline.

While this is a great success, the NYPD decisions this year have not always lived up to the MOU. The CCRB substantiated misconduct against 80 officers while investigating Black Lives Matter protest. Of the 12 cases the NYPD closed, 9 received no
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discipline. In the last year, we saw non-APU concurrence rates fall from 73 percent to 68 percent, while APU cases only saw a concurrence rate of 27 percent in 2021. And these numbers don't account for several CCRB cases where the Department Advocate's Office, the DAO, is refusing to serve charges. The DAO stated in -- it is stated in the 2012 memorandum that established that Administrative Prosecution Unit between CCRB and the NYPD that charges and specifications shall properly be drafted by CCRB and thereafter be served up on the subject officer by the DAO, the Department Advocate's Office, on behalf of the CCRB. Recently, the DAO has refused to continue its duty to serve officers with CCRB charges in some cases. This recent development is extremely concerning and undermines the 2012 MOU, under which we have operated over these last nine years. The CCRB hopes
to work with Mayor Adams and the new administration to rectify this situation.

This recent development only reaffirms my belief that the only pathway to true and fair accountability of police misconduct is by granting the CCRB final disciplinary authority for CCRB cases. Until then, I am hopeful the new administration will support the CCRB and be partners in holding the NYPD accountable in increasing and strengthening civilian oversight of NYPD discipline.

Mayor Adams has said that we must stand for a commitment to justice that is fair and safe, and I believe that includes a commitment to holding officers accountable for misconduct.

I also want to thank the Mayor, thank Mayor Adams for including me on the Transition Committee for Public Safety and Justice, which ensured the
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CCRB successes and goals were heard at
the start of this new administration.

I look forward to seeing the
great strides the CCRB will continue
to make, and I hope to continue to
support this Agency and the
advancement of civilian oversight in
any way deemed effective and
appropriate going forward.

My sincere gratitude to Mayor
Bill de Blasio and his team, my fellow
Board members, CCRB staff, especially
Jon and Matt, with whom I have worked
closely over these years, the Youth
Advisory Council, elected and public
officials, key police officials,
members of service, the advocates, and
especially the complainants and
victims for insisting on
accountability in policing in this
City.

With that and my sincere thanks,
I will pass it on to our CCRB
Executive Director Jonathan Darche.
MR. DARCHE: Thank you, Chair Davie.
Your leadership and service over the years have been instrumental in the Agency's many accomplishments. On a personal note, your wisdom, counsel, and guidance provided me with great comfort and wise choices, often in extremely difficult circumstances, and I want to publicly thank you for that.

The staff here at the Agency will continue your legacy and keep fighting for accountability for all New Yorkers.

While Chair Davie outlined numerous successes over the years, there are still many challenges we face. In order to properly address misconduct, we look to the Mayor, the City Council, and the State Legislature to support us in our upcoming goals.

The Agency needs to be exempt
from sealing statutes. Currently the CCRB must request sealed records, which NYPD has to deny. Many of these records are sealed due to police misconduct. Not having these records keeps us from getting key evidence and delays investigations. This is a particularly key problem for the new unit investigating racial profiling and biased-based policing. We hope this needed exemption will pass through the State Legislature this year.

While there have been huge improvements in fulfilling requests for NYPD records, particularly body-worn camera footage, it is important that the CCRB should have direct access to the body-worn camera footage and other necessary records in order to more efficiently complete our investigations.

As Chair Davie discussed in his remarks, resting final authority over
discipline in the CCRB for cases where the Board substantiates misconduct is another priority for the Agency.

On Monday night, Mayor Adams and Director Jiha of the Office of Management and Budget informed senior members of the Administration of a budget cap in the current fiscal year, next fiscal year, and out years.

The CCRB will be one of the agencies asked to cut spending by three percent in this fiscal and the next fiscal year. I want to stress that the Mayor spoke strongly of the need to avoid layoffs in meeting this challenge and also stated that the services offered to residents of the City cannot be compromised.

There is going to be a hold placed on promotions and new hires until the new plan is submitted to the Office of Management and Budget and worked out. The executive staff and budget director of the Agency will be
working closely with OMB over the next few weeks to produce the plan that will allow the Agency to continue to provide New Yorkers with the civilian oversight of the NYPD that they demand. While meeting these goals will be a challenge, the Agency is better able to meet this challenge because of steps taken during the last two years to restructure the Agency.

Some ground rules for this afternoon. Please, during the public session, use the raise hand feature to make a comment and please keep your comments to two minutes.

And I want to thank staff for all their hard work, and thanks again to the members of the public participating in today's meeting.

Thank you, Chair.

CHAIR DAVIE: Thank you, Mr. Darche.

We have had a couple of Board members to join us. I'm gonna have
them introduce themselves and then I'm gonna see if there are any questions from Board members on your report, Jon.

So, I see Mr. Dwyer has joined us.

MR. DWYER: Frank Dwyer, Police Department Representative.

CHAIR DAVIE: Ms. Rice has joined us.

MS. RICE: Good evening, Arva Rice, Mayoral Representative. I'm calling in from Harlem.

CHAIR DAVIE: Okay. Thank you. And Ms. Irish has joined us.

MS. IRISH: Corrine Irish, Mayor Appointee, also from Harlem.

CHAIR DAVIE: Did I miss anyone? (No response.)

Are there any questions or comments on Jon's remarks? (No response.)

Jon, are there any immediate implications of the issues
related to the Peg and I won't call it a freeze, but the considerations that have to be given around the hiring?

MR. DARCHE: So, it is, it is going to be a challenging process to make sure that we make choices that allow the Agency to continue to function in a way that serves the people we are charged by the Charter to serve, and we have proven that we can do that, and Jeanine and David, the Deputy Executive Director for Administration and our Budget Director and Director of Operations, are very good at coming up with a plan that will allow us to do that.

We're still in the very early stages. Again, this first came down Monday night, so when we, when we meet again next month, I'll have a better sense of how we're going to do it.

On the one hand, three percent for this fiscal year is a challenge because we're already halfway done
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with our fiscal year, but we should have -- I actually think, because we haven't fully implemented the Racial Profiling and Biased-Based Policing Unit, we should be okay for this fiscal year. It is in the out years, especially next fiscal year, where the challenge will be, and so there is no dire immediate emergency.

CHAIR DAVIE: Great. Thank you for that, Jon. And I'm sure that the Board members and others can continue to work with the new administration and the City Council, you know, to try to ensure that, as we always have, that we got the resources due to us, and short of that, make the best case we can for getting as many resources as we possibly can. So thank you.

Any other questions?

Ms. Bond.

MS. BOND: I just have one comment and one question.

Can you hear me now, by the way?
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Is it working?

CHAIR DAVIE: Yes.

MS. BOND: Okay. Great. Sorry for the technical difficulties earlier.

So, first, I just want to say thank you to Chair Davie, who I think has done just an incredible job of leading this Agency through what has been a very difficult and turbulent time for everybody involved with CCRB and in this City, including the protests of 2020, the COVID-19 pandemic. So those have all been challenges that you have led us through with grace, and all the while really working to expand the impact that the CCRB has and our ability to really provide oversight on behalf of New Yorkers, so I just really want to thank you for that. It has been an incredible pleasure working with you. So that was one, one comment I wanted to make.
CHAIR DAVIE: Thank you. Let me just say thank you, I really appreciate it. Thank you so much.

MS. BOND: Thank you Chair Davie.

And then the second comment is really a question related to the budget. So, as I understand, in New York, we voted to PEG CCRB's budget to that of the police department, and I believe that that was put on hold because of some of the budgetary constraints related to the pandemic, but I would love to just get an update from the Executive Director on where that stands, and how that intersects with the recent three percent budget cap.

MR. DARCHE: So, the CCRB's headcount was linked by the Charter to be .65 percent of the NYPD's uniformed headcount. When the CCRB was given additional headcount to create the Racial Profiling and Biased Based
Policing Unit, we went significantly above the .65 percent. And so, it's unclear to me exactly how -- exactly where we'll end up in relation to that goal, and as far as I've -- I have not been informed that that, that the emergency that was declared when the link was suspended is going to be -- if they're going to need to suspend it or not, or if we'll actually still be within the .65 percent. I just don't know yet.

MS. BOND: Thank you.

CHAIR DAVIE: Thank you, Jon.

Mr. Rivadenera.

MR. RIVADENEYRA: I do also want to echo what Ms. Bond shared, it has been an honor and a pleasure to serve on this Board with you, Chair Davie, you know, I've learned a lot under your leadership.

I have a question, and it's also raising -- actually, it's not a question, but it's raising sort of the
same advocacy that another Board
member who has left us. Nathan Joseph
would always talk about outreach and
the fact that we have been growing and
have taken on new mandates for the
Charter. I want to make sure that we,
in restructuring and in considering
where our PEGs are gonna come, like, I
feel all our units are important, and
as we grow out our Racial Profiling
Unit, I think really important is
outreach. We cannot you know, neglect
outreach and reaching out to the
community and having them better
educated on all of the services that
we have, and I just wanted to make
that point as one of the units that
really still needs to be grown, and
hopefully, we're able to sort of go in
that direction, just by these
particular PEGs.

CHAIR DAVIE: Thank you,
Mr. Rivadenera.

Jon, do you want to respond at
MR. DARCHE: I think Mr. Rivadenera is absolutely correct. Outreach is one of the more vital units that we have. If people don't know we're here, they can't utilize our services.

So we'll keep in mind the need to balance all of the units, they're all important. Even some of the units that sometimes don't get a lot of the face time and attention because they are support units. But especially during the pandemic, those support units, none of the other work could have gotten done without those units, so I think making sure that we structure the Agency in a way that all of its component parts have enough strength that the Agency as a whole is strong is important. And that's what we're gonna be doing over these next two weeks while we prepare the plan, is make sure that we don't weaken one
link so much that it brings down the other parts of the chain.

CHAIR DAVIE: Thank you.

Any other questions, comments?

I see that Mr. Freeman has joined us.

Would you like to introduce yourself? You are on mute, Mr. Freeman. There you go. There you go.

MR. FREEMAN: Can you hear me?

CHAIR DAVIE: Yes.

MR. FREEMAN: Okay. I'm Willie Freeman, I'm with the Police Commissioner.

CHAIR DAVIE: Thank you.

We'll now move to the next item on our agenda, and that is to hear a report from our Director of Outreach, Jahi Rose.

Jahi.

MR. ROSE: Good evening. Thank you all very much for attending.

Thank you very much Chair Davie, one,
for all that you do, for all that you have done, and I want to say this before the end of my presentation, it has definitely been an honor.

CHAIR DAVIE: Thank you.

MR. ROSE: You're welcome.

Can everyone see my screen?

CHAIR DAVIE: Yes, we can.

MR. ROSE: As I mentioned, thank you all very much for joining. The CCRB is the City's largest -- the country's, really, the largest independent oversight entity over the largest police force in the country.

The CCRB investigates, mediates, and administratively prosecutes complaints of misconduct made against members of the New York City Police Department.

You have met many members of our Board today. Our Agency is governed by a 15-member Board, of which five seats are appointed by the New York City Mayor, five appointed by the New
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York City Council, three designated by
the Police Commissioner, and one
appointed by the New York City Public
Advocate. The Chair is jointly
appointed by the Mayor and the City
Council.

The CCRB has the ability to
investigate four categories of
complaints or allegations, a helpful
acronym is FADO, it's an easy reminder
for what those categories are.

First of FADO is force. The
second is abuse of authority. I'm
going to elaborate a little bit on
abuse of authority.

As previously mentioned by Chair
Davie, abuse of authority, the CCRB
includes in abuse of authority sexual
misconduct, which the Agency has the
ability to investigate if those
allegations are made against New York
City police officers.

The CCRB's Outreach Unit, in
addition to the Senior Advisor -- the Senior Advisor and Director of Intergovernmental met with Biana, the Director for the Civilian Assistance Unit to develop a plan for this year to be able to reach out to Family Justice Centers, in addition to New York City public hospitals that have trauma units and domestic violence units to be able to ensure that the word is spread about the services that the CCRB provides and definitely those would feel more comfortable filing complaints in the event that they could utilize the services of the Civilian Assistance Unit, which treats the civilian that files the complaint like a whole person, allowing them to have additional resources in addition to the complaint that's filed with our agency, additional things that may come in their way from participating in our complaint process, the
addressed by referrals that are made by the Civilian Assistance Unit.

So, we are meetings -- we have meetings that are being set up and scheduled with those organizations to ensure that we maximize visibility for the services of the Civilian Assistance Unit and notify as many people as possible that the CCRB can, in fact, can investigate complaints of sexual misconduct made against New York police officers.

The D in FADO stands for discourtesy, and the O stands for offensive language.

I wanted to provide you with some additional information regarding the Right-to-Know Act. The Right-to-Know Act is a law that went into effect in October of 2018. It impacts how police officers interact with members of the public during searches, sobriety checkpoints and other encounters. Under certain
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circumstances, officers are required
to identify themselves by name and
other information, such as rank,
command, shield number. In addition
to that, officers, with some
exceptions, should explain the purpose
of the interaction.

Next, police officers should
inform a civilian of their right to
say no when requesting a consent
search of their person, property,
vehicle, or home.

And lastly, an officer should,
should offer a business card in
certain circumstances that has the
information about how to identify the
officer, in addition to how to file a
comment and/or complaint about
interactions with a civilian and a
police officer.

Civilians can request a business
card in all encounters. This is what
the business card looks like.

There are a few ways to file a
complaint about police misconduct to the CCRB. One of the easiest ways is by filing online at nyc.gov/ccrbcomplaint. You can also call our hotline 1(800)341-CCRB or 1(800)341-2272.

Also, if you see footage of misconduct on social media or in the news, you can file a complaint, even if you weren't there in person. Feel free to tag the CCRB in the, in the post so we can be notified of that complaint of the misconduct that you viewed online.

The other ways to file a complaint about police misconduct include contacting 311. You can also go to a local police precinct. It does not have to be the precinct where the encounter took place, so any precinct in the City of New York will allow you to make a complaint about police misconduct against any other precinct in the City of New York.
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You can also send a letter to our office. That's at 100 Church on the 10th floor, Manhattan, New York. You can also visit our office in person at 100 Church Street on the 10th floor in Lower Manhattan.

If you would like an Outreach presentation, feel free to contact the Outreach Unit at outreach@CCRB.nyc.gov. Also, feel free to join the CCRB on social media, follow us on social media on Instagram, Twitter and Facebook.

Thank you all once again, very much for attending. Thank you, Chair Davie.

CHAIR DAVIE: Thank you, Jahi.

Any questions or comments from Board members for Jahi?

(No response.)

Alright. So, hearing none, we are going to go to the public comment section of the meeting. We are going to ask people who want to speak to
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raise -- to use the raise-the-hand
feature, and we will go down the list.

We want you to, please, keep
your comments to two minutes.

And Yojaira, if we are ready,
would you please call the first person
who has raised their hand for public
comment.

MS. ALVAREZ: Thank you so much,
Chair.

Again, I echo everyone's
sentiment, it has been a sincere
pleasure and we, are -- have been so
excited to have you as Chair and
leading the Agency.

Before we go into the public
session, we want to recognize that we
have the Queens, Brooklyn, and
Manhattan District Attorney's Offices
in attendance, as well as
representatives from Council Member
Carlina Rivera, Shekhar Krishnan,
Athena, Althea Stevens, and Assembly
Member Salazar.
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Before we go into that, we'd like to pass it over to newly-elected Council Member Brewer in case she wants to say anything.

MS. BREWER: Just like everybody else, I am a big fan of Fred Davie, and I, obviously, have known him for a long time, since he was in the Borough President's Office, an office that I know a little something about.

And after being there for eight years, watching the CCRB and seeing the amazing both activities and agendas that you have promoted and dealing with all the press at the same time, I'm a huge fan.

Now, as a member of the City Council, I look forward to hearings and having, actually, more say about your future, both on the budget front, which is incredibly important, and of course on the policy front.

And I think that this administration cares about what you
care about, but I'm a big believer in oversight and watchdogs, no matter who is Mayor, no matter who is in the City Council, you need to have the back and forth. You got two sides of the City Hall and they need to balance each other, but we certainly need to be an oversight. Now, I look forward to doing that, and I certainly look forward to figuring out how we can be helpful.

So, I'm here on Fred Davie's last meeting, but more importantly, as the Council Member to be as supportive of CCRB. I was there in '89, so I know exactly what happened, I was at all those meetings. I'm the longest person around, in terms of City government I think, and I look forward to working with you.

Congratulations to the excellent, excellent staff, and to the Board. Thank you very much.

CHAIR DAVIE: Thank you, Council
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Member, and just let me say, it's been a real pleasure to work with you over the decades, particularly over these last five years, while on the CCRB. I'm much appreciative for your wise counsel and support for the Agency and its work, and it heartens me that you will be in the Council in the coming years, and I think it bodes well for, not only CCRB's future and the future of the civilian oversight for the NYPD, but, as you said, for ongoing accountability in government in New York City and efficient and effective delivery of government for the people of the City.

So thank you for all you do and personally thank you for being a friend and a colleague over these years. Thank you so much.

MS. BREWER: Thank you.
MS. ALVAREZ: Thank you, Council Member.

Next we'll be hearing from Chris
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Dunn followed by Mike Na.

MR. DUNN:  Good evening, Fred and Jon and the rest of the CCRB.

Fred, I'm here to, not talk about policies tonight, but talk about you. During your time as the Chair of the CCRB, it has been a unique era of CCRB leadership, and I know because I have been at this for over 20 years now, and I have seen a lot of CCRB Chairs.

You have, during your time, embodied what is the best in CCRB leadership, and you have shown a deep commitment to truly independent oversight, and you have done that, even when City Hall has not been on your side, and there have been times in the last eight years where City Hall has very much not been on your side. And I particularly note your speaking out about the repeal of 50-a and that was the right thing to do, it was the courageous thing to do, and
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history is on your side on that.

    We now, I fear, are facing a
much darker period when it comes to
police oversight, but that can be for
a discussion for another night.

    What I want to do for now is to
just thank you for the integrity and
the dignity that you were brought to
the CCRB and to police oversight. And
I just want to say that your departure
is going to be a loss for all of us,
and for me, and thank you for
everything you have done.

    CHAIR DAVIE:  Chris, thank you.
And that was very generous and very
gracious, and I sincerely appreciate
it, and particularly coming from
NYCLU, who has always tried to make
sure that we, and others in this City,
this Agency and others, does what it's
supposed to do on behalf of the people
of the City of New York. So I really
appreciate your comments. I
appreciate the opportunity to work
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with you and members of your team
there at NYCLU and the other advocates
who have, who have insisted on, you
know, that we carry out this mission
that we have been given.

So thank you. Thank you for all
you do for the City, and I hope to be
able to continue to collaborate on
police oversight in some way post
this, post this tenure, but thank you.

Next speaker, Yojaira.

MS. ALVAREZ: Thank you, Chris.

Next we'll be hearing from Mike
Na, as we are upgrading them, I also
want to acknowledge the presence of
Council Member Julie Won and Council
Member Mercedes Narcisse staff as
well.

Mike.

MR. NA: Good evening Chair
members and leaders. Thank you for
having me here tonight.

So I just had, kind of, concerns
and questions. I actually have a
current CCRB case being viewed at the moment, which is dating back to April of last year. And I just had, like, concerns regarding, you know, when you had mentioned, you know, police misconduct, what authority do they have when it comes to somebody refusing, like, you know, medical treatment and them, you know, not complying by that request?

CHAIR DAVIE: So let me just say that I think, Mike, it's probably better, since you have an active case with the CCRB, that we not have a public discussion about this now.

MR. NA: Okay.

CHAIR DAVIE: Okay. Let's let your case work its way through the process, and then if you want to come back and talk to us at the end, we can do that.

MR. NA: Got it.

And how long does it usually take, I guess --
CHAIR DAVIE: Let me have a staff member reach out and talk to you.

MR. NA: Okay.

CHAIR DAVIE: Somebody will get to you now, and then we welcome you back.

MR. NA: Alright. Thank you.

CHAIR DAVIE: Then we welcome you back, obviously any time, but certainly at the conclusion of your case we welcome you back.

MR. NA: Thank you.

CHAIR DAVIE: Alrighty. Thank you.

Next speaker.

MS. ALVAREZ: I'm just going to give folks a second in case they want to use the raise-the-hand function. And as of now, it appears that, that was the last member from the public that would like to speak.

CHAIR DAVIE: Alright. Thank you.
PROCEEDINGS

So with that, is there any old business to come before the Board?

(No response.)

Hearing none, is there any new business to come before the Board.

(No response.)

Hearing none, I will ask if we are ready to have a motion that we move into Executive Session, and that the agenda for Executive Session of the Board is that we deliberate on two full-Board cases and receive an update from Executive District and the General Counsel. The Executive Director's, the Executive Director will discuss the following three items: Scheduling issue for panels and full boards cases, updates on pending personal actions; and the General Counsel will discuss updates on current litigation.

That is the motion, would somebody please move it?

MR. DWYER: So moved.
CHAIR DAVIE: Is there a second?

MS. IRISH: Second.

MR. RIVADENEYRA: Second.

CHAIR DAVIE: So the motion is to adjourn to Executive Session with the agenda as read, all those in favor of adjourning to Executive Session with that agenda, please say aye.

(Chorus of "ayes")

CHAIR DAVIE: Any opposed? No.

(No response.)

The ayes have it. We are adjourned to Executive Session.

Again, I want to thank the public, public officials, staff, CCRB fellow Board members, and all stakeholders for this opportunity. And I'm sure there will be, there is much great work ahead for this Agency to do. So thank you all, and we are adjourned to Executive Session.

(Time noted: 7:21 p.m.)
CERTIFICATE

STATE OF NEW YORK )
) ss:
COUNTY OF SUFFOLK )

I, STEPHANIE O'KEEFFE, a Reporter
and Notary Public within and for the State of New
York, do hereby certify that the within is a true
and accurate transcript of the proceedings taken on
January 12, 2022.

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 12th day of January, 2022.

[Signature]
Stephanie O'Keeffe