

**Testimony of Bishop Mitchell G. Taylor, Board Member
Civilian Complaint Review Board
Before the NYC Council Committees on
Civil Rights, Public Safety and Public Housing**

September 28, 2010

Good morning Chair Rose, Chair Vallone and Chair Mendez, and good morning to the Committee members. I'm Bishop Mitchell G. Taylor and I am a Board Member of the Civilian Complaint Review Board. My background will illuminate why CCRB Chairman, Ernest Hart, asked me to testify on behalf of the Board.

I grew up in the Queensbridge public housing development in Long Island City. I'm now the Senior Pastor of Center of Hope International, a non denominational church located near Queensbridge Houses. My pastoral career has been dedicated to helping that community, as was my father's. And it's his example that inspires me. I also serve public housing residents through the non-profit East River Development Alliance which provides tools and opportunities for upward economic mobility and self-sufficiency.

I want to thank you for taking the time to examine an issue of great importance to so many New Yorkers.

With me today is CCRB's Executive Director, Joan Thompson and our First Deputy Executive Director Meera Joshi. We will be happy to answer your questions after my testimony.

The CCRB is the agency mandated to receive and investigate complaints from the public concerning certain types of police misconduct -- improper use of force, abuse of authority, discourtesy and offensive language. As such, we are often the first governmental entity to discern problematic patterns in policing.

In early 2009, we noticed an escalation in complaints from people who said they had been stopped and questioned by police in and around buildings owned by the New York City Housing Authority, NYCHA, and those buildings governed by the Formal Trespass Affidavit program, or FTAP, sometimes known as Clean Halls buildings. While Clean Halls buildings are privately owned they share a common denominator with NYCHA buildings in that both are subject to the NYPD's Interior Vertical Patrols.

We began reviewing those particular complaints. But because our Case Tracking System is not currently set up to capture whether an "incident" location is NYCHA or Clean Halls, we had to go manually through the system to look for that subset of cases stemming from police encounters at these locations.

That manual review covered the period July 1, 2008 through November 10, 2009. We identified cases received in that time frame that contained at least one allegation of improper stop or question at a patrolled housing location.

We received 237 complaints of this type during that time period. Out of 237, 161 investigations had to be discontinued when complainants were unwilling or unavailable to go forward. The remaining seventy-six cases were fully investigated. During that same time period, July 1, 2008 through November 10, 2009, there were 693 full investigations of cases that had a stop or question allegation and that occurred at locations other than patrolled housing.

We compared these 76 stop and question complaints from patrolled housing encounters to the universe of complaints stemming from other locations, and found some differences.

The arrest or summons rate for patrolled housing incidents was 62%. This contrasts with an arrest or summons rate of 52% at other locations.

The substantiation rate also differed. Of the 76 patrolled housing cases, 24 were substantiated, which means we found that misconduct occurred. This is a substantiation rate of 32%.

Of the 693 full investigations of cases that occurred at other locations, 79 were substantiated. This is a substantiation rate of 11%.

So the substantiation rate of nearly 32% in public housing and Clean Halls complaints is close to three times higher than the substantiation rate of 11% in complaints stemming from locations other than patrolled housing.

The demographics of the complainants in this patrolled housing subset are similar to the larger universe of cases stemming from incidents at other locations. Seventy-nine percent were male. Seventy-four percent were black. Twenty percent were Hispanic. Twenty-eight percent were under 25-years old. And Brooklyn, Bronx and Manhattan account for the lion's share.

I also want to mention that we discussed this growing issue with the NYPD and we note that they have since issued a revision to the Patrol Guide on Interior Vertical Patrol of NYCHA buildings, which we think clearly delineates the boundary of police officers' authority to Stop, Question and Frisk.

I would like to caution Committee members that the numbers I've given you concerning patrolled housing and Clean Halls complaints were pulled manually from our case tracking system when we spotted an emerging issue of concern. The numbers only represent a specific period slightly greater than 16 months. In order to get the clearest and fullest picture, we believe that it is important to do a larger study of police misconduct complaints stemming from these incidents. In order to do this, we need to modify and reprogram our case tracking system and at present our small MIS staff is stretched to the limit. In addition we would need to implement a program to train and monitor investigators so that necessary information is captured during complainant interviews and entered into the system.

Reprogramming the case tracking system would also allow us to quantify and study assertions that police encounters in patrolled housing are escalating into improper arrests for trespass, disorderly conduct and resisting arrest. System enhancements might also enable us to analyze the effects of NYPD Patrol Guide changes and officer training on these changes.

However with a severe budget cut looming, it is impossible to take on these challenges.

Before concluding I want to briefly mention that once we noticed this upturn in complaints, we increased our educational and outreach efforts in public housing communities. From 2009 to the present we have conducted 46 presentations to public housing audiences, explaining the law, people's civil rights and the vital service that CCRB provides. However, our outreach department consists of one staff person – its Director. The Director runs a volunteer speakers bureau comprised of senior managers and investigators who frequently do this outreach unpaid.

Thank you for your time and attention. I would be happy to provide additional information and data, if possible, and we will be happy to answer any questions you may have.