Re: Freedom of Information Law Request

Dear Greg Smith:

This is in response to your March 4, 2021, FOIL request seeking transcripts of DOI’s interviews with New York Police Commissioner Dermot Shea and Chief of Department Terence Monahan conducted as part of DOI’s December 18, 2020, report.

Your request is granted in part. Please note that some redactions have been applied for the following reasons:

1. Where disclosure of the underlying information is prohibited by statute, including where a criminal action has been terminated in favor of the accused. See Public Officers Law § 87(2)(a) and N.Y. Criminal Procedure Law § 160.50;
2. Where disclosure of the underlying information would result in an unwarranted invasion of personal privacy, including the disclosure of arrest and medical information. See Public Officers Law § 87(2)(b) and 89(2)(b); and
3. Where disclosure of the underlying information could endanger the safety of NYPD officers. See Public Officers Law § 87(2)(f).

Please note that DOI has sought to produce these records largely unredacted and has not invoked any additional exceptions beyond those mentioned above because of several distinguishing factors.
This investigation was prompted by Mayoral Executive Order 58, which required DOI to conduct a review and evaluation of the New York City Police Department’s planning and response to the protests and to make factual findings related to the evidence obtained. As part of its final report, DOI chose to specifically identify and attribute statements to both Commissioner Dermot Shea and Chief of Department Terence Monahan for several reasons. Among them, that the interviews were compelled and that both interviewees were not interviewed solely in their personal capacity, but rather primarily as representatives of the New York City Police Department—as such, both interviewees were represented by NYPD attorneys rather than personal counsel. Given this representation, DOI concluded that most, if not all, statements made by these two interviewees represented the testimony of an agency rather than the statements of individuals.

DOI makes every effort to safeguard the confidentiality of witnesses to ensure that witnesses speak with full and open candor, to protect a witness that chooses to cooperate with DOI’s inquiries, to protect the identities of complainants, and to ensure that allegations are not levied against an individual who has not had the opportunity to face such allegations in a fair trial or impartial adjudication. After review and consideration, DOI concluded that none of these concerns were present in these two interviews.

For the reasons and principles above, your request is granted in significant part. The responsive records have been provided via email.

This correspondence represents our complete response to your request. Should you wish to appeal this determination, you must submit a written appeal addressed to Deputy General Counsel John Carroll within 30 days. You may send this appeal by regular mail to the address indicated below, or via email to FOILAppeals@doi.nyc.gov.

Sincerely,

Christopher Tellet
Assistant General Counsel
AIG. Sanchez: I’ll let -- I’ll let them speak their names. Go ahead.

Mr. Fitzpatrick: Sure. Mike Fitzpatrick, Agency Attorney, NYPD Legal Bureau.

Mr. Mauro: Paul Mauro, NYPD Legal.

Comm. Garnett: Good morning Paul, and Mike. So, I don’t know, Paul and Mike if you can see our video. But, I’m -- I’m, commissioner, I’ll have the folks on my team introduce themselves. And then, I -- I’m -- I’m mostly here as an observer. I may chime in occasionally. But I’ll let them go ahead and introduce themselves. Arturo, you want to start?

AIG. Sanchez: Good morning. Arturo Sanchez, Assistant Inspector General.


Mr. Tellet: Christopher Tellet, Assistant General Counsel.

Mr. Richardson: Justyn Richardson, Senior Policy Analyst.


Inv. Charles: Mariah Charles, Convention Investigator.

Comm. Garnett: So Commissioner, let-- less -- less you think that we’re gonna do a panel interview on you. Arturo Sanchez was -- will be leading the questioning. And then at the end of each topic area, I think he’ll ask if the rest of the team has any follow-up questions before we go on to the next topic. So, we’ll try to keep things pretty orderly. Arturo?

AIG. Sanchez: Commissioner, b-- before we began, I had forwarded interview warnings to Sharon McAllister. I’m not sure if she was able to share them with you. But I’ll like --
Comm. Shea: She did --

AIG. Sanchez: -- to take this --

Comm. Shea: She did.

AIG. Sanchez: Commissioner, I'm gonna ahead and read those interview warnings now. This statement is being taken by the Department of Investigation of the City of New York pursuant to Chapter 34 of the New York City Charter. You're gonna be asked a number of specific questions concerning the performance of your official duties. You have the option to remain silence, although you may be subject to removal from your employment with the City, if you fail to answer material and relevant questions relating to the performance of your duties as an employee. The answers you furnish, and any information or evidence resulting therefrom, maybe used in the course of civil or administrative proceedings. Neither your statements nor any information or evidence derived therefrom, would be used against you in a subsequent criminal prosecution other than for perjury or contempt arising from such testimony. If at any time during the interview you wish to consult with your attorney, just say so, and we would give you an opportunity to do so privately. Commissioner, do you acknowledge everything I just read?

Comm. Shea: Yes.

AIG. Sanchez: Thank you. And now I'm gonna administer the oath. If you could please raise your right hand, Commissioner. Do you
solemnly swear or affirm that the statements you’re about to make at this interview shall be the truth, the whole truth, and nothing but the truth?


AIG. Sanchez: Thank you Commissioner. Commissioner, we are here today pursuant to Executive Order 58 where Mayor de Blasio has directed the Department of Investigation and the Corporation Counsel to launch an independent investigation into the enforcement actions by the NYPD in connection to protests that began in late May and continued through mid-June. In the course of our investigation, we’ve conducted interviews of members of the service, and individuals not employed by the NYPD. Additionally, we’ve issued several document requests for information. And the purpose of this interview is to help our team contextualize the information we’ve learned from the individuals we’ve spoke with, and the information we’ve received from the NYPD, specific to the NYPD’s response to these protests. You know, Commissioner, we’re here to learn from you, and get a sense of your vantage point as the police commissioner. Before the protest began, and as they unfold, we ask that, you know, please try to keep in mind that as you’re answering our questions, you know, please try to distinguish if your answer is the department’s stance, or if the answer is your opinion. Both are important to us. And as Commissioner Garnett just mentioned to you, just to give you a sense of the
format, we’re going to be going -- our questions are broken down into sections. And I’m gonna turn to the team for any follow-up questions they may have, after each section. And please, also if you, at any point want to speak with your counsel, please don’t hesitate to interrupt. We’re happy to give you an opportunity to do so, as you wish. And with that, we’ll go ahead and begin. Commissioner, how long have you been employed by the NYPD?

Comm. Shea: Nearly 30 years.

AIG. Sanchez: When were you promoted to Police Commissioner?


AIG. Sanchez: And what roles at the NYPD did you hold before your appointment as commissioner?

Comm. Shea: Prior to, I was the Chief of Detectives.

AIG. Sanchez: And prior to that, sir?

Comm. Shea: I was the Chief of Crime Control Strategies, which was also known as Deputy Commissioner of Operations.

AIG. Sanchez: Thank you. Commissioner, in your opinion or from your -- from your perspective, how would you characterize the role of the NYPD at protests, in general?

Comm. Shea: My -- my opinion you said?

AIG. Sanchez: Yeah. You know, from your prospective, how would you characterize the role of the NYPD at protests, generally?

Comm. Shea: I -- I would say, you know, we take very seriously the right of people to voice their opinion throughout New York City. So,
it’s one where our primary function is to allow them to exercise that Constitutional Right, and -- and to do it in such a manner that balances the needs of those that are trying to exercise that right, and protest about whatever cause it could be, and with the rights of also, never forgotten is the right to the public that want to go about their daily lives. And -- and generally, I think we do a pretty good job at doing that.

AIG. Sanchez: Commissioner, you’ve been in the department for a long time. Until becoming Police Commissioner, did you have much of a role in the department’s protest response?

Comm. Shea: I, you know, over the course of nearly 30 years, I’ve certainly worked a -- a lot of protests in a variety of ranks. Formulating the response, I don’t know that I would categorize that as an accurate statement.

AIG. Sanchez: How so?

Comm. Shea: Well, for example, Disorder Control Unit, I’ve never worked at that. I’ve been a part of the Management Team, if you will, since 2014. I wanna say, January of 2014, then Commissioner Bratton appointed me as Deputy Commissioner of Operations. But it -- from 2014 to last December, which was a period of, I guess, five years roughly. In those two roles, it was much more looking at crime strategies, and response to crimes, as both Chief of Crime Control Strategy, Deputy Chief of Operations, and then, Chief of Detectives. In those two roles, protests and things of that nature were not key components.
Thank you for that clarification. Was there anything that made the protests of late May to mid-June this year, stand out from others that you’ve experienced?

Yes, the violence.

Can you unpack that a little bit?

Ah, well, I think I’ve said publicly, probably a number of times, what sets these protests out as different, we’ve had anti-police protests. We’ve had large protests. We’ve had everything in between. We’ve had protests that are happy occasions. And we-- and we’ve had that for years and years and years. What set these protests out immediately was the violent nature towards the police officers.

Thank you Commissioner. Can you walk us through your role, as Commissioner, with respect to this summer’s protests, you know, in terms of, you know, the planning, implementation, and execution, post protested briefing, can you walk us through your role with respect to what unfolded this summer?

Sure. So, you know, May -- May of this year, with George Floyd, within a week, we started to see protest in New York City. Whether it was my days could be off, whether it was the Thursday or the Friday, they escalated. Violence, as I said, immediately. And -- and that quickly escalated into, I’ll paraphrase it today, as, you know, a -- a two week period of intense protests. Certainly the protests have never ended. They’ve gone on for a longer period. So, you know, it -- it was
extremely busy, maybe for a month. But, the -- the intense
period was probably for two weeks within that month. And
now they’ve continued. We -- we dealt with the -- the intense
period, mobilized a number of police officers. We dealt with
the looting that took place, which I’ll describe as a most intense
three day period. You know, obviously we’ll get into the
curfew and all things of that nature. But it’s -- it has been a, you
know, coming out of COVID into the protests, as we saw what
happened, really, across the country, in multiple cities. We
were not immune to it. We dealt with it. I think there is, you
know, as you look back, some positives would be when you
compare loss of life in other cities, you know things burned
down in other cities, certainly people tried to do that here, were
not successful. So, I -- I think that we managed through it. And
-- and, here we are today.

AIG. Sanchez: Commissioner, when did you first become personally involved
in the department’s response to the protests?

Comm. Shea: I would say, the Barclay Center is when I was first personally
aware that I can recall, as I sit here, which I think was the
Friday, but I could be off again.

AIG. Sanchez: Commissioner, what was the nature of that initial involvement
once you started to receive information?

Comm. Shea: I remember I received information. I can’t remember who it
was from, right now. But that, it was obviously gonna be one
of the members of the executive staff. It could have been Terry
Monahan, I don’t remember who it was, but that it was different in that it was violent, almost immediately.

AIG. Sanchez: And Commissioner, as information is starting to reach you, do you recall, you know, were these just briefings you were receiving? Were they -- were they planning meetings, deployment decisions? Do you remember early on what your involvement was?

Comm. Shea: No. I don’t recall. Again, George Floyd happened. Within that same week, the protests had reached New York City. And almost from the beginning, they were intense, and violent. And they grew from there. That’s how they started. So, it wasn’t as if there was planning meetings. These were more spontaneous in nature.

AIG. Sanchez: Thank you Commissioner. As a general matter, when do you personally, as NYPD Commissioner, become involved in the department’s response to protests in the city?

Comm. Shea: Well, I’m certainly, you know, ultimately I’m responsible for New York City and New Yorkers’ safety. So I’m certainly monitoring, you know, any -- any large scale incidents that take place in New York City. But I would not categorize it, I’m in the weeds on day-to-day DTL preparation incidents.

AIG. Sanchez: Understood. Is -- can you pinpoint a threshold at which you would become personally involved in the decision-making?

Comm. Shea: What -- well, Barclay Center was -- was that first week. And when we had officers being attacked, and that was widely
known to us, from then on, we were holding meetings, either in
person or -- or being phoned, except with the executive staff.
Again, this was at a time of COVID as well. So, you know, as
I sit here today, I can’t tell you if was business as usual. But it
was get the job done in the circumstances we were in.

AIG. Sanchez: Commissioner, these earlier meetings, do you recall who would
have been involved in those conversations?
Comm. Shea: It would have been members of the executive staff. But again,
it was also a time of COVID. So, it was not necessarily
business as usual, in terms of social distancing, some in person,
po-- possibly some via phone, some out sick. You know, so
that would all have to be worked out.

AIG. Sanchez: Understood. Commissioner, how effected was the NYPD’s
command and communication structure that is currently in
place regarding protest?
Comm. Shea: I think it’s effective. With that being said, I think it’s also an
organization that recognizes that we’re never satisfied. So
we’re always looking to improve.

AIG. Sanchez: Commissioner, how does the NYPD ensure that information is
communicated effectively, either from the top down or from the
bottom up?
Comm. Shea: Well it-- it’s a para-military organization. So we rely on chain
of command. And we utilized any methods that are available
to include, in person meetings, obviously telephone, emails,
and things of that nature as well.
AIG. Sanchez: Commissioner, you mentioned that this summer’s protests were
different from anything you’ve ever seen. Can you pinpoint
anything that made the existing structure more or less effective
than usual, in terms of communicating information?

Comm. Shea: Sir, can your repeat that?

AIG. Sanchez: Certainly. Was there anything about -- different about this
summer’s protest activity made the existing structure more or
less effective than usual?

Comm. Shea: Not-- not that comes to mind as I sit here right now. What --
what made it different, again, was the violence, and the -- the
other side willing to commit violence, and to infiltrate, you
know, spontaneous peaceful protests. So that -- that’s what
made it difficult. I don’t know that I would point to, on this
side, but certainly if something comes to mind, I’ll bring it up.

AIG. Sanchez: Thank you Commissioner. The section that we’re about to
begin is, you know, planning and strategy. Did you have
advanced notice of the initial protest following the death of
George Floyd?

Comm. Shea: Not that I recall no. What --

AIG. Sanchez: Do you recall --

Comm. Shea: -- if I could, which protest are you referring to, the first day?

AIG. Sanchez: Yes, the one that were occurring outside of New York City.

Comm. Shea: I don’t recall, no.

AIG. Sanchez: Do you recall with -- at which point you became aware of the
protests that were happening in New York City?
Comm. Shea: What I’ll say is that, you know, we watched the news. We monitored events worldwide, including -- obviously to include this country. We see events happen. But I can’t recall if we had any information, as I sit here, about planned potential protests. But it’s certainly something that we were aware could happen.

AIG. Sanchez: Sure. Commissioner, what did you or the department expect in terms of what the protest activity might be in New York City once they had begun in Minneapolis?

Comm. Shea: Same answer I just gave. We -- we monitor events that -- that happened. And -- and we -- we respond and adapt to the current conditions that we see.

AIG. Sanchez: Commissioner, after the killing of George Floyd, protests erupting nationally, can you describe for us the overall strategy within the NYPD about how to police these particular protests?

Comm. Shea: Which protest are you referring to, the ones that possibly could happen here or the ones that are happening out of the city?

AIG. Sanchez: No, the ones that were likely coming to New York City.

Comm. Shea: Your -- same answer I just gave. We monitor the incidents. We’ve had -- we have incidents that happened across the US. Sometimes they generate protests in New York City, sometimes, they don’t. So we monitored them.

AIG. Sanchez: So, your strategy was the same as every other protest in the City, just monitoring events, and making the decision as things are happening? Is that correct?

AIG. Sanchez: Would you say that the department has a standard approach when addressing protest activity?

Comm. Shea: Well, I -- I think you have to be, as I said, you have to be flexible. We certainly have, you know, many pieces to this. We have standard training. We have responded to conditions as they arise. We have monitoring of open source, social media. We have community contacts. I mean, we have many things in place. I don’t know if I would call it -- categorize that as standard, because when you -- when you imply standard, you sometimes think that you don’t -- are not open to new and different things. So we are open to new and different we’re always looking to learn and get better.

AIG. Sanchez: Commissioner, just to make clear, the first discussions about strategy held that you personally participated in, took place around the Barclays’ incident? Is that correct? It didn’t occur before?

Comm. Shea: That’s -- that I recall here, there could have been discussions, again, on other smaller protests. You know, we -- we know that there was a protest the day before, for example in, you know, I believe Union Square. I can’t recall, as I sit here, whether I was at planning meetings or that came up in a executive conference. You know, it’s, so let me take you a step back, and, any day when we sit down, we review what’s going on in New York City; what is going on in the world of public information; what
is going on the crime picture; what is going on internally in the
Police Department; what is going on with protests. And this is
not George Floyd. This is anytime. So, that -- that protest the
day before the Barclays, certainly, I would think, could have
come up. I just don’t recall now months later. And -- and it
was nothing that, to my recollection, was rising, that it was
anticipated violence outcome. We handle protests every day.
And -- and we have every day since May, in New York City.
Twenty to thirty protests a day is not out of the ordinary.
AIG. Sanchez: Thank you Commissioner. Earlier you mentioned that you
recall having conversations with executives. Could you name
some of those individuals, some of those executive, please?
Comm. Shea: I -- I speak to members of my command staff literally every
day, on a variety of topics. And -- and I would have in May.
And I -- I will today.
AIG. Sanchez: And Commissioner, those would likely include Chief
Monahan, Chief of Patrol?
Comm. Shea: Chief of Patrol, Pichardo, all different members. I won’t say
that I speak to everyone every day. But, it is -- it is the norm
that I’m spe-- speaking to many of them, each and every day,
on a variety of topics.
AIG. Sanchez: Commissioner, as the protests started to pick-up steam, did the
strategy change at all as the protests continued?
Comm. Shea: Yes.
AIG. Sanchez: How, please, if you could explain how?
Comm. Shea: Well -- well, simply again, from the start, we had officers
injured. So certainly, we had to make sure the safety of the
officers, trying to establish contacts with the community, trying
to get our arms around what was behind the violence,
deployment of resources. So really, a number of different ways.
We -- we changed literally, you know, it’s not once a day. It’s
-- it could be several times a day, depending on the
circumstances of what we’re facing in different parts of the city.

AIG. Sanchez: And -- and Commissioner, who is driving that strategy change?
Is that you making the call, or is that others advising you?

Comm. Shea: It’s a number of different people.

AIG. Sanchez: Who would you say at the department was tasked with the
developing, and implementing the department’s overall
strategy for policing these protests?

Comm. Shea: For policing, generally the Operations Center. That’s the
staffing arm, but again, this is your protest that could be
happening in different parts of the city. So, from a lower level,
command level, you’ll have precinct commanders involved in
smaller protests. But generally, everything feeds through the
Operations Center.

AIG. Sanchez: Thank you Commissioner. Was there ever a time during the
protest where you disagreed with the strategy or the tactics that
were employed?

Comm. Shea: A-- my -- my -- my concern was the number of officers, to make
sure we had enough officers deployed. That’s something --
AIG. Sanchez: (Unclear) --

Comm. Shea: -- we’re constantly evaluating. I wouldn’t characterize it as “disagree.”

AIG. Sanchez: Could you help explain what NYPD versus-- resources were used to police these protests?

Comm. Shea: We used thousands of officers of multiple ranks, as well as support units.

AIG. Sanchez: So, you know, the Special Operations, precinct officers, TARU, all of these --

Comm. Shea: Yes.

AIG. Sanchez: -- Legal Bureau, Community (Unclear) --

Comm. Shea: All of the -- all of the above. Yeah. As well as Logistic and Support. So, if you think about barriers, and people that must supply barriers, and things of that nature. You know, cars, trucks, you know. So there is -- there’s a lot of logistics behind the scenes as well.

AIG. Sanchez: Aviation -- was Aviation used at any point?

Comm. Shea: Multiple days, yes.

AIG. Sanchez: In what form, Commissioner?

Comm. Shea: Flying missions in support of the men and women on the ground. Their primary function, I would categorize as being eyes. So, seeing people on rooftop to -- that perhaps were throwing things, also estimate of su-- crowd control, potential where of vehicles would have to be detoured to, in the event locations that unauthorized or shutting down traffic. So that’s
-- that’s generally how Aviation, assists. And they also can provide a visual that could be provided then to people on the ground, that, if you’re in the middle of something, you perhaps don’t have a larger view of what’s going on.

AIG. Sanchez: Understood. At any of the fixed wing asset or were just primarily helicopters?

Comm. Shea: I -- my recollection is helicopters.

AIG. Sanchez: Commissioner, did you or anyone from the department have conversations with the Mayor’s Office about how to police these protests?

Comm. Shea: Multiple times.

AIG. Sanchez: Did these meetings take place in person, over the phone, how often? Can you tell us a little bit about those meetings?

Comm. Shea: I would categorize them as often. And they were both in person, and via the phone.

AIG. Sanchez: And, who was in those co-- who was involved in those conversations with the Mayor’s Office?

Comm. Shea: Who, on -- on my side or both sides?

AIG. Sanchez: Both sides, Commissioner.

Comm. Shea: Certainly I was, the Mayor, you know. That’s -- really what my concentration generally is on. I’m sure the First Deputy Mayor, Dean Fuleihan, was certainly at some meetings. I could tell you that I was not always alone on my side. But I don’t recall now who was there. But I was definitely with, on at least one or two occasions, some members of my staff.
AIG. Sanchez: Thank you. What direction, if any, did the Mayor or his staff provided on how NYPD should police these protests?

Comm. Shea: I think it was normal. I, you know, it was normal conversations that would take place between the Mayor and his police commissioner, in terms of what was going on in the city. Certainly, as we all know on this call, this was a -- a -- an event that had gained much attention, not only in New York City, but across the country, for days and weeks on end. So, it was monitoring the conditions, probably on a daily basis. And -- and what was happening, what was expected, sometimes it was just conversations about incidents that happened. Sometimes it was about ins-- incidents that were planned for that day or protests. And -- and, you know, so I -- I would think it -- I would categorize it as both forward and back.

AIG. Sanchez: Commissioner, at any point did the Mayor or any of his staff provide any explicit directions as to how you should police these protests?

Comm. Shea: Can you be more specific what you mean by that?

AIG. Sanchez: Certainly. Any decision or any advice or any guidance from their office, from the Mayor’s Office or his staff that relayed to the department to execute in the field?

Comm. Shea: I would say that we had conversations over -- over some of those issues, but it was conversations. I wouldn’t categorize them as directions.
AIG. Sanchez: Very good. Did you or anybody else from the department have conversations with other law enforcement agencies about how to police these protests?

Comm. Shea: Can you repeat that one?

AIG. Sanchez: Sure. Did you or anybody else, any of the other executives, from the department have conversations with other law enforcement agencies about how to police these protests, both other law enforcement agencies locally or outside of New York?

Comm. Shea: About how to police the protests, I would say, no. Conversations with outside law enforcement agencies, yes, because as it is, widely known between COVID and multiple protests happening all over the city, and tax on some of precincts, some of the federal, as well as, probably local law enforcement too, were reaching out to me. And a -- and I believe other members of the department to assist in anyway. Some of them utilized, if for example, to secure department facilities, to free up other members of the service.

AIG. Sanchez: Understood. Thank you, Commissioner.


AIG. Sanchez: Before moving on to the next section, I wanted to turn to our team to see if there were any follow-up questions.

Comm. Garnett: Commissioner, I -- I have a question. You mentioned that, I believe Arturo asked you earlier about whether the overall strategy changed as the protests went on. And -- and you said,
yes, that you’re continually evaluating your information, and
the strategy did change. Could you talk about that a little bit
more about how, in what specific ways did the enforcement
strategy changed as these protests went on from late May into
mid-June?

Comm. Shea: Yeah. Abs-- you know, what -- what still strikes me to this day,
is the immediacy of the violence. At that first week in May,
certainly we adapted to that, in many of our strategies, we had
to for safety of the officers, enforced protection of buildings.
We also learned quite a bit about the strategies of that -- that
group of individuals that were trying to work their way into
peaceful protests, and then, attacked our officers and sow fear
and chaos, that’s how I would put it. We also began to,
unfortunately, learn, in some cases, exactly who these
individuals were because we were arresting them. They would
get out. And they’ll be back to protest within hours. So, that’s
really what I’m referring to in terms of -- we learned,
unfortunately through the actions of some of the people that
were attacking, and -- and participating in the protest. I mean,
the good thing is, that there were also many protests going on
that were handled peacefully large, we did it as we always do.
In that sense, giving them, you know, latitude. But it was a
constant evaluation of what we were seeing, you know, on the
ground. They -- there was not looting the first and second day.
There was looting, maybe a week into it. And that was one
more thing now what we had to deal and -- and changed some
of our deployments and tactics. So that’s what I’m referring to.

Comm. Garnett: Right. And -- and, I guess what I’m asking is -- is, can you give
any specifics about what changed? So, I understand why the
changes were put in place that you were responding to these
conditions. But, if you could give, even just some examples of
things that you did differently, whether in terms of -- of
numbers, of tactics employed on the ground, equipment, units
involved. You know, just some specific examples of what you
would say changed over the course of these day, and weeks?

Comm. Shea: Well, I -- I -- I think the -- the -- certainly, the deployment, more
and more officers deployed. In terms of the public information
piece too, I think there was a -- a campaign waged that many
still don’t realize, by some. And I’ll call it, on the anarchist
side, they were intentionally attempting to drive a wedge
between the police and the community. So, a thing that
changed was, we were more proactive in terms of putting
information out about what was really happening on the
ground. That’s just two examples.

AIG. Sanchez: Alright. If there’s no other questions on Planning and Strategy,
we could move on to the next section, which is the curfew.
Commissioner, how was the decision to implement the curfew
made?

Comm. Shea: That was the decision that was made between the Governor and
the Mayor.
AIG. Sanchez: And, what was the NYPD’s position on the curfew?

Comm. Shea: Certainly if you lock down a city, it’s gonna make it easier to keep people off the street. I think if you go back and look at news stories, I had a little bit of a different position. I recognized that it would help. But I also recognize that many of the people were -- were already committing a number of crimes. So -- so, I was a little bit torn, in terms of, should a -- should a curfew be put into place or not because, it -- it weighs heavily on me, in terms of people’s right to assemble, and people’s right to go about their daily lives. But I -- I was not a, if you will, a -- a, you know, a decision maker in whether or not a curfew should be in place.

AIG. Sanchez: At any point, were you asked to weigh in on that decision, as a police commissioner?

Comm. Shea: I -- I was part of a conversation, absolutely. And -- and just what I said is what I just told you.

AIG. Sanchez: So, it would be fair to say that you agreed with that initial decision to impose a curfew?

Comm. Shea: That’s not what I just said. What I just said was that I’m on record saying publicly that many of the people that would be subject to a curfew, were -- were already committing a number of violations. Remember, this is a time also where prosecutors were coming out and saying, “We’re not prosecuting these violations if arrests were made.” So, that’s the environment that it was in. I was -- I was very concerned about restricting
people’s liberties, and with keeping people off the street. I -- I
don’t think that’s a decision that should be made lightly in any
case. I respect the decision. And from a law enforcement
prospective, in terms of keeping people off the street, obviously
it was effective. But those things should be done in extreme
circumstances, in my opinion.

AIG. Sanchez: So you disagreed with the position?
Comm. Shea: I thought it could have been done differently.
AIG. Sanchez: Understood. Commissioner, on June 3rd, the curfew was
lowered from 11:00 p.m. to 8:00 p.m., what was your
involvement in that decision?
Comm. Shea: So, if you go back to the last question, once it was decided that
a curfew was going to be put into place, I made the comments
that if it was going to be put into place, then it should be earlier,
because I thought that 11:00 was too late. And I think -- I think
it bears that I was right.
AIG. Sanchez: And Commissioner, who did you express that view to, was that
the Mayor, the Governor’s --
Comm. Shea: The Mayor --
AIG. Sanchez: -- office?
Comm. Shea: -- the Mayor and the Governor.
AIG. Sanchez: How did the department pass down curfew-related information
to members of the service on the ground?
Comm. Shea: I don’t recall. It was obviously passed down. I, you know, this
is my opinion now, and -- and it’s not, you know, I do not
remember, you know, it’s obviously we had the ability internally to push orders out. We probably put messages out through our legal bureau advising the public as well. Excuse me. Advising the police officers and members of the department, but then you also have to advise the public. So I - - I think that there was a variety of ways this went out. But I don’t recall specifically right now.

AIG. Sanchez: Understood. And just generally Commissioner, just to get a sense of, you know, when you are issuing orders to rank and file, what mechanism do you use to relay those messages to the rank and file?

Comm. Shea: We can -- we do it in person. We do it -- we can do it via e-mail. We can send it directly to phones as messages. We can send out FINEST messages. We probably did all of these, in some way, shape or form.

AIG. Sanchez: Thank you for that clarification.


AIG. Sanchez: Commissioner, would you have a -- we have reviewed some of those FINEST messages. One specifically issued on June 1st, instructing officers to provide curfew reminders, and warnings before arrest. Were you involved in crafting this instruction to the officers?

Comm. Shea: I don’t recall.

AIG. Sanchez: Did you approve this instruction?

Comm. Shea: I don’t recall.
AIG. Sanchez: Do you recall being briefed on these instructions?

Comm. Shea: I -- I certainly was, you know, there was, again, this is an extreme period where there are probably many, many messages going out via all of these ways that I just mentioned. I was certainly involved in, I’d like to say, most, but certainly many of them, but in individual message, you know, I -- I just can’t tell you if I was intimately involved in it.

AIG. Sanchez: Understood. Commissioner, there is a -- a second message, FINEST messages, relayed on June 3rd, that stated that, “members of the service could issue C Summons for people violating curfew.” In this particular FINEST message, on June 3rd, there was no mention of instruction this time. It was just straight to C Summons. That difference between that June 1st and June 3rd FINEST message, who would have made that call to remove that -- the -- the warning piece?

Comm. Shea: Without -- without having those in front of me and really looking, it could be a number of reasons. It -- it could be a reason. It could be an oversight. Without having it in front of me, I’m -- I -- I don’t wanna clarify. But I -- I think you also have to understand it’s also discretion that is widely known with officers, that they have discretion on these types of things. So, there’s probably more that could go into that discussion.

AIG. Sanchez: Commissioner, I do have these FINEST messages here, and I could try to share my screen here with you, to see if you might be able to see these.
Comm. Shea: I’m looking to the left, ‘cause I need -- I need glasses. So, it’s easier to see on the left.

AIG. Sanchez: Understood, Commissioner. Here is the first of the FINEST messages. Are you able to see it on the screen?

Comm. Shea: I can, if you scroll down. Yeah. Just go slow for me. The Mayor has imposed --

AIG. Sanchez: Certainly.

Comm. Shea: I’m reading slow. So be careful.

AIG. Sanchez: Not a problem.

Comm. Shea: Okay. Is that the total or is there more?

AIG. Sanchez: So -- so this is the first --


AIG. Sanchez: -- FINEST message. And, you know, the -- the -- the piece of -- of interest here is, “Enforcement will only be taken after several warnings are issued, and the violators are refusing to comply.” Let me show you the second finest message, which is different from this one. Here is the second finest message, issued on the 3rd, regarding the curfew extension. Except this one just goes straight -- if “An MOS observe a person violating the curfew a C Summons may be issued without issuing warnings.”

Comm. Shea: Yeah. I mean, I don’t really see a major conflict in that. I think that the officers is widely known, they have discretion.

AIG. Sanchez: Understood. But the decision to remove that language would that come from your office or would that come from Legal?
Would -- who -- who would be involved in making that decision?

Comm. Shea: Well, you know, you see on the bottom of that, it-- it’s put out through the Operations. Generally, Legal would be consulted on the crafting of that. And again, you have a lot going on. And -- and, is that intentional? Is that an oversight that I read that is -- is -- it would be widely understood. And I -- and I think the officers widely understand that there’s discretion on these issues. And I think that that was what you saw on the screen. I think the -- the other point is, you know, we issue a series of orders throughout this organization, whether it’s Interim orders, Operations orders, FINEST messages. And -- and it’s widely understood that when you issue an order, and then you issue subsequent orders, it replacing the first order.

AIG. Sanchez: Understood, Commissioner. Thank you. In terms of curfew enforcement, the executive orders indicated that essential workers were exempt from curfew. Does the NYPD have a definition of what constitutes an “essential worker?”

Comm. Shea: Yeah. These discussions were taking place with the onset of, I would say, COVID. And, certainly with the protest, I could tell you that these conversations were taking place in conjunction with our Legal Bureau. I -- I think similar conversations were taking place at -- at the level of the Governor’s Office, and the Mayor’s Office. There is a definition that we were going by. What it is right now, I -- I could not recite it to you. I think it
traces back to my recollection. As I sit here, is -- it traces back
to -- I thought it was the Governor’s -- one of the Governor’s
earlier executive orders.

AIG. Sanchez: And -- and broadly speaking, what is your conception of a,
essential worker? I’m not asking you to recite word for word.

Comm. Shea: Please --

AIG. Sanchez: What do you --

Comm. Shea: -- please don’t. I -- I think first time that I could remember
hearing, “essential worker,” you’re bringing back a lot of bad
memories, now. When we first went into the Mask Executive
Orders, and it was probably March or April, who has to wear a
mask outside. And, that’s the first recollection I could
remember of it, where some people were allowed to be out, where
some businesses were allowed to operate. You would
have to go back to those for the -- for the definition. I know
that it was, you know, there was some categories of, you know,
food delivery men, and things. Interesting like, for example,
like liquor stores were determined to be essential, depending on
if you like wine or not, that mean you may agree to that. But
there is a -- that’s the origin as far as I’m concerned.

AIG. Sanchez: Commissioner, were legal observers exempt from curfew
enforcement?

 Comm. Shea: I -- I think that legal observers were mentioned in some of these
orders. I can’t remember in what context right now. And again,
you know, this has caused some confusion. There are
exemptions, but it does not exempt illegal conduct. And I think
I’ve had to explain that a number of times in meetings.

AIG. Sanchez: What -- what about medics? Were they exempt?
Comm. Shea: I don’t recall that.

AIG. Sanchez: What about members of --
Comm. Shea: I’m not even --

AIG. Sanchez: -- the press?
Comm. Shea: -- sure, to be honest, I’m not even sure what you mean by medics. Are you talking EMS? I mean --

AIG. Sanchez: I’m not talking --
Comm. Shea: -- was --

AIG. Sanchez: -- about somebody -- somebody attempting to render aid to an injured person?
Comm. Shea: Yeah. I would -- I would defer that to legal.

AIG. Sanchez: What about members of the press?
Comm. Shea: Members of the press being exempt?
AIG. Sanchez: Correct.
Comm. Shea: As I sit here now, my understanding is, yes. I could be wrong. But, that’s my understanding as I sit here.

AIG. Sanchez: Commissioner, were there any directives issued or any directions or recommendations given to executive staff or commanding officers about how to deal with protestors giving their curfew?
Comm. Shea: Yes.
AIG. Sanchez: Can you please articulate a little bit?
Comm. Shea: I think the overarching theme was just what you read in those finest messages. Giving -- giving wide latitude, giving people opportunities to get off the street. But, also understanding when these things were imposed, that it was new and foreign to many people, so they may not have an understanding of it. This is the world we live in. So taking all of this into consideration, but also taking into consideration that it is a tool that is available to law enforcement, depending on all the circumstances that are intertwined in the situation that is in front of the officer at that time. So there is a lot of different details that go into it -- no two situations are the same.

AIG. Sanchez: Commissioner, were there any directives or any directions, recommendations given to executive staff or commanding officers regarding essential workers, and about them not being arrested during the protests?

Comm. Shea: My -- my under-- again, my understanding is similar to the FINEST messages you showed. There were conference calls. There was messages that were sent out. But -- but it would not have been phrased as you just worded. Again, because we -- we saw instances of quote-un-quote, “essential workers committing crimes.” Certainly they would be subject to arrest.

AIG. Sanchez: Understood. At -- at several points during the pendency of the curfew, the Mayor or City Hall made public statements at press briefings, and through social media, that the curfew would not be enforced against peaceful protestors. Was that your
understanding of the department’s enforcement mandate for the
curfew?

Comm. Shea:  You would have to ask the mayor.  We -- we followed the law.

We followed the executive orders.

AIG. Sanchez:  Who had the authority in a given situation to determine whether
protestors qualified as peaceful?

Comm. Shea:  Same -- same answer.  We -- we have an executive order.  We
do not pass the laws.  We enforce the laws.  So we would follow
those laws.

AIG. Sanchez:  How, if at all, did these statements about the flexibility of the
curfew affect the department’s curfew enforcement, and
exercise of its discretion?

Comm. Shea:  Same answer.  The officers have discretion.  I think they did a
good job to -- overall, as they do every day, whether it’s
protestor or other circumstances.

AIG. Sanchez:  I want to turn to the team, if they had any questions or any
follow-up, questions regarding the curfew.

IG. Brunsden:  Sure.  I just want to ask, with respect to your responses as to
checking with the Mayors’ Office or City Hall about their
public statements regarding not enforcing a curfew, with
respect to peaceful protestors, was it then not the department’s
policy to differentiate between whether a protestors was
peaceful or not, with respect to curfew enforcement?
Comm. Shea: The -- the Governor issued an executive order. Once that executive order was issued, we had the ability to enforce it. And that’s what we did. We also had discretion.

IG. Brunsden: Sir, what was the last thing you say you also practiced?

Comm. Shea: We also had discretion.

IG. Brunsden: Discretion. Okay. And, jumping back a moment, we were speaking about the finest messages with respect to, warnings, and the issuance of C Summons, a moment ago, putting to one side the warnings themselves, were you ever personally involved in discussions as to whether or not warnings should be provided before any curfew enforcement?

Comm. Shea: Say -- same exact answer I just gave. Sorry to repeat myself. But, it’s -- it’s -- it’s almost second nature to us. I mean, we exercise discretion a number of times, every day in New York City for a variety of offenses. And we do that to protestors as well. So that’s almost common sense, second nature to the officers. So that’s not to me out of the ordinary. I don’t recall independent exact conversations right now. But that wouldn’t surprise me at all I took part in those conversations.

IG. Brunsden: Thank you. Did you ever personally direct or authorize a particular arrest for a curfew violation?

Comm. Shea: Not that I recall.

IG. Brunsden: Did anyone ever seek to consult with you with respect to whether in -- whether to enforce the curfew as to any particular protest?
Not that I recall.

Okay. Thank you.

You’re welcome.

So, the-- there were a number of instances or evenings during that curfew time where, in some locations in the city, large -- large groups of protestors were allowed to continue marching and protesting long past the curfew, and in the same evening, other locations where that was not permitted. And, I’m not talking about individual arrest, but like an entire group --

Uh-huh.

-- arrest for -- based on the curfew enforcement. Who is mak-- like at what level of the department are those decisions being made? Again, not -- not a one-off arrest, that’s within individual officer’s discretion, but, larger scale decisions. This -- this group would be permitted to continue. This group will not.

Yeah. Yeah. I -- I think you -- you -- you did see that. That’s accurate. And -- and I think the default is, if you look back at the entirety of that week, two weeks, three weeks, a month, whatever it was, we exercise broad latitude and discretion in allowing people to march and protest, perhaps more than we have in -- at other time. In terms of why one group might be subject to arrest, I -- I would point, generally speaking, this is a general statement, but it’s -- it’s based on the actions of the group itself. So, what has happened with that group, perhaps
three blocks before, two block before, bottles coming from it, trash been set on fire, things of that nature. So, in identifying more problematic groups that are occurring throughout New York City. And it also could be a factor here in terms of logistics, in terms of personnel. So, what -- what arrest teams were available at a particular area, could also be a factor at times.

Comm. Garnett: And who, in terms of level within the command structure, who is making that decision? Are -- is that being made at the Patrol Borough level, is that being made more by, you know, someone who at, sort of a precinct commander level, or even below that point? Like, who is making those decisions about the deferential enforcement?

Comm. Shea: Uh-huh. Yeah. Great question, the decisions would be made by an executive in these types of circumstances. But it could be both of what you said, and -- and higher. It could be a -- a precinct commander, depending on the facts on the ground, with the knowledge that he or she has. It -- it certainly could be, depending on the circumstances, if -- if a borough commander was there. And -- and it could be done in conjunction with running information up through Operations, 'cause sometimes these -- these protests or marches were going from one area to another, and being passed off. So, I think all of those things were happening. I think all of them could be behind the decision that was made. We trust our executives to
make decisions. But it would not be a situation that would be
done. It would be out of the ordinary in a situation like this for
a police officer to be making these decisions.

AIG Garcia: Good morning Commissioner.
Comm. Shea: Good morning.

AIG. Garcia: Just -- just one question regarding the issuance of the curfew. I
know you had said that, “I didn’t necessarily agree or disagree,”
but you respected the decision, and that you said that it could
have been handled differently. I’m just wondering if you could
just elaborate on that. How do you think that it could have been
handled differently?

Comm. Shea: Well, whether there was a curfew imposed or not.

AIG. Garcia: I mean, do you -- do you think -- so you said that you think that
the curfew -- if the curfew was issued, it should have been
earlier, 8:00, not 11:00 p.m.? And is there anything that you
think should have been done differently regarding the curfew?

Comm. Shea: That’s the -- wo-- once it was decided that a curfew was going
to be issued, I -- I -- I thought it was a little late to be 11:00
o’clock, considering the crowds, and the violence that we were
already seeing. The looting that we were already seeing, it’s --
it’s akin to trying to get, you know, the cat back in the bag. It’s
too late. I think that bore out to be correct, because within one
day, it was moved up to whatever time is was moved up to.

AIG. Garcia: Thank you.

Mr. Richardson: Good morning Commissioner.
Comm. Shea: Good morning.

Mr. Richardson: So, although there’s some confusion about who qualified as an essential worker during the curfews, I’m wondering if legal observers have certain protections at protests, whether or not there is a curfew?

Comm. Shea: Yeah. I -- I would defer this to Legal. I -- I don’t know that there’s any confusion. But I would defer that to the lawyers, both in your house, City Hall, as well as our legal bureau, better -- better situated to answer that. I don’t -- I don’t believe that accurate that there’s confusion.

Mr. Richardson: Sure. So, I’m saying that whether or not they were essential workers, like, let’s put the curfew to the side. Does NYPD have specific protections for legal observers?

Comm. Shea: Again, we -- we exercise broad latitude in -- in a number of classes of individuals. And -- and if there is a situation where they are arrested, what I have seen is, that they are committing violations under the guise of being, whether it is an essential worker or legal observers or something along those lines.

Mr. Richardson: Right. So then it would be accurate to say that legal observers fall under the discretion of any other class, but there’s not necessary a carved out specific protection?

Comm. Shea: Again, I -- I’ll defer that to Legal Bureau. I believe that’s accurate, but I -- I’d rather we get a, you know, a solid answer from Legal. But I believe --

Mr. Richardson: Thank you.
Comm. Shea: -- that’s accurate.

Mr. Richardson: Thank you.

AIG. Sanchez: Commissioner, we gonna just move on to the intelligence section. Commissioner, what type of information or intelligence did the NYPD gather or receive, review, between the death of George Floyd and the start of the protest in New York City?

Comm. Shea: I -- I don’t recall as I sit here. Certainly, you know, certainly, as I started out today, monitoring events across the country, this is something that routinely happens, whether it’s a terrorist attack in France, or at situations where a police officer tragically is killed somewhere in the country, or an attack on a police station house. Now, we started to see that months after the fact, though I don’t remember exactly what had happened, and when, and what Intel I had at what time. I would tell you though, that as I said before, the speed and the swiftness of the violence with these protests was surprising.

AIG. Sanchez: Commissioner, what information or Intelligence did the NYPD gather during the protests. You know, and I’m trying to get to, you know, what were the tools that the NYPD was using to gather this intel, and also, you know, the substance of the Intel? Can you speak to that type of information --

Comm. Shea: Yea--

AIG. Sanchez: -- that the --
Comm. Shea: -- yeah. I mean, clearly with that Union Square, and then the
Barclay Center, and every day after, clearly there was a
problem in terms of -- and I’m not referring to intelligence
collection. I’m just referring to what was occurring with the --
the violence at these protests. So, there was a -- a quick move
to gather as much intelligence as we could through open source,
through all the social media outlets, through what protest were
gonna be occurring, what we knew about, you know, an
organization. You know, here you have, you know, something
that hampered us significantly was that, ordinarily when
protests happen, you have groups come in, and -- and have a
conversation with the local law enforcement. And, that was
really not happening for the most part, here. There was no point
of contacts. There was no one to reach out to. If there was an
attempt made, it wasn’t answered. So, it was a little bit like
flying in the dark. But all of these things were we were trying
to do, and -- and trying to gather intelligence through, social
media, through open source, to really have a better idea of what
was expected, and what was happening.

AIG. Sanchez: Commissioner, how was the intelligence related to these
protests distributed to the members of the service by the Intel
bureau?

Comm. Shea: I would say the same thing. The Intelligence Bureau has a
number of methods available to them. They could send out
blast emails. They could send out notices, documents. They
could do it through the FIOs. They can do it through, whether it’s attached to department wide messages that are sent out. And certainly, it’s done through briefing as well.

AIG. Sanchez: And Commissioner, you know, we’ve -- we’ve learned that, obviously, intelligence and information flows differently throughout the department. How do you receive intelligence on a daily basis?

Comm. Shea: Well, all of the methods that I just talked about. I’ll receive briefings. I’ll receive phone calls. I’ll receive emails, postings that are on our internal department websites, all of these methods.

AIG. Sanchez: Do you recall any of the information or intelligence that you personally received during these protests?

Comm. Shea: Not --not specific incidents, now, but it was occurring on a daily basis.

AIG. Sanchez: Commissioner, during the testimony that you provided to the Attorney General’s Office, you mentioned that there was an inclusion of outside agitators during these protests. What did you mean by, “Outside agitators”? And what intel did you receive about them.

Comm. Shea: Okay so, when you look at some of the initial, I believe Deputy Commissioner Miller, did a press briefing earlier on, and it was a snapshot in time of a number arrests that had been affected in the early parts of these protests. And when you examined some of the people, it was -- it was interesting to us that they were
from -- a number of them were from outside New York City.
That’s what I was referring to.

AIG. Sanchez: Commissioner, to -- to your knowledge, is there any
standardized guidance provided to officers as to how to
understand the Intel that was being widely distributed within
the department?

Comm. Shea: Not sure I understand that question.

AIG. Sanchez: Sure. A-- are -- are you aware of any -- any information or any
advice provided to the officers, boots on the ground, to help
them understand the intelligence that was being provided to
them, that was flowing from intel to them?

Comm. Shea: Sa-- same answer. There is a variety of ways that intelligence
is disseminated. And that would include at muster points where
people are turned out for their assignments for the day, in
situations such as protests. So I think it can travel to them in
all of those ways..

AIG. Sanchez: Commissioner, to your knowledge, was there any guidance to
specifically address how members of the service were to
interpret Intel they were receiving?

Comm. Shea: To -- how to interpret it? We provide it. They’re to, you know,
take it in, and go forth accordingly. I -- I’m not really sure what
you mean by that.

AIG. Sanchez: Understood. Commissioner, what did the intelligence say
about threats or risks -- risk to officers?

Comm. Shea: What did the intelligence say?
AIG. Sanchez: Yeah, to your knowledge?
Comm. Shea: Well, I -- I don’t recall the individual intelligence as I sit here. But as I said, from the first day, we had a number of officers injured. The Barclay Center, we had, some would say unprecedented violence immediately. Within days, we had Molotov cocktails thrown at officers. And, you know, attempts to take over precinct. And this was on the heels of where it actually happened in other cities. So I -- I don’t really think the officers needed much more than that to understand the threat. The bricks were self-evident ‘cause they were flying at their heads.

AIG. Sanchez: Understood. Commissioner, was the department strategy for policing these protests driven by the Intel?
Comm. Shea: In-- intel is one component. We also understand that it was a unique point in time. You know, it -- I will draw parallel to what we do on fighting crime. You have incredibly disproportionate areas in New York City where gun violence rampages communities. But we also understand that 99 percent of the people that live in those communities are good people that don’t commit crimes at all. I would draw that parallel here. Maybe it’s not a perfect analogy. But, people were upset. People were coming out to protest. We were honoring their right to protest, as we do every day in New York City. And just by the fact that there were extreme violence being committed against officers. I like to think that we -- we -- we still
understood that it was a -- a small number of people, too many,
but still a small, in a larger context.

AIG. Sanchez: Commissioner, can you provide an example of how intelligence
played a role in determining the NYPD strategy for policing in
particular, Floyd protest?

Comm. Shea: I -- I think they provided information. And -- and that was one
piece of information. It also goes with the boots on the ground,
and the executive that’s in charge of a particular zone or area,
what they are seeing. intelligence is just that. It’s intelligence.
It doesn’t mean it’s right. It -- it’s provided. It’s taking in. And
-- and we use that as one piece to formulate our response and
our plans. So we -- we have intelligence that says there’s gonna
be a protest in an area, for example. We may have to put
officers in that area, and no one shows up. It doesn’t mean that
we’re going to start accosting people that are at that example,
but, we take it in. You know, and -- and, you know, if we have
pre-information about violence that’s gonna take place, that’s a
piece of information that is given to our offices. And we weigh
that based on what we’re seeing at the scene.

AIG. Sanchez: Certainly.


AIG. Sanchez: Commissioner, are you aware of any intel -- intelligence
briefings being held on [redacted] for officers before
mobile field forces were deployed?
Comm. Shea: is one of the locations where we would muster up people to turn them out. And -- a- as any location where, whether it’s a precinct station house, a parking lot, or that we’re turning out people, we would muster them up or account for them, give them their assignments, turn them out. And it’s expected as part of that to be given any information relevant to their tour that day, including intelligence.

AIG. Sanchez: Commissioner, who ran those briefings at

Comm. Shea: I do not know. In fact, it depends on who’s in on any given day.

AIG. Sanchez: Did -- did you attend any of these meetings at

Comm. Shea: I think I stopped there one day to say thank you to officers, maybe one day, maybe two, but I don’t recall attending any group meetings there.

AIG. Sanchez: The days that you were there on what was communicated to the officers while you were there?

Comm. Shea: I stopped there as I said. You know, I’ve been there a number of times during the protests, at least once, maybe twice. It may only be once. But it was drive there, get out of the car. Say, “Thank you. Keep up -- keep your chin up. We’re gonna get through this.” And then, get back in the car and keep going. So, that’s really the extent of what my involvement.

AIG. Sanchez: And Commissioner, these meetings at what, you know, just -- just to get a sense of what took place there, what, you know, what discussions take place regarding
assignments, for example, strategy? What -- what goes on at these -- at these meetings, when officers are assembling for protocol role call?

Comm. Shea: Again, yeah. I -- I just answered that one already. That’s -- they would turn them out. And it’s part of, you know, lining them up, making sure people are ready. What their assignment is, and send them out. So, all of those things would take place in any locations like that.

AIG. Sanchez: Understood.


AIG. Sanchez: Does anybody from the team have any other -- any additional questions regarding Intel?

Comm. Shea: I just have one follow-up question, Commissioner. Earlier on in the interview, you had stated that one of the -- few of the positives for the department response or what happened in New York City compared to other cities is that there was no loss of life, and that no -- no buildings were burned. You had also said that people tried to burn buildings here in New York City. Just wondering if you can elaborate on that. What information did you get regarding what buildings were going to get burn in New York City?

Comm. Shea: We had fires. I mean, this is just a snapshot. But we had fires set in the Bronx, attacks to commercial/residential buildings. We had Molotov cocktail, to my knowledge, thrown at police
precincts in Brooklyn. You know, you -- you have a number of
incidents like that throughout New York City.

Mr. Garcia: Thank you.


Mr. Tellet: Co-- Commissioner, you had mentioned that when we were
discussing outside agitators, that that was a snapshot of history,
and it was a -- a trend that you noticed at the time. Did (unclear)

Comm. Shea: I’m getting a lot of feed-back. I don’t know if everyone is
going that.

Comm. Garnett: Yeah Chris, your audio is messed up.

Mr. Tellet: Alright. I’ll -- I’ll come back.

AIG. Sanchez: While Chris is logging back on, did anybody else have anything
on the Intel section? Alright. Chris is logging on now.

Apologies, Commissioner.

Comm. Shea: No worries.

Mr. Tellet: Very sorry about that. So, you had mentioned that, we were
discussing outside agitators, that it was a snapshot in history,
and it was a trend that had been noticed sort of early on. Did
that trend continue?

Comm. Shea: It’s hard to say. Overall, I would say, no. I don’t have the data
in front of me. I think if you looked at the vast majority of
people that were arrested, and, I think the number is thousands,
many released on summonses. But if you look at the protests
related over months, you gonna find people with New York
City addresses, overwhelmingly. I also know that the more you dig, the more you get to the truth. So, you know, if -- if you have someone that came to New York a month ago, and now has a Brooklyn address. We’re not only looking into that or digging into it, but -- so that’s a little of both ways right? Early on, we -- we were struck by a number of people that came from out of state, and were arrested, and then, provided us with their residence as out of state. I -- I definitively know, as I sit here today, that there was a number of people that we arrested that gave addresses in the City, but really are here a short time. But I don’t think that changes the overall, that overwhelmingly, it’s more New York residence than not.

Mr. Tellet: And that’s -- is that trend across both arrests generally, and also maybe some of the worst, like felony violence?

Comm. Shea: Are you talking protest related or -- or crime in genera?

Mr. Tellet: Yeah. Yeah. So, like, I’m trying to make the -- I’m trying to understand, is -- is there a distinction between locals and outsiders when it comes to, like, I’m not thinking about DisCon arrests. I’m think more about anything felony related, Molotov cocktails, assaults, that kind of thing?

Comm. Shea: I see. Yeah. Haven’t -- I don’t have that, you know, drilled down as much. When you -- when you look at the Molotov cocktails, when you said that, I think back to that. The first two people that were arrested, I think -- I think at least one, the
Mr. Tellet: You know what? I don’t want to give bad information. So --

Sure.

Comm. Shea: Listen, we still see people that are in New York City committing crimes or -- or involved in protests that came here to do that. Not because anything wrong with that, but it’s something that is a fact in something that we were aware of. And we are still to this day coming across some of these people. I mean, we still have, as I said, we might have four protests, or we may have 20. And that -- it’s fluctuates day to day. Ninety-nine percent of them don’t walk without a -- a hitch. You know, we escort them. There’s no harm, no foul. We utilized discretion. In rear circumstances now, we’re making arrests. But we are aware that there are still some outside agitators mixed in there.

Mr. Tellet: You had also mentioned that one of the things that struck you about these protests was how violent they had become, and how quick they were to become violent. And I think, though, when we were discussing planning, you had mentioned that, among other things that you were trying to do, was get to the root of why that is. Now having had a couple months out, do you know why these protests were so uniquely violent?


Mr. Tellet: Do you have a -- a suspicion?

Comm. Shea: None that I would like to share. I’ll stick to facts, right?
Mr. Tellet: Sure, sure. So, you’re still working on sort of getting to the root of it?

Comm. Shea: We’re going about our business a-- as we always are. We’re trying to keep people safe. We’re policing protests. We’re making arrests where it’s valid. And if something should change, and more intelligence, or information, or facts become known, then we’ll -- we’ll make those known.

Mr. Tellet: Okay. And while you were talking about planning, you had mentioned two -- two other things. You had mentioned that you were taking care of injured officers. I think when you spoke to the AG, you had mentioned that there were about -- it was in the hundreds. It was either three or four hundred injuries.


Mr. Tellet: What sort of injuries were those? Was --wa-- was there a trend to those injuries?

Comm. Shea: Definitely hundreds. And if -- if -- I don’t know if you just said a couple hundred or two or three hundreds, I think it’s actually more. I wanna say closer to five hundred. A-- at this point in time, it runs the gamut. You know, it’s -- it’s -- it’s injuries sustained making an arrest. So you got everything from a turned ankle, right, to an injured shoulder, to officers getting hit with bricks and bottles, to officers stabbed and shot, that occurred during these protest. Officers getting shot at during this protest, to being struck with cars, having Molotov cocktail
thrown at them. Thankfully, there were no burns to my
knowledge were sustained. So, it really punched, you know, all
of -- it’s all of everything I just said. So, it really runs the
gamut.

Mr. Tellet: And, were the injuries in anyway unusual for this protest as
oppose to protests you’d seen in the past?

Comm. Shea: Absolutely. I mean, I’ve said it a couple times now. It -- it’s
swiftness. We had protests where a bottle thrown, rightly, with
all I could say, that that wouldn’t happen. But we also are wide
eyed that sometimes you see things like this, but not to be
numbered and not to the severity, and without really any reason.
So it was the -- the volume. It was the breath, I mean officers
making lawful arrests. And people coming up and hitting them
in the heads with fire extinguishers. I mean, you name it, it
happened. It -- it was disgusting. And -- and it was
unprecedented.

Mr. Tellet: And, you had also mentioned that you tried reaching out to the
community. Was that successful?

Comm. Shea: To -- to degrees. You know, we reached out to take, you know,
it’s hard to look at this point in time without looking at the
continuum. So what really started with COVID too. And we
reached out to elected officials during COVID to -- to come out
with us and do some of our outreach with us. We did that same
thing at some of these protests. Was it successful? It’s -- that’s
hard to say. Could it have been worst if we hadn’t done that?

Really hard to say.

Mr. Tellet: I -- I think you’d mentioned earlier in the intel section that, I think the line was something like, “Flying in the dark.” That it was hard to get to some of these protest groups. Is that why you were trying to reach out to like elected officials and what not, because it was difficult to reach these groups?

Comm. Shea: No but -- wha-- we reached out to elected officials for a number of reasons, to let them know what’s going on. Sometimes, they’ll be reaching out to us to -- to tell them what’s happening at particular. You know, there was a lot of miss information, very, very smartly done by whoever was behind it, putting out snipits of videos that didn’t tell the whole story. So, trying to tell people what really happened in some circumstances, reaching out to, you know, we developed over time significant relationships with, you name it, in communities across this city, reaching out to tell them what’s going on. And -- and it was two-way communication. The sad thing was that many people were just afraid to come forward then. Because they were shouted down if -- if they were to come out and support the police. So, I mean all of these things were going on a daily basis from my level down to precinct commander levels, and community affairs levels, throughout New York City.

Mr. Tellet: Thank you, Commissioner.

AIG. Sanchez: Commissioner, moving on to NYPD Policies and Practices. Does the NYPD have any policies that relate specifically to protest response?

Comm. Shea: We certainly have policies regarding protests. Again, a -- it’s - - it’s a starting point. We adapt to whatever conditions are thrown at us. But you know, in the very basis part of our Patrol Guide, is the mission statement that we value human life. We protect life and property, and we’re gonna follow the laws. And that law includes, respecting people’s right to protest, and peacefully assemble. What -- what --

AIG. Sanchez: Commissioner --

Comm. Shea: -- I -- could I -- could I just take one minute, and I’ll give you the minute back just to get a cup of coffee, and I’ll come right back?

AIG. Sanchez: Of course, Commissioner.


AIG. Sanchez: No worries, Commissioner. You’re not alone. Commissioner, Let me get it back here too. Would you say that policing of large scale protests is a form of disorder control?


AIG. Sanchez: Do NY--

Comm. Shea: (Unclear) --

AIG. Sanchez: -- PD pa-- I’m sorry, Commissioner. Please go.
Comm. Shea: Yeah. I’m sorry. You know, just by the -- the nature of the word “disorder”, because sometimes there -- there’s absolutely no disorder.

AIG. Sanchez: Got it. Does the NYPD -- NYPD policies differentiate between policing different types of events, such as parades versus protests versus riots?

Comm. Shea: I -- I think it’s a little intuitive that each of those are a little different. Doesn’t change our mission, nor does it change our values, that you know, to protect life, protect property, but certainly those great examples that you raised are quite different.

AIG. Sanchez: Commissioner, when is it appropriate for NYPD personnel to use OC spray during a protest?

Comm. Shea: So, it’s a -- it’s a form of physical force. The OC spray that is issued to our offices would be akin to, when we teach the Use of Force, it’s a continuum where you don’t have to go to each step. But it’s starts with verbal. It ends, tragically with the use of deadly physical force. And -- and during that course or continuum, is the use OF OC spray. So, it’s dependent on the threat that is in front of the officer at the time.

AIG. Sanchez: And same goes with -- for batons? Is that right?


AIG. Sanchez: Commissioner, does the NYPD Use of Force policy account for the use of an NYPD vehicle as means of force?

Comm. Shea: Not to my knowledge.
AIG. Sanchez: Would the use of an NYPD vehicle in this particular case, the RMPs that we saw on May 30th, be covered by the Use of Force policy?

Comm. Shea: I mean, I’m not sure I understand that question. But I also don’t agree that the vehicle was been used as a Use of Force. I think that --

AIG. Sanchez: -- characterization is false.

Comm. Shea: -- characterizing is false.

AIG. Sanchez: Well, you know, it -- it -- it goes, you know, conversely if members of the public, you just mentioned yourself protesters using vehicles against officers, I think would be -- fair to say that that’s a -- could be lethal force in certain instances. We’re just trying to get, you know, trying to account for this particular incident, if it would be covered under the Use of Force policy in the department?

Comm. Shea: Any-- anything that the officer does on a daily basis, is covered on the use of force policy. I think it’s important --

AIG. Sanchez: Yeah.

Comm. Shea: -- also that there is internal mechanisms. For example, out Internal Affairs bureau that you’re well aware of is also district attorneys and bodies such as yourself. Then, it’s important to have, you know, for the public to have trust, and that incidents are reviewed. And -- and that’s kinda why were’ sitting here today, one of the many reasons. But, I -- I also stand behind my earlier statement, in that, I would not categorize, based on the
totality of that circumstance, the use of that car as a use of force when you look at everything that was happening in that instance.

AIG. Sanchez: Ye-- yeah. Yes, Commissioner. I think we can, you know, acknowledged certainly instances where officers inside of an RMP, driving, you know, the -- where there would be a legitimate reason for that.

Comm. Shea: Correct.

AIG. Sanchez: But there is, you know, very little language in the Patrol Guide to refer to these instances. At the time of the Floyd protests --

I’m sorry, Commissioner. Go ahead.

Comm. Shea: Well, I was just gonna say, I mean, that’s -- that’s the Patrol Guide is a guide. We certainly don’t put in that you can’t take a knife out and stab your spouse either, because it’s an illegal act. Running over people with a car is an illegal act. So, just because it’s not in there, there’s not a reason to be in the right. And I’ll default to my earlier statement.

AIG. Sanchez: Sure. Or --or articulate the permissible uses of a vehicle should that need arise right? That circumstance could -- could be the case. But, moving on.

Comm. Shea: That’s fine.

AIG. Sanchez: At the time of the Floyd protests, were there any NYPD policies in place related to the presence of members of the press at events, including protests?
Comm. Shea: I think it’s well established. I can’t quote to you, you know, what verbatim, what procedure it’s in. But, I think it’s well established practice, the rights of the press. I think we -- we do a good job with the press. We’ve certainly involved current policies in New York City that the NYPD issues press passes. So I think we have a good working relationship with the press, overall.

AIG. Sanchez: Commissioner, along that same vein, at the time of the protests, were there any NYPD policies in place related to the presence of legal observers at events?

Comm. Shea: I’m racking my brain as I look at you screen here. I -- I -- I believe it comes up somewhere, either in Legal Bureau bulletins or policy memorialized somewhere. But I can’t quote to you as I sit here, where it is.

AIG. Sanchez: What about personal protective equipment requirements? Was there any internal NYPD directive issued regarding department personnel wearing masks or other PPE?

Comm. Shea: So helmets, yes. Masks were covered in -- by other finest messages that had been put out.

AIG. Sanchez: Commissioner, what about name plates and shields? At the time of the Floyd protests, was there any internal NYPD directive or Patrol Guide issued regarding department personnel covering their nameplates or shields?

Comm. Shea: Ordering people to cover their name plates or shields? Absolutely not.
AIG. Sanchez: No, no. That -- that -- that touched on that subject that made it forbidden to do so?

Comm. Shea: No. The only thing that -- well, that’s -- that’s already memorialized in policy of the Patrol Guide. I know this issue of mourning bands has come up. I don’t know if that’s what you’re also referring to or you were going to bring that up. But, earlier this year, probably in March or April, I put out a directive that mourning bands are to be worn over the shields in memory of the now 46 members that have lost their life. But that is not, you know, that was reported in the media that that was been as proof that officers were covering their shields.

That’s -- that’s the furthest from the truth, because the mourning bands actually doesn’t cover the shield number. It’s done purposely so that it does not. So, other than that, I don’t have anything to add regarding mourning bands or name plates or shields. They should be worn as they go on shift.

AIG. Sanchez: Certainly, Commissioner. And -- and just to be clear, specific to the mourning bands, is there any directive -- did the directive changed in any way, or did anything disseminate from your office addressing the use of mourning bands to cover name plates or shields or shield numbers?

Comm. Shea: No. But directive still stands. We reviewed that. We talked about that internally probably a month or so ago because we -- we finally had the -- a mass at St. Patrick’s Cathedral honoring the 46 members. And the question was, “Do we take that
directive down?” The issue though is that we still have, unfortunately, members going sick, thankfully not passing away. So, it still stands.

AIG. Sanchez: And hopefully that stays true.


AIG. Sanchez: Absolutely.


AIG. Sanchez: Before we move out of the policies and procedures sections, I wanted to turn it to my colleagues if they have any follow-ups.

IG Brunsden: Hello Commissioner. You mentioned --


IG Brunsden: -- you mentioned -- you mentioned at the start of this section related to policies that the NYPD has policies and Patrol Guide that relate to the policing of mass demonstrations or protests. Does the NYPD have a policy that is dedicated to, or is exclusive to the policing of mass demonstrations or protests?

Comm. Shea: If you’ve ever seen our Patrol Guide, it’s quite lengthy. And we have a number of guides and procedural guides. It’s certainly covered in training and other areas. Where is it, I -- I could not tell you, as I sit here now. But we -- we certainly put a lot of effort into policing protests, yes, from everything, from training, to staffing. And, it comes up. I -- I -- as I sit here thinking about it, it -- it crosses in a number of different procedures. For example, we have procedures about mass arrest that touches on protests. So, you know, one individual
procedure though that is all encompassing I think. I can’t quote you. Not to say it doesn’t exist.

IG Brunsden: Okay. And -- and certainly recognize there is policies on mass arrests, special events, disorderly --

Comm. Shea: (Unclear).

IG Brunsden: -- control.


IG Brunsden: Right, right. A num-- a number of policies that either indirectly or sometimes directly refer to or relate to demonstrations or protests, but, to -- to your knowledge, is there -- is there one that is dedicated to demonstrations or protests?

Comm. Shea: The same answer. I -- I would have to get back to you in terms of, those topics are covered in a variety of different ways, in both policy and training.

IG Brunsden: Okay. And then, you know, we -- we spoke about a few different policies in this section. Had there been any discussions since the Floyd protests about any policy changes that might be warranted or under consideration with respect to, policing protestors demonstrations?

Comm. Shea: Wa-- are you looking for specific policy or procedures changed?

IG Brunsden: Yes. That -- that -- that are -- that are being discussed or maybe under consideration?

Comm. Shea: Well, I can tell you, absolutely looking at the entirety of what took place in May and June, in terms of what we can learn from
that as an agency, what we were facing, how did we respond, how did we gather information, how did we deploy people, what other equipment or policies, we are absolutely doing that. Off the top of my head, I -- I can’t think of one thing that I will point to. But we were at-- we are absolutely looking, as we always are to -- to learn from what took place, and -- and to put -- put any changes that might be needed into practice going forward.

IG Brunsden: Thank you.

AIG. Sanchez: Alright. Commissioner, moving on to training. As to training, what type of training do officers receive specific to protests?

Comm. Shea: I think we’ve touched on some of them. You know, in -- in the -- in the academy, which is 6 months in length, they -- they’re getting indoctrinated into our policies and practices. So that’s par-- rules and regulations. I think when you talk about demonstrations or riots. It touches on a number of issues. For example, a black out in New York City, how would you respond? How do you respond when you’re called in for duties, when you’re off duty? How do you, you know, everything from, how do you report, where do you go for your assignment, what equipment do you need, how do you form lines and wedges. All of this are things that are covered in initial training, and subsequent training that takes place, both in the academy and afterwards. Just -- those are some examples.
AIG. Sanchez: Thank you Commissioner. Are you aware of the term, “kettling?”

Comm. Shea: I’m -- I am -- intimately aware of it now that is has been repeated a number of times since the protests.

AIG. Sanchez: And -- and is this an NYPD crowd control tactics?

Comm. Shea: A -- I was aware of the word before. But I was never aware of the word or in connection to any police department policies or procedures, either, you know, in writing or spoken. It was never a term, to my knowledge, that the Police Department used.

AIG. Sanchez: And -- and in terms of any type of tactic that would, you know, used for mass arrests, where there’s police on one end, and on the other end, for the purposes of mass arrests, that is an NYPD tactic, is it not?

Comm. Shea: Yeah. And I think this -- this is where exactly all the confusion stems from, as people discussed this. When you look at the totality of how we police large crowds and demonstrations, you’re gonna see an abundance of discretion, patience, marching around with people, working with people. Sometimes arrests are made, sometimes those arrests are organized beforehand, ‘cause people want to get arrested. You see all of this. I think, I’m not saying anything different. There comes a point in time, certainly, where we give warnings. We’ve learned from prior cases. We-- we’ve learned from court decisions where, you know, we -- we generally now when
we’re aware and could plan in advance. We have systems in place where we have members of TARU on the scene. We have members of the Legal Bureau on the scene, where we give warnings, so that, a different story can’t be told afterwards that may not be true, that we didn’t warn people. We video this. This is what happens. And -- and generally, people are compliant, and will then disperse. That’s exactly what we want them to do. That’s the whole purpose of warning them to leave or they could be subject to summons or arrest. So it would be -- it would not make sense to me that we would be blocking people off and warning them at the same time. Now, if you have a circumstance where people are going to be arrested for whatever the case is, certainly you wanna have a perimeter on those peop-- people. And I think that those two descriptions that I just gave are completely different scenarios.

AIG. Sanchez: Thank you commissioner.
AIG. Sanchez: We were informed that there were recent changes made to in service training related to policing protests. What was your involvement with these changes?
Comm. Shea: What I wanted to do is, I think that when you look at the review that’s taking place, and when you look at the size and the scope of the protests that took place, I think if you said, unprecedented, you wouldn’t be far off with the levels of protests, and the size of them, and how spread out they were,
together with the violence. So we wanted to make sure that who we had in this department had receive all current, and the -- the most up-to-date training, something that we do, I think constantly, whether it’s about protests, or whether it’s about shooting at the range, quite frankly. So, in the -- in the latest to your question, we took a look at what we were currently training people, a-- and thought that we could do more in terms of lines, wedges, working as a team, things of that nature. It’s training that they receive in the academy. But it’s something that I thought that we could do a little more towards that. And that’s what we put into place in the summer. It was also done in -- in anticipation of getting prepared for the unknown, if you will, around the most recent election. So I think we put approximately 11,000 members through this training over the summer.

AIG. Sanchez: And, it was you that directed these changes? Is that correct?
Comm. Shea: Yes, myself in conjunction with the training bureau.
AIG. Sanchez: And -- and, this training that you ro-- that you’re referring of, is it the same, disorder control training provided to members of the SRG?
Comm. Shea: I don’t -- I can’t tell you definitively it’s exactly the same. SRG is a unique assignment, where they deal with that world. They are quote-un-quote, the experts. But we wanna make sure that we had everyone up to the same or a comfortable level of proficiency. And again, these are perishable skills, we would
argue. So that even if you had them at one point in time, training is -- is really scene as a detriment. And some people have not had training for a period of time. So we thought it was prudent to refresh that training.

AIG. Sanchez: Thank you Commissioner. Do you know, by chance, who’s in charge of this new training module?

Comm. Shea: It’s done through the -- the Training Bureau, who physically is conducting it. I’m sure it’s a team of individuals.

AIG. Sanchez: And who determines the content and focus of this new training?


AIG. Sanchez: Okay. And just be mindful of the time, Commissioner. There’s a lot of ground to cover still.


AIG. Sanchez: Is there anything else that the team might wanna ask regarding the training, before moving on?

AIG Garcia: Just have one question, Commissioner. I’m sorry. You -- you had spoken awhile about discretion, and how officers use discretion in, obviously everything they do, you know, in the field. Is it your understanding that officers -- individual officers were using discretion related to arrests for these protests?

Comm. Shea: Now -- now you’re into a little different area, though. So just remember, you’re gonna have thousands of officers deploy. The officers maintain the right to make an arrest where it is warranted. But, you’re -- you’re balancing here between individual instances. So, somebody breaks a window, or
somebody punches an officer, the default there is, an arrest is
gonna be made. But when you’re talking about hundreds of
people perhaps, violating a curfew, or blocking traffic for 10
seconds versus 10 minutes on a deserted street versus a heavily
traffic street, a block from a hospital or ambulances, you’re
talking every situation is unique. And in situations where you
have the latter, that’s where we gonna have executives on the
scene, making those decisions, more often than not, still
discretion.

AIG Garcia: Thank you.

AIG. Sanchez: Commissioner, moving on to Community Affairs. Generally
speaking, what is the role of Community Affairs in policing
protests?

Comm. Shea: Community Affairs’ role could be a number of things. They
could be assigned to the protest for the day, not in their normal
roles as Community Affairs. So that’s -- that would be just as
the same as every other officer. They could be assigned
specifically not to holding a line or to a specific assignment.
They could be assigned, quote-un-quote, “as Community
Affairs”, if that makes sense to you. I apologize. And in that
role, it -- it would be -- it could be omnipresence. It could be
working with particular people. It could be escorting
dignitaries. It could be a lot of different things.
AIG. Sanchez: And Commissioner, to your knowledge, what did the Community Affairs officers do during these protests? What was their involvement?

Comm. Shea: So -- so it could be just what I said. It -- it could be assigned per manpower needs, to the detail, or they could be in their role as Community Affairs. And it could have been a number of different assignments.

AIG. Sanchez: As the NYPD was developing its strategy, and -- and certain times changing that strategy during the protests, was the use of Community Affairs officers part of that strategy in any -- at any time?

Comm. Shea: Yeah. I mean, we touched on it earlier, whether it’s elected officials, community leaders, clergy, business leaders, you know, there were many, many conversations, every day throughout New York City taking place, protestors, and -- and community affairs as well as executives up and down the department was speaking to people at that time.

AIG. Sanchez: Commissioner, earlier on in the interview you’d been mentioning about some of the communications -- some of the attempts. My colleague Chris was talking a little bit about this, and asking you questions about, you know, flying in the dark. Are you aware of specific calls made from the department to organizations or members of the community for guidance, for assistance, for Intel, as these protests were happening?

AIG. Sanchez: Were you personally involved in any of these calls?

Comm. Shea: I -- I -- I lost track of the number of calls, and people I spoke to during those weeks. Events I attended, calling for common peace, it -- it ran the gamut, from informal to formal. It happened, you know, in parks. It happened at protests. It happened at -- at churches. It happened up and down the department, myself included.

AIG. Sanchez: And -- and you mentioned that a lot of these organizations or a lot of these folks were reluctant to -- to speak out publicly because they would be spoken down to at protests? Is that correct?

Comm. Shea: I lost track of the number of people that told me that. They were worried that their homes would be destroyed. People would protest then they would lose their jobs. I heard all of that.

AIG. Sanchez: Commissioner, we were informed that personnel assigned to the Community Affairs Bureau were reassigned at the time of the Floyd protests because the department had a need to shift officers due to the COVID response. Who made that decision?

Comm. Shea: I'm not sure what you’re referring to there. So we have a system in place in the NYPD where we have Community Affairs officers in every precinct, in every TSA, which is the Housing Units. We also have a Community Affairs Bureau in -- this makes sense to no one, except the NYPD. But, they belong to different people. So, you could have Community
Affairs Bureau move to do different assignments. But that wouldn’t affect necessarily the Community Affairs officers that work in every precinct. So, it’s quite possible that officers were moved around for all of the reasons I mentioned before.

AIG. Sanchez: Thank you for articulating that, Commissioner. And, I’m referring specifically to the -- to those members assigned to the Community Affairs Bureau, not the ones at the precinct.

Comm. Shea: Yeah. You -- the precinct is actually bigger numbers than the bureau.

AIG. Sanchez: And Commissioner, the -- the -- those in Community Affairs Bureau, those assigned to the bureau themselves, them being reassigned to respond to COVID, was that your call?

Comm. Shea: So what -- what do you mean by “COVID”?

AIG. Sanchez: Yes. Essentially, they were not serving in their traditional roles as Community Affairs officers for the bureau, not again, the precinct, separately, you know, segregating that -- those officers assigned to precincts. I’m specifically referring to the Community Affairs officers within the bureau. We --


AIG. Sanchez: -- understand that they stopped functioning in their roles as Community Affairs officers, in an effort to help respond to COVID-19 initiatives? Whose call was it to repurpose that role?

Comm. Shea: I -- I would disagree with that entire premise. Officers that are out in the community talking to people in the community, trying
to help them, in handing out masks, and making sure people are compliant, is exactly what Community Affairs, and working with the community is. So, I -- I just -- I would disagree with that whole premise. Who -- who directed that, I -- I don’t know. But there were a number of people assigned to different tasks. It happens every day in the police world. But that is not, to me, non-Community Affairs work. That’s exactly what they’re supposed to do.

AIG. Sanchez: Understood. And just -- just to be perfectly clear, to your knowledge, there wasn’t any type of directives from you or from others -- other executives for these particular officers in Community Affairs Bureau?

Comm. Shea: No. I -- I didn’t say that. Whether it’s Community Affairs, whether it’s people working inside, numerous, numerous people were reassigned for a variety of reasons during COVID, and through the protests, and right through today, and for a number of reasons. And these things are done, you know, at the bureau level. They’re done at the -- a -- a, you know, at policy level, at the executive staff. They’re done at local levels. That particular reassignment, I don’t recall. But that’s not out of the ordinary to me.

AIG. Sanchez: Alright. And who -- and who would have the authority to make that call?

Comm. Shea: Certainly the Chief of Community Affairs, or -- or anyone higher. But if they’re taking people from Community Affairs
Bureau, not the precinct people, that would be Community Affairs or -- or similar stature.

AIG. Sanchez: Thank you for that explanation, Commissioner.

Comm. Shea: It could also be volunteering.

AIG. Sanchez: Thank you. Wa-- what do you mean by that?

Comm. Shea: So what I mean by that is, somebody could be saying x officers were reassigned. And -- and sometimes people don’t like change. But it could be as simple as, “Hey, this task needs to be accomplished.” And somebody say, “Hey, I have officers that can help you with that.” And that’s as simple as, not necessarily a mandated directive. It’s just getting the job done.

AIG. Sanchez: Thank you. Commi-- Commissioner, was the new NYPD community partnership initiative, these meetings in all five boroughs launched because of the recent protests?

Comm. Shea: No. They were mandated by governor’s executive order.

AIG. Sanchez: And what is the goal of this initiative?

Comm. Shea: The -- your -- you would have to read the exec-- governor’s executive order. From my opinion now, we’re in a place where we are mandated to participate in a reimagining, if you will, of police community relations. I actually don’t like that. Because I think that’s what we should be doing, whether there is an executive order or not. And that’s the stance I take. So the goals of those meetings, in particular, are a first step of a multi-step process to get community input. And we accomplished that, I would say. It’s one step of many. We’re hearing that
people like somethings the police are doing. We’re hearing that people support the police. We’re also hearing that people are critical of somethings the police are doing, and everything in between, quite frankly. So we’re taking all this in. We’re working with partners. It’s -- it’s a start of a long process that should be done by April 1st. And I would just point out that this is taking place across New York State, to my knowledge. In -- in all police departments, whether there were protests or not. So that’s why I say it’s not tied to the protests. But certainly, it’s a part of a bigger discussion.

AIG. Sanchez: And Commissioner, when you -- when you mentioned partners that you’re working with for this, could you mention who those partners are?

Comm. Shea: Well, we work with many, many partners. But I’m specifically speaking to Arva Rice, Jennifer Jones Austin, and West Moore that I personally spoke to before this process, and asked them to work with us on -- on -- from the ground floor, looking at how we think about policing in New York City. And I was very happy that they agreed to take part in that journey. But we’re also going to be, as part of this again, this is a governor’s executive order that mandates involvement of the City Council, and the Mayor, and which is one piece of this.

AIG. Sanchez: Thank you Commissioner.

AIG. Sanchez: Commissioner, were there recent changes made to Community Affairs leadership made as a result of the Floyd protests?

Comm. Shea: Are you speaking to the -- the three star chief?

AIG. Sanchez: So -- so the chief and the, you know the entire Community Affairs structure kinda change a little bit recently. What was the impetus for those changes?

Comm. Shea: I -- I’m not familiar with what you’re talking about with the structure. The three star chief, the -- the top person changed because of the death of Billy Marks.

AIG. Sanchez: Thank you Commissioner. And, you know, we -- we did receive an Interim Order, or an Operations Order. It was specifically noting that changes within Community Affairs. That’s what I’m referring to.

Comm. Shea: Okay. Tragically, I can’t think of that off the top of my head. If you -- if you put it up on the screen, maybe I could talk about it.

AIG. Sanchez: Sure. I’ll -- I’ll try, if -- if we have time. And we -- we -- quite frankly, we should move on. Commissioner, now we’re going to be talking about Mott Haven. There were, you know, public statements made by you and others, that the response to Mott Haven was planned. Whose plan was it to -- to police this event?

Comm. Shea: This was one of many protests that were taking place. I can’t remember if this was May or June. But it was certainly in the -- that busy two week period. One of many protests that were
being planned with -- with deployment of personnel throughout New York City, at that time. What was unique about this one, and not singularly unique, but what caught our attention, certainly is the -- the social media postings, and calling out to assemble there, were particularly violent in nature.

AIG. Sanchez: Commissioner, what information specific to that -- the department review in preparation for this event? Do you recall the -- the specific Intel that was reviewed for this?

Comm. Shea: Well, once I saw a burning police car that told me for the most part, that there was a potential for danger here. This is in the days after we had police cars burned. That was the call to come out. They’re burning police cars upside down. And -- and my recollection is there was also calls to violence regarding this assemblage. I mean, this was a group that, the very name of it is antagonistic and violence driven, for some time in New York City.

AIG. Sanchez: Was this information shared with the Mayor’s Office prior to the Mott Haven protest?

Comm. Shea: You have to ask the Mayor. I don’t -- I don’t recall as I sit here. Quite --

AIG. Sanchez: You --


AIG. Sanchez: Do you remember if the Mayor’s Office or any of their staff provided any direction as to how to police this particular protest?
Comm. Shea: No. As -- as I said earlier, I was in frequent contact with the mayor. It would not be out of the ordinary for any protest. This is what is expected tonight. This is what is going on. I don’t recall it as I sit here now. It’s months ago. But, in terms of the Mayor’s Office dictating how to police protests that would not be how it would happen.

AIG. Sanchez: Thank you Commissioner. What was your involvement in planning the response for Mott Haven?

Comm. Shea: I’m sorry?

AIG. Sanchez: Commissioner, what -- what was your involvement in planning the response for the Mott Haven event?

Comm. Shea: I wouldn’t categorize it as having any direct response, making sure that we had adequate resources throughout New York City. We deal with any and all protests. My recollection now is that this was, I think, towards the beginning of the curfew. I think that we had some incidents in the Bronx that week. I don’t remember if it was immediately before or afterwards in terms of looting and fires being set. That was part of the narrative as well. And then you had this incident where, again, it’s a call to come and do damage. And I -- in my recollection, there was specifically calls about burning things down.

AIG. Sanchez: Commissioner, was it decided in advance that the curfew would be strictly enforced against this particular protest as a way to end it?
Comm. Shea: I -- I don’t recall that. But what I do recall is, as -- as the evening transpired in New York City, a number of protests, this being one of them, we had a couple of incidents that, again, pieces of the puzzles, if you will, where we had a gun arrest made in connection to this protest. You also had a -- a second car, as I recall, stopped, that had some weapons, flammable fluids, again in connection to this protest. So now you have a call to come out and burn things down, attack the cops. You had a gun recovered. And now you have weapons and flammable fluids. I think all of those things contributed to decisions that were made.

AIG. Sanchez: Thank you Commissioner. I’m now gonna turn it to the team if they have any follow-ups regarding Mott Haven.

Mr. Tellet: Commissioner, did you have any communication with the Bronx Chamber of Commerce regarding the protest, in Mott Haven?

Comm. Shea: The Bronx Chamber of Commerce? Can you give me a name?

Mr. Tellet: Sorry, I can’t. I -- I had seen that they had a Facebook posting that sort of went out to a lot of the businesses that associate with the Bronx Chamber of Commerce, saying that they had been advised by NYPD that the protest could -- had the potential who -- to become violent that night. I was wondering -- I -- I suspect it might have happened at a lower level. I was just curious if you had been involved in that at all?
Comm. Shea: Yeah. You surprised me with that one. I don’t -- I don’t -- if you said the name, maybe it would draw. But I don’t -- I’m not even sure that I know anyone on the Bronx Chamber of Commerce. Not that I recall at this point in time. I don’t think I -- I. And that -- but that’s not surprising to me because it would be routine for us to advise stores in the areas because that’s exactly what the pro-- protestors put out, that there was going to be damage.

Mr. Tellet: Prior to eight o’clock that night, did -- did you know that the entire protestors were going to be arrested?

Comm. Shea: No.

Mr. Tellet: When did you hear that the protestors had been arrested?

Comm. Shea: Well, I don’t know that the entire protest was arrested. There was a large number of individuals arrested in Mott Haven, that were part of a protest in violation of curfew, and probably some other charges. Whether they’re-- they were 90 percent, or 50 percent, or 20 percent of the group that was there, I --I don’t have any data that tells me that.

Mr. Tellet: Sure. A-- as I understand that there was somewhere around, I think 250. But, either way, so, when were you aware that 250 people were going to be arrested, or had been?

Comm. Shea: I -- ha-- had been, past tense, at some point that evening.

Mr. Tellet: And, who informed you --

Comm. Shea: Well, I don’t know that --

Mr. Tellet: -- about it?
Comm. Shea: I’m sorry. I don’t know that I knew the exact number. But, at some point, I heard there was a large number arrested.

Mr. Tellet: Who had informed you that?

Comm. Shea: I have no idea.

Mr. Tellet: Who would normally inform you of -- of large arrests like that?

Comm. Shea: It could -- it could come in a number of ways. It could be a -- a call from somebody on the executive staff. It could be in Operations. I’ve spent, you know, time walking through Operations. So it could come in different ways.

Mr. Tellet: Did you have any communications with the mayor or the Mayor’s Office that night regarding Mott Haven?

Comm. Shea: I don’t remember. It wouldn’t have been out of the ordinary. As I said, frequent means frequent.

Mr. Tellet: Sure. I think that’s it for me at the moment.

AIG Garcia: Hey Commissioner. So you had said, I think, you received some information there, I guess there was, I don’t know if it was a pamphlet on the car burning, and then an arrest of someone with a firearm, and -- and a car stop where they had some items in -- in the vehicle. Did you receive any information after the fact that the actual protestors in Mott Haven were violent during the protest?

Comm. Shea: I definitely learned of it after the fact. And again, we’re -- we’re categorizing a little too broadly here. So, I -- I think that there was some violence in the crowd. I, you know, in terms of if the number is accurate, 250 or 220, you know. I think there was a
variety of charges. Some people resisted arrest there. But in terms of, you know, what I learned after, I learned at some point afterwards that a large number of people had been arrested, and -- and all those subsequent details as well.

AIG Garcia: And did you get a chance to review the reports put out by the Human Rights watcher the physicians for Human Rights Watch on the Mott Haven?

Comm. Shea: I -- I heard there was report. I heard references to it. I’ve learned not to believe anything I read in the paper.

AIG Garcia: Okay.

Comm. Shea: Quite frankly, I did not read their report. But I know the facts. So, I -- I wasn’t gonna read their report.

AIG Garcia: Thank you.

Mr. Tellet: Commissioner, do you believe that there has been any misinformation in the press or in reports regarding Mott Haven?

Comm. Shea: Yes.

Mr. Tellet: And what misinformation do you believe has been put out?

Comm. Shea: I -- I -- I see misinformation put out frequently. And I don’t blame the media for that. So I don’t mean to categorize it that way. The media role report, what people say. And there is active attempts to distort truth regarding these protests.

Mr. Tellet: So in regards to Mott Haven, does anything call out to you that you might have seen that you believe is incorrect?
Comm. Shea: Yes. I have reported publicly at press conferences. Can you hear me? I may have just lost --

Mr. Tellet: Yeah.

Comm. Shea: Okay. I lost the video. We have publicly stated everything that I have just said. And it has been categorized by, quote-un-quote experts, and then repeated in the media that the -- the arrest of the gun, and other flammable things did not occur, or they weren’t related. That is patently false.

Mr. Tellet: And what is the basis -- well-- why is it false?

Comm. Shea: Because it’s not true.

Mr. Tellet: Can you be more specific?

Comm. Shea: Not really. It was relayed.

Mr. Tellet: And, do you believe that it was related because of intelligence that you were provided?

Comm. Shea: Intelligence -- just information that I know to be factual.

Mr. Tellet: Did you know it -- did you know that it was false on that day or do you know that it’s false today because of something you’ve learned since?

Comm. Shea: I don’t understand that question.

Mr. Tellet: Sure. When people say, “It wasn’t related,” if I had told that to you on June 5th, would you have believed that that was false?

Comm. Shea: It was false every day. Listen --

Mr. Tellet: Understood.

Comm. Shea: -- there is -- there is numerous instances, numerous, of misinformation from day one regarding the protests. And that’s
not to insinuate that the Police Department is in any way perfect. But there are numerous instances of misinformation, and attempts to make the Police Department look bad. And that’s what I’m basing my statement on.

Mr. Tellet:  Thank you, Commissioner.


AIG. Sanchez:  Commissioner, admittedly this is an unusual interview for us. You know, it’s not every day that the Department of Investigation receives and exe-- an executive order requiring us to investigate. I think --

Comm. Shea:  I understand. -- I think we can both agree the reason we’re sitting here today is because lots of New Yorkers were concerned about, you know, how the protests unfolded, and the nature of the department’s response. What concerns have you heard expressed?

Comm. Shea:  I think that the biggest one is, you know, some of the -- the violence or perceived violence by officers. I mean, I -- I think that that would be first and foremost. Yeah. And -- and -- and I think that there was a couple instances, conduct by officers that was inappropriate. That was acted upon pretty quickly, I would say, probably quicker than historically has been done in the Police Department. Where it gets confusing is, I think that, again, there are those that are looking to sow distrust between the police and the community. And they have also included,
and -- and publicized other incidents that way -- while they may not look pretty, and they never will, frankly. They weren’t misconduct. So I think you have to take all of this into context. And I -- and I think that we have done not a perfect job by any stretch. But I think we’re learning to do a better job getting our story out, quickly. Just this past weekend in the west village, there was an incident again that was put out on social media. And as soon as we got out the truth, the initial posting was taken down. So it’s -- it’s something that we are acutely aware of. But I think that the -- the conduct of officers is front and center of why we are having this discussion.

AIG. Sanchez: Commissioner, where have you heard these concerns?
Comm. Shea: I’ve heard it on the media. I’ve heard it from people. I’ve read it in the paper. I think -- I think we’re all in the same boat there.
AIG. Sanchez: Have you heard any concerns from police officers or unions?
Comm. Shea: About the conduct of police officers?
AIG. Sanchez: Just -- just about the protests in general?
Comm. Shea: You got --
AIG. Sanchez: Concerns?
Comm. Shea: -- to be more specific.
AIG. Sanchez: Yeah. If -- if -- have police officers come to you with concerns about what unfolded late May through mid-June?
Comm. Shea: Yeah. I mean, of course. Police officers were disturbed about the -- the violence of those protestors directed towards them, as well as the statements of, you know, some elected officials.
AIG. Sanchez: Do you think these concerns are fair?


AIG. Sanchez: Do you have any particular concerns about how these protests unfolded?

Comm. Shea: All of the things we’ve talked about for the last two hours. If the -- the protests that are going on in May, that were going on -- protests that went on before May, or continued after May, are not the issue. The concern is the violence that took place with them. We were very accustomed to handling large groups of people. And we will continue to be. Where it was difficult, and thankfully where it has calmed down is that the -- the individuals that wish to sow distrust, and fear, and chaos, have lost their ability to hide in large numbers. And that, thankfully, has turned the tide somewhat.

AIG. Sanchez: You know, one of the concerns we’ve heard, Commissioner, is, you know, is the fact, you know, members of the public saying, “Listen, you know, there is clear demarcation between those that were inciting violence, those that were committing crimes, and the -- the rest of the individuals that were not doing that.”

They were also inhabiting the same space, yet sometimes still swallowed-up in police enforcement. Have you heard some of these concerns?

Comm. Shea: Yes, I have. I finally got you back on the video. It’s easier to talk when I can see you. I have heard those exact concerns. And those --
AIG. Sanchez: And wha--

Comm. Shea: -- those are our concerns as well.

AIG. Sanchez: Commissioner, we understand that there is an after action report being drafted by your office, that’s conducting this action review in response to these protests. What is the status of that report?

Comm. Shea: It’s in its final stages, I would categorize it.

AIG. Sanchez: And what type of things did your office look into for this review?

Comm. Shea: I -- everything that we spoke about today.

AIG. Sanchez: And Commissioner, can you -- can you tell us who is conducting this review, specifically?

Comm. Shea: It-- it’s a number of people that is being done at the executive level, interviews being conducted, a-- and the executive staff would put out this document when it’s completed.

AIG. Sanchez: And, you know, in its final stages, is there a timeframe of when you’d like to issue it?

Comm. Shea: As soon as it’s ready. I don’t want to give a date.

AIG. Sanchez: And Commissioner, and --

Comm. Garnett: I’m very -- I’m -- I’m very sympathetic to that situation.

AIG. Sanchez: Commissioner, in what form will -- will you receive the result of this review? Is it going to be in oral briefing? Is it going to be a written report?

Comm. Shea: I anticipate both.
AIG. Sanchez: And, to your knowledge, were there any recommendations or changes suggested in this report?

Comm. Shea: I think -- I -- I think you see -- you’ve seen some of them already, in terms of, refresher trainings, in terms of equipment, in terms of actions we put into place to strengthen our ability to respond as quickly as possible. What -- what people should not misinterpret about this report is, a -- a -- a statement that, you know, cops having bricks thrown at their heads is gonna be fixed by a report. I mean, this is a complicated issue that we are a part of, and not the whole story.

AIG. Sanchez: Commissioner, aside from this action -- action-- after action report, ca-- can you describe any kind of debriefing or post action discussions you or others in the NYPD leadership had with members of the service who were present at the protests?

Comm. Shea: That was ongoing all the time.

AIG. Sanchez: And who was present or involved in --

Comm. Shea: And people --

AIG. Sanchez: -- these discussions?

Comm. Shea: -- people -- I’m sorry to cut you off. People literally worked with, you know, many cases without a day off or probably months. So these discussions were taking place new -- very frequently. Who was present? All different people throughout the department, as well as, you know, probably sometimes people outside the department.
AIG. Sanchez: Commissioner, can you speak to any -- if any protests policing policies, tactics or strategies that have changed as a result of these after action reviews?

Comm. Shea: Well, I mean, a simple one, and it’s not the -- the largest one, but it’s a simple one. If you were out there during the protestors, and saw some of its tactics, and again, I’m not gonna used the work “protestors”, they’re criminals. So, some of the tactics were used by some of the criminals that are intentionally damaging properties, setting fires, trying to sow fear and chaos. And we recognized early on that with some of these large crowds, and the -- the terrain that we were meeting them on, we -- we did not have the luxury to wait for the Fire Department, so we -- we contracted, and -- and purchased small devices that put out fires, and -- and distributed those to our officers. And you saw them put into use last week in the village, where people are putting things on fire, and now blocking the street, and now forming lines with bicycles. And now Fire Department can -- cop can’t come in. And now you have the treat of a building catching on fire. Those are simple examples. But things like that have been changed since May. When now, the officers last week, they recounted that very situation, and put the fire out almost immediately. And it takes the entire temperature down. No pun intended.
AIG. Sanchez: Commissioner, do you think the department was sufficiently prepared for these protests? Through the manpower, equipment, strategy, Intel -- in-- whatever?

Comm. Shea: Listen, policing is a world of constantly evaluating, and then adapting, and responding to what happens, and -- and moving forward. So, it is -- it is a never ending. Everything around us is changing. Attitudes are changing. Laws are changing. Resources are changing. And we change with it.

AIG. Sanchez: Commissioner, I have to circle back to the question. Do you think the department was sufficiently prepared for the protests, late May?

Comm. Shea: I -- I -- I do. And -- and that’s not to mean that it was a perfect scenario. I think we had the resources. You have to adapt. You have to learn from this. You’re -- you’re asking questions on one side. The problem with this discussion is, you’re not asking questions of the other team. And maybe there’s three teams in this. Right? There’s -- there’s people peacefully protesting. There’s people that wanna drive a wedge. And then, there’s the Police Department. And then, there’s a lot of other sides. So, we’re one -- one part of this equation. But it’s hard to answer those questions without talking to everyone in concert. I think we responded to a very difficult situation. I think the officers did a phenomenal job under extremely difficult circumstances. But as with any situation like this, and this play out across the country, I mean, our biggest injuries, where we had people shot.
We had police officers shot. We had police officers stabbed. We had protesters shot in mid-town. But you had loss of life in other cities and much greater, and for prolong period of time, property damage. So, you know, were we -- were we ready? We were as ready as anyone is ready. And we’ll learn from it, and move forward.

AIG. Sanchez: Thank you Commissioner. And just you know, for the record, it is very much our intention to speak to all stakeholders, not just the department. Our protestors, you know, it was certainly one to gather the facts as best as we can.

Comm. Shea: If you could forward me a copy of the Anarchist Minutes, I’ll appreciate that.

AIG. Sanchez: 10-4. Commissioner, now that we’re a couple of months out, what could the department have done better?

Comm. Shea: I -- I think I just answered that. There’s nothing that I could add to that that I didn’t just say.

AIG. Sanchez: Is there anything that you feel the department did particularly well?

Comm. Shea: Sa-- same answer to that. You know, I think that faced with what we were faced with, there’s a lot of good. There’s always things to learn. And we’ll move forward.

AIG. Sanchez: Commissioner, if you -- if you can take one thing that the department did poorly or anything that you would change, anything at all, obviously hindsight being 20-20, is there
anything that you would pinpoint that you would want the
department to handle differently?

Comm. Shea: My -- my -- my largest take away from this is external. And
the -- the impact that collaboration and partnership with outside
people, to include elected officials as the environment. And I
think that that could have been much better.

AIG. Sanchez: Commissioner, you know, we know that officers, members of
the service were working very long tours during these protests.
Was this a matter of discussion by you or other executive staff
as the protests were occurring?

Comm. Shea: That’s -- that’s routine. You know, it’s on one hand it’s all
hands on deck. On the other hand, you have to make sure that
people are properly arrested. And we do that every day.

AIG. Sanchez: Commissioner, you know, for that, you know, we did ask the
department for your Outlook calendar for that first week of
protests. We asked several times. We never got it. Did you
attend any protests?

Comm. Shea: Not as a -- as -- as the Police Commissioner or as a private
citizen?

AIG. Sanchez: Either.


Comm. Garnett: (Unclear) --

AIG. Sanchez: Mostly --

Comm. Shea: Not that I recall.

Comm. Garnett: -- (unclear) --

Comm. Garnett: I think we mean as Police Commissioner.

AIG. Sanchez: Yeah.


AIG. Sanchez: Commissioner, anything else you think we should know or consider as we write our report?

Comm. Shea: No, sir.

AIG. Sanchez: Alright, Commissioner, I’m gonna turn it to my colleagues, but thank you kindly for your time, we certainly appreciate it.


IG. Brunsden: Commissioner, I want to quickly ask a question about the circumstances, the mindset of officers, and how the department responded to the extent that officers were operating under traumatic circumstance, policing in the midst of a pandemic, policing in response to protests that were directed at policing, and directed at the department. How did the NYPD account for that, or incorporate that into either its strategy or simply the way that the department managed officers in the field?

Comm. Shea: We were -- we were certainly aware of the impact, everything that you just said, or the potential impact. We have a fairly robust, many actually units within the department. I could tell you that I also spoke to representatives from the unions, throughout the COVID pandemic, and certainly into protests times, and, you know, Health and Wellness Unit, that
specifically looks at the health and wellness, and how our
officers and civilians are doing. So that was always something
that was considered.

IG Brunsden: And there’s similar questions about the mindset of those
engaged in the protests, to the extent that they were operating
under the traumatic circumstances, and the pandemic, and
being engaged in protests where they were expressing some
firmly held beliefs about policing, about police reform, and
systemic racism, and related matters. How did the NYPD
account for that in terms of its strategy, its response as to the
protestors?

Comm. Shea: We -- we were -- listen. We were well aware of that. And --
and it was a unique time and period, that I believe also fueled
some of the protests. And what I mean by that is, the city was
shut down, many people out of work, many people going
through stresses in their private lives. And you had, in many
instances throughout the city, simply nothing else to do. That
contributed. To what extent, I’ll let other people write about
that for years to come. Right? But there were no restaurant.
There were no bars. There were no sporting events. There were
no large activities. And that played a role in this as well. I -- I
think we were well aware of all that. And I -- and I would --
again, remind everyone of the -- the 10s of 1000s, perhaps more
of people out there protesting every day that were accompanied
around the city for hours without incidents. And that’s the
norm. And that was through that period, before and after. It
was -- it was an isolated incidents when arrests were made, or
when physical confrontations took place. And that’s just the
facts.

IG Brunsden: Thank you.
Comm. Garnett: Okay. I think -- I’m just looking at everyone’s. I think we’re
Commissioner, we thank you very much for your time. We
know how busy you are. Really appreciate the time. We’ll
circle back if we have any follow-up questions or anything else
that -- that we didn’t get to today.
Comm. Shea: Thank you. And to the whole team, thank you for a difficult
job, and your professionalism.
Comm. Garnett: Thank you very much.
AIG. Garcia: Thank you.
Mr. Richardson: Thank you.

END OF AUDIO FILE