

1 Public Board Meeting  
2 Of the Civilian Complaint Review Board  
3 Wednesday, September 11, 2013  
4 10:00 a.m.  
5 40 Rector Street - 2nd Floor  
6 New York, NY 10006

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8 DANIEL D.CHU,ESQ., CHAIRMAN  
9 TRACY CATAPANO-FOX, EXECUTIVE DIRECTOR

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12 Public Meeting Agenda:

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- 14 1. Call to Order  
15 2. Adoption of Minutes  
16 3. Report from the Chair  
17 4. Report from the Executive Director  
18 5. Committee Reports  
19 6. Old Business  
20 7. New Business  
21 8. Public Comment

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1 BOARD MEMBERS PRESENT WERE:

2 Dr. Mohammad Khalid

3 James Donlon, Esq.

4 Youngik Yoon, Esq.

5 Tosano J. Simonetti

6 Bishop Mitchell G. Taylor

7 Janette Cortes-Gomez, Esq.

8 Daniel M. Gitner, Esq.

9 Rudolph Landin, Esq.

10 Alphonzo A. Grant, Esq.

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1 [START RECORDING]

2 MS. JANETTE CORTES-GOMEZ: In the absence of  
3 Dan Chu, I will be chairing today's meeting. So  
4 I will be calling this to order. We'll begin by  
5 accepting the August 2013 minutes. Do I hear a  
6 motion?

7 MR. TOSANO J. SIMONETTI: Make a motion to  
8 accept.

9 MS. CORTES-GOMEZ: Do I hear a second?

10 DR. MOHAMMAD KHALID: Second.

11 MS. CORTES-GOMEZ: All in favor?

12 ALL: Aye.

13 MS. CORTES-GOMEZ: Any abstentions? Again,  
14 in the absence of Mr. Chu, there will not be a  
15 report from the Chair, so I now turn to the  
16 Executive Director.

17 MS. TRACY CATAPANO-FOX: Thank you very  
18 much. It's a pleasure to have you. Good  
19 morning, everyone. This month, the CCRB  
20 received 516 complaints in August. This is 74  
21 fewer than the same period of 2012, when we  
22 received 590 complaints, and it is a 12.5  
23 decrease in activity for that period.

24 From January to August of this year, the  
25 CCRB has received 3,576 complaints within its

1 jurisdiction. That is a 10% decrease in  
2 complaint activity when compared to the same  
3 period from last year. The total intake at the  
4 agency including complaints within our  
5 jurisdiction and those we refer out has declined  
6 by 32%.

7 In August, the board closed 336 cases. In  
8 the first eight months of this year, the board  
9 closed 1,367 cases, and substantiated 213. That  
10 is a substantiation rate of 16% of fully  
11 investigated cases. The agency truncation rate  
12 was 67%, which is four points higher than in the  
13 first eight months of 2012, which at that time  
14 was 63%.

15 In July, the mediation unit closed 45 cases  
16 involving 57 officers. 25 of those were closed  
17 as mediated, and 32 were closed as mediation  
18 attempted. Our agency docket at the end of  
19 August stood at 2,826 cases. This is a 2%  
20 increase over our open docket from July, which  
21 at that point was 2,771. 90% of our open  
22 investigations were filed within the last year,  
23 and 66% were filed in the last four months.

24 Of our open cases, 714 are awaiting panel  
25 review. That's 25% of our docket. 1,837 are

1 still being investigated, and then 275 are in  
2 our mediation program.

3 By the date of incident, ten cases are in  
4 our open docket that are over 18 months, as  
5 compared to 12 in August of 2012. That is 0.3%  
6 of our open docket. Of those cases, two cases  
7 are a DA hold. Three cases were filed months  
8 after the date of incident. Four cases are  
9 pending panel review. And one of those cases  
10 was reopened.

11 In July, the New York Police Department  
12 closed 13 substantiated cases involving 19  
13 officers. They did not impose discipline  
14 against five officers. Year-to-date, the  
15 disciplinary action rate is 60%, and the decline  
16 to prosecute rate is 27%.

17 In cases in which the department pursued  
18 charges and specifications, the conviction rate  
19 was 82%, which included officers pleading guilty  
20 and officers who were found guilty at the  
21 disciplinary trial. The guilty after trial rate  
22 is 64%.

23 In terms of what we're doing within the  
24 agency, I'm very excited to report that our  
25 outreach program is moving forward. We did a

1 training last week. We had about 15 of our  
2 investigators and staff that are going to be  
3 doing training and going out into the community  
4 in the fall. That is a significant portion of  
5 our staff, and I appreciate their hard work  
6 because they still have heavy inventory, despite  
7 their willingness to volunteer their time. So I  
8 thank them for that, and I thank the Bishop for  
9 all of his hard work on that. And we're moving  
10 forward.

11 MS. CORTES-GOMEZ: Thank you. Now, are  
12 there any committee reports?

13 MR. SIMONETTI: I have a question as to  
14 Tracy, you said we had closed 1,367 cases in the  
15 first eight months?

16 MS. CATAPANO-FOX: Yeah.

17 MR. SIMONETTI: So that would be, what,  
18 about 170 cases a month? About 170, right?  
19 165?

20 MS. CATAPANO-FOX: Yeah.

21 MR. SIMONETTI: I was just wondering. You  
22 know, that's less than two panels a month  
23 because we've been presently getting 100 cases a  
24 panel, and is it indicative of something  
25 happening with the panels?

1 MS. CATAPANO-FOX: Actually, I think you're  
2 going to start seeing more with the panels  
3 because now that we're fortunate to have Mr.  
4 Gitner, and I think we're just about up to full  
5 speed, we're able to get more cases to more  
6 panels. I think a lot of it, we're still  
7 dealing with the issues with Hurricane Sandy,  
8 and I think a lot of the eight months that  
9 you've seen this year was a result of - -  
10 metrics - - and just trying to get our cases  
11 moving so that we can get them to the panel. So  
12 while that average might seem low, I don't think  
13 it'll be something you'll see in the future. I  
14 think you'll see much higher.

15 MR. SIMONETTI: Because I see the caseload  
16 went up again, even though it's up slightly.  
17 It's up about a little less than 100 cases. I  
18 mean, with the dramatic decrease in cases, we're  
19 carrying in a larger docket, and I get concerned  
20 about--I thought that we'd be able to put out a  
21 fairly good dent in this docket by now. You  
22 know, with Sandy a year behind us almost, that  
23 we'd be able to be doing that.

24 MS. CATAPANO-FOX: I think the panels,  
25 fortunately or unfortunately, are going to start

1       seeing a lot more cases and a lot more panels  
2       because now our investigations already - - .

3           MR. SIMONETTI:   [interposing]   Are you  
4       saying the number of cases that we're going to  
5       receive?

6           MS. CATAPANO-FOX:   No, we will keep our  
7       cases consistent, but I think we will have more  
8       panels to address the cases in the future.

9           I think in the beginning of the year, we had  
10      the panels we had based upon the logistics of  
11      just getting cases to you and getting our panels  
12      together so that we had all the cases ready for  
13      you.   I think that that's something that now has  
14      been addressed.

15          I think a lot of those issues with Sandy  
16      have been resolved.   I know cases are out of  
17      investigation are now ready to get to you.   It's  
18      something we'll look out for the next four  
19      months of this year, but I think it will be a--I  
20      think you'll see a big difference.

21          MR. SIMONETTI:   I would just encourage my  
22      colleagues that we should be aware of it, you  
23      know, and that we should try and stay on top of  
24      those panels and do them in a timely fashion.

25          BISHOP MITCHELL G. TAYLOR:   Outreach.



1 MS. CATAPANO-FOX: Yeah.

2 BISHOP TAYLOR: I just want to say with  
3 outreach, Tracy, thank you so much for being so  
4 involved and so proactive with outreach because  
5 for the agency, I think one of the most  
6 important points for us is visibility, and so  
7 talking to many of the investigators that  
8 attended the outreach meetings, I think we have  
9 people that are really excited about this, that  
10 are on the team, that are here. And looking at  
11 things like creating the CCRB app to kind of  
12 neutralize continued barriers for people to make  
13 complaints, the social media network, when I  
14 think about the ambassadors program that we're  
15 launching now with the youth. But maybe the  
16 adult ambassadors program, where you have - -  
17 navigators in the boroughs that kind of act as  
18 ambassadors, you know, for the agencies.

19 So I think that I'm really excited that  
20 outreach has become more of a priority, and I  
21 was discouraged that the city council didn't  
22 increase us to have more lines for outreach. I  
23 think that was really a tremendous  
24 disappointment, but I'm hoping now with the  
25 change of the administration and whatnot, maybe

1       there'll be some more focus on this agency and  
2       the importance of outreach and us getting out.  
3       And the board members that were already  
4       expressed that they want to be more involved  
5       with outreach efforts. So that's something that  
6       I think that all of us at the agency should be  
7       really vested in, you know, outreach.

8               MS. CATAPANO-FOX: I agree.

9               BISHOP TAYLOR: People don't know that we're  
10       here and what we do, then what we do doesn't  
11       really serve the public adequately.

12              MS. CATAPANO-FOX: I agree, and I have to  
13       thank our Deputy Executive Director, Brian  
14       Connell [phonetic], for spearheading a lot of  
15       this. He's been working very hard. Our  
16       assistant, Chrissy Bowers [phonetic], works very  
17       hard in terms of updating our programs, getting  
18       us moving forward. And again, the investigators  
19       and the volunteers. I can't say enough great  
20       things about the people who have shown an  
21       interest, given us ideas, talking about social  
22       media, talking about apps, finding ways so that  
23       people see us as an avenue for information and  
24       guidance.

25              MS. CORTES-GOMEZ: Now, we don't have

1 Commissioner Liston here. I'm not sure if  
2 Laura wanted to speak - - on APU?

3 MS. LAURA EDIDIN: Thank you. In Mr.  
4 Liston's absence, I just wanted to give you a  
5 little update about the APU docket. So far, the  
6 unit has been assigned 93 cases, and 10 of those  
7 have come into the unit since the last board  
8 meeting. And in terms of the kind of cases  
9 we're seeing, it's very similar to what we had  
10 last time in that about half of them originated  
11 with a stop and frisk, and a little less than  
12 20% started with a car stop, and then again, the  
13 next most popular category was improper entry of  
14 a dwelling. So that's pretty consistent with  
15 what we've been seeing all along.

16 And right now we have four trials that are  
17 calendared before the end of the year, and I  
18 expect we'll have a few more put on the calendar  
19 before the year is up. Thank you.

20 MS. CORTES-GOMEZ: Thank you. Any other  
21 committee reports? Seeing none, any old  
22 business? Any new business?

23 MR. SIMONETTI: The status of the move to  
24 the new location. I'm just concerned that  
25 there's some priority put on the fact that

1 certain units would be moving over before  
2 other units, let's say, because my concern is  
3 that, again, the docket, that we do it in a very  
4 orderly transition to the new location, and that  
5 won't impact on the docket somehow. That the  
6 cases keep coming out on time to the panels, and  
7 hopefully us members of the panel will do them  
8 in a timely fashion so we get this docket down.

9 I think we're in an opportune time to get it  
10 down significantly.

11 MS. CATAPANO-FOX: Well, I have to comment  
12 Denise Alvarez [phonetic], our case managing  
13 unit director who also in charge of our panel.  
14 She does a great job of really getting things  
15 moving, making sure the panels are prepared, and  
16 have everything they need. So I'm very  
17 confident that she's going to ensure that the  
18 move will be seamless, and that there will be no  
19 issue.

20 But I'd like to ask Deputy Executive  
21 Director Brian Connell to just give us an update  
22 on our move to 100 Church.

23 MR. BRIAN CONNELL: There's - - to the move  
24 is December 1. That's the earliest you can move  
25 in. We'll be out in - - moving as well. He's -

1 - moving, and we are each picking a weekend  
2 over which we'll move the entire agency. So we  
3 will not be moving piecemeal in terms of the  
4 units. So we expect to be packed up and moved  
5 on the Friday and hopefully up and running by  
6 that Monday. There will be very little downtime  
7 involved in transitioning from one location to  
8 the other.

9 MR. SIMONETTI: So all the things that are  
10 available to the people here, particularly the  
11 investigators, I mean, how do we guarantee that  
12 on day one of the move, if it's going to move,  
13 it's going to happen like that, you're going to  
14 move everybody in one lump sum over a weekend.  
15 Are we guaranteed that everything is in place at  
16 the other place? We're not going to run into  
17 any glitches or anything?

18 MR. CONNELL: No, the department - - , they  
19 have to provide the infrastructure, - -  
20 infrastructure - - us moving.

21 MS. CATAPANO-FOX: Tony, everything will be  
22 there before the people get there. So the idea  
23 is that the place will be up and running before  
24 we--

25 MR. SIMONETTI: But is staff going to have

1 an opportunity to look at the thing, to make  
2 sure that it's working?

3 MS. CATAPANO-FOX: Absolutely.

4 MR. CONNELL: - - advance will be open to  
5 the architects and the builders. And one - -  
6 has made that foundation, - - will go in with -  
7 - in different locations with our service to  
8 make sure that - - will be able to operate here  
9 in advance of anyone moving over.

10 MR. SIMONETTI: Having moved from several  
11 locations to new locations, the best laid plans,  
12 you know, go awry. I just want to see if we can  
13 build in some safeguards to ensure us that  
14 everything is in place and everything is in  
15 order.

16 By the way, another question. I know this  
17 building at one time had a problem, an  
18 infestation with bedbugs. Any problems over at  
19 the other building? Have they experienced any  
20 difficulties with that?

21 MS. CATAPANO-FOX: Not to our knowledge.  
22 The good thing about the move is that we're  
23 moving into a brand new, fresh space. So  
24 virtually, it was a blank canvas that is now  
25 being made for us. So the city--it's a problem

1 in many cities, it's a problem in many  
2 buildings, but I assure you that we are doing  
3 everything we can to avoid that problem in the  
4 new place.

5 MR. SIMONETTI: Unpleasant topic to talk  
6 about, but we've had it in some--

7 MS. CATAPANO-FOX: On a positive note, the  
8 room will be bigger, where we have the meetings,  
9 and hopefully the ventilation and the air will  
10 be better.

11 MR. SIMONETTI: I'm just thinking about the  
12 chair I'm sitting on currently.

13 MS. CATAPANO-FOX: You don't want us to  
14 bring it for you?

15 MR. SIMONETTI: This would be a haven for  
16 bedbugs. I have people taking that into  
17 consideration. We have an ergonomics person  
18 that's going to look at all that?

19 MS. CATAPANO-FOX: We have an expert coming  
20 to the lecture a week ago to the group, to our  
21 agency talking about the issues and answering  
22 questions and just giving us more information.

23 MR. SIMONETTI: I mean, - - moving to the  
24 building, we might as well try to do it in the  
25 best possible way.

1           BISHOP TAYLOR: Tony, I think it's  
2 offensive that you want to leave our bedbugs  
3 here. I mean, why would--I mean, that's not  
4 right. Everyone has to go. Can I ask another  
5 question, too?

6           MS. CATAPANO-FOX: Of course.

7           BISHOP TAYLOR: I think that's a very good  
8 point in terms of programmatically, in terms of  
9 the infrastructure. I'm sure that you guys have  
10 a move-in schedule with dates, like we're going  
11 to do this battery of tests this week after the  
12 infrastructure's in, and then we're going to do  
13 it this week, and then by that weekend that  
14 we're going to move, there's no ambiguity  
15 whether or not we can plug and play for Monday  
16 because we did these battery of tests. So you  
17 have a schedule for that, right?

18          MR. CONNELL: Correct, yes. There are  
19 weekly meetings that are happening now, every  
20 Wednesday. Where we keep abreast of the  
21 construction - - once we know they have laid  
22 that infrastructure, we know we can go in - - .

23          BISHOP TAYLOR: But December 1st is the  
24 move-in date, so you can work backwards. Okay.  
25 Can I ask another question?



1 MS. CATAPANO-FOX: Anything.

2 BISHOP TAYLOR: So what is the--what do you  
3 think the biggest bottleneck is with the  
4 caseload? Where do you think that--where is it  
5 getting stopped up?

6 MS. CATAPANO-FOX: That's a good question.  
7 I think that the investigators try so hard to do  
8 such a phenomenal job in getting the cases to  
9 the panel, to making sure that they are fully  
10 and completely investigated, all the cases, and  
11 that's what we want. So in terms of the board,  
12 we want to make sure that we give you your  
13 cases, that they are fully and completely  
14 investigated, including all interviews of all  
15 parties, and that is not always an easy process.

16 You know, there's a bureaucracy that exists  
17 in terms of how we handle our cases and how  
18 different agencies we work with, and everyone  
19 does their best to move things along, but in the  
20 reality that you see, we have thousands of  
21 cases, and our investigators, they work all day  
22 and all night, and I can't say enough great  
23 things about them to really make sure that the  
24 cases, that they know the law, that they know  
25 the facts, and that they give it to you in the

1 best possible--

2 BISHOP TAYLOR: So I guess that's the  
3 general. If someone could possibly look at  
4 where it's actually--where's the biggest  
5 concentration of stops. Not stop and frisks,  
6 but I mean stops in the process here. You know  
7 what I mean?

8 MS. CATAPANO-FOX: Our inventories are very  
9 high. I'll be honest with you, I think that one  
10 of our biggest problems is staff in terms of  
11 numbers. If we were able to increase the number  
12 of investigators, that would go a long way for  
13 giving more reasonable inventory so that they  
14 can fully investigate. It's hard to have an  
15 inventory and get out to the field and get out  
16 and do the legal analysis and the reports that  
17 we ask of our investigators, but it's necessary.

18 You know, these are people's lives, these  
19 are investigations that are important and  
20 crucial to being as close to perfect as we can.  
21 And they take it very seriously.

22 So if in a perfect world I could have more  
23 staff, that would always be--I think it's every  
24 agency's answer. Outreach, investigations, all  
25 of the bureaus.

1           BISHOP TAYLOR: So I guess I understand,  
2 but I guess my question kind of leads to we can  
3 find where the actual bottleneck is in that  
4 particular staffing tree, and say if we did more  
5 in this area, this would alleviate that, you  
6 know? Just I think it's worth a study at least  
7 to actually qualify, you know, where the  
8 bottleneck is, and if we did this, then this  
9 would alleviate it. If we had, like, 20 more  
10 investigators, if we did this, that. You know  
11 what I'm saying?

12           MS. CATAPANO-FOX: Absolutely.

13           BISHOP TAYLOR: I think that it's worth at  
14 least knowing.

15           MR. SIMONETTI: I get including in it, if  
16 you're doing some kind of a study, I think  
17 included in that should be the fact that on the  
18 date that you give the panel out, when the panel  
19 is sent out via email to us members, and then  
20 how long does it take on average for us--not on  
21 average, but by each panel, how long does it  
22 take before we finalize those 100 cases and get  
23 dispositions back in.

24           MS. CATAPANO-FOX: Absolutely.

25           MR. SIMONETTI: I mean that may be--you may

1 find there may be some delay there.

2 MS. CORTES-GOMEZ: Any other - - ? Hearing  
3 none, we'll go to public comment. And I believe  
4 we only have Chris Dunn.

5 MR. CHRIS DUNN: Tony, what's going on, man?  
6 You've turned into the crazy uncle of the CCRB.  
7 I love it. - - last week, it's bedbugs this  
8 meeting.

9 MR. SIMONETTI: I just had my 80th birthday,  
10 so I got to celebrate.

11 [Applause]

12 MR. DUNN: I love it. All right. I don't  
13 have much to say. I wanted to raise one thing,  
14 which wasn't mentioned, which was our good  
15 friend, Inspector Bologna [phonetic], and the  
16 fight about his appearance or nonappearance.  
17 There wasn't any discussion about that. Is  
18 there any public report to be made about the  
19 status of that?

20 MS. CORTES-GOMEZ: That is a situation  
21 that's pending in the court right now. A motion  
22 was filed by his attorney in Manhattan Supreme  
23 Court, and we have to appear in October.

24 MR. DUNN: Okay. And are you guys--this is  
25 the law department? Who's representing whom on-

1 -

2 MS. CORTES-GOMEZ: The law department.

3 MR. DUNN: The law department's  
4 representing? Okay. Okay. I did want to say I  
5 give the SU [phonetic] credit for publicizing  
6 the issue around that. I think it's important  
7 that you speak out about that, and that was a  
8 good thing to do. I mean, this appeared a  
9 little late given timing, but it's the right  
10 thing to do. One thing it did raise, though, is  
11 as I understand it, that case broke the statute  
12 of limitation because it was on DA's hold, and  
13 Tracy, this long precedes you, but we've had  
14 lots of discussion about DA holds which arose in  
15 the - - I think, years ago. I didn't understand  
16 why that case was put on a DA hold. It's  
17 certainly not on a DA hold for the length of  
18 time that it apparently was. So - - cases, and  
19 that's fine. I'd like to know what the policy  
20 basis was for that case being on the DA hold  
21 because that was a pepper spray. I think it was  
22 an assault case. I think the DA made a pretty  
23 good decision on that, and maybe I'm wrong about  
24 that, but--

25 MALE VOICE: It was in April of this year.

1 It was April of this year that they released  
2 it.

3 MR. DUNN: Was it April? Okay. Sorry,  
4 here's the issue that came up when we were  
5 talking about this in the context of the - -  
6 shooting some time ago, and a lot of DA holds.  
7 If the DA hold, of course, is an act of  
8 discretion on your part, and I have reason to  
9 understand that there are these types of cases  
10 where the potential of criminal charges  
11 suspicion is serious, and - - . A shooting is  
12 in that category. I would not have thought that  
13 this would've been in that category. The  
14 discussion we had several years ago, at least I  
15 was saying to the board, given the number of DA  
16 holds that were breaking statute of limitations,  
17 we should be looking at the policy and trying to  
18 draw some distinctions between when to apply DA  
19 holds or put it more specific, when to accept a  
20 request from the District Attorney's office to  
21 honor a hold and when not to. I just don't  
22 think--I don't think just because the DA says  
23 you have a case that we're considering. Those  
24 things can go on forever. That you should  
25 automatically say okay, we're not - - . I do

1 think loss - - statute of limitations here is  
2 significant. - - what's the point of this  
3 because the statute of limitations has expired,  
4 and we've - - that you are right to be saying  
5 what we do is different and independent of  
6 whether or not you impose discipline for it or  
7 not, but I do think this is an opportunity to  
8 actually go back and request that you look again  
9 at the DA hold policy to the extent that you are  
10 honoring all DA holds regardless of, number one,  
11 circumstances that you've - - .

12       Okay. On the subject of things that I often  
13 repeat myself on, I was hoping this problem was  
14 going to go away. It seems not to be, which is  
15 the dupes. You still keep having a higher  
16 percentage of dupes, and there are two concerns  
17 with that. One, I think that we thought that  
18 those were going to disappear because Laura and  
19 her team were going to be in the business of  
20 deciding how the cases got prosecuted or not,  
21 and secondly, there have been enough back and  
22 forth between the agencies about the dupes that  
23 whatever was behind the dupes that the  
24 department was deciding on was getting resolved.  
25 That seems not to be the case. There is - -

1 rate, and the department says regular, we do  
2 it because investigations are not up to snuff,  
3 or they are saying, as they testified at - -  
4 trial, there's a - - between the police officer  
5 or the complaint. We always credit the police  
6 officer's story. Whatever's going on there, - -  
7 solved because you can't have a quarter of the  
8 cases - - .

9 Then something that's more in your  
10 territory, you mentioned Tracy the truncation  
11 rate is up, by what I think is a not  
12 inconsequential percentage. And I don't know  
13 where things are in terms of trying to get a  
14 handle on what's going on with the truncation  
15 rate, but I said it before. I'll say it again.  
16 I know people on the board are conscious of it.  
17 It's a huge problem. You can't have 6% of your  
18 cases that are not getting investigated, and  
19 there's something wrong there.

20 And then the final thing I wanted to say,  
21 which is just an observation. There's going to  
22 be a regime change in the city administration.  
23 - - something really weird happening, Joe Lhotta  
24 is not going to be the mayor, and somebody who  
25 is a little more - - is going to be the mayor,



1 and I think that the CCRB is going to be a  
2 city agency that's going to see a lot of change  
3 relatively soon, and I would just urge to all of  
4 you, the time cannot come soon enough when this  
5 agency starts getting more aggressive in terms  
6 of police oversight.

7 The world that you live in is going to  
8 change. Some of you may not be here six months  
9 from now, for whatever reasons, but I think the  
10 CCRB definitely gets to be a very different  
11 dynamic. It presents a lot of terrific  
12 opportunity. You've got a new executive  
13 director who's trying to do things aggressively,  
14 and I just hope you take advantage of that over  
15 the course of the next six months. Thank you.

16 MS. CORTES-GOMEZ: And although you didn't  
17 sign in, I believe you walked in late, Mr.  
18 Brown.

19 MR. JOHN BROWN: My question is this.  
20 Hello, everybody. This is going to be my last  
21 time coming down here because I've just gotten  
22 frustrated. How you doing, Ms. - - ? Okay?  
23 Hi, everybody. I just want to say, it's been  
24 two-and-a-half years, and I still don't know  
25 what happened to my son. Two-and-a-half years.

1 The identification was one thing. You all  
2 been proposing questions. I see that. When I  
3 propose a question, I don't get answers. Like,  
4 I'm shouted down. This is my question. Mr.  
5 Taylor, I say this. We've got pictures of all -  
6 - . My son was assaulted by an undercover  
7 officer. There's uniformed officers, and  
8 there's undercover officers. Do you all have  
9 pictures of the undercover officers, yes or no?  
10 That's my question. I'm asking you, do you  
11 have--

12 BISHOP TAYLOR: You're asking me the  
13 question?

14 MR. BROWN: Yes, because I said Mr. Taylor  
15 all the time when I come here. I've gotten into  
16 this. I've asked. Do you all have pictures?  
17 Not of the uniformed officers. Of undercover  
18 officers. Do you all have pictures of them as  
19 they look now? That's my question.

20 BISHOP TAYLOR: I mean, you know. You  
21 raised the issue that we don't have--you look  
22 different from last time you were here last  
23 month.

24 MR. BROWN: I had a suit. That's what it  
25 was, but my face is the same. Now, you still

1        didn't answer the question. This is what I'm  
2        talking about. Wait, - - , don't keep doing  
3        this to me because you issued a statement last  
4        month saying about this computerized - - . Get  
5        it together now.

6                MS. CORTES-GOMEZ: Mr. Brown.

7                MR. BROWN: You issued a statement saying  
8        you were going to get a computer sketch artist  
9        and all this other stuff.

10               MS. CORTES-GOMEZ: I believe a suggestion  
11        was made.

12               If a suggestion--is it not made, or is it  
13        made? Are you making a suggestion, or have you  
14        all made a suggestion to the police department  
15        that this is what's going to happen? Is that  
16        what's going on?

17               MS. CORTES-GOMEZ: We are looking--as we've  
18        spoken before, Mr. Brown, we have pictures of  
19        all NYPD officers. Your question is whether we  
20        have them undercover. I can't answer that.

21               MR. BROWN: That is what--two--it took me  
22        this long. I've been coming here. You know how  
23        long I've been coming here? And when my son  
24        first came here two-and-a-half years ago, you  
25        all showed him pictures that don't depict the

1 way the officers look now. I've been telling  
2 you all this for years now. It's like, if  
3 you're going in a book to look for who assaulted  
4 you, and they look different than the way that  
5 they look on the night that they did it, right  
6 or wrong, the pictures have to be updated, and  
7 what I'm saying is that I can't get an honest  
8 answer of when the pictures were taken of  
9 undercover officers. Not regular officers,  
10 undercover because that's who did this to my  
11 son.

12 What this means is that if the officers  
13 that's in uniform, he becomes an undercover  
14 officer, his appearance changes. He grows a  
15 beard usually. He has longer hair. He looks  
16 different. How can you - - my son in to look at  
17 pictures. The pictures didn't have anyone with  
18 a person that he described, so how is that a  
19 good identification?

20 Don't you see that if a person changes the  
21 way that they look, that officer, and he's  
22 promoted within that five year span--because I  
23 got two different answers. I got five years,  
24 three years. But if he's promoted or he's--or  
25 he changes the way that he looks drastically,

1 he's on the street. If he commits a crime, no  
2 one can identify him because you all don't have  
3 pictures that look the way he looked the night  
4 when he did this.

5 MS. CORTES-GOMEZ: Mr. Brown, we absolutely  
6 understand, and we've heard you each and every  
7 time, but at this point, we can only move  
8 forward with all that you have said, with all  
9 that you have--

10 MR. BROWN: So I'm saying, what is it that  
11 you're going to do about this situation because  
12 this isn't the first time that you all heard me  
13 say this. Then you all brought up the thing  
14 about, well, we're thinking about--we got to  
15 have a sketch artist help out. We're going to  
16 have computer this, that and the other. If you  
17 had pictures of the officers, then you don't  
18 need that. That's what I'm trying to say. If  
19 you got the pictures of officers the way that  
20 they look when they do these--when they're--when  
21 they're undercover, whatever it is, why would  
22 you need a sketch artist? Why would you need a  
23 computer something if you got pictures of them?

24 You don't have the pictures, man.

25 MS. CORTES-GOMEZ: Thank you. If there's

1 nothing further, at this time we're going to  
2 break for five minutes and go into executive.

3 [END RECORDING]

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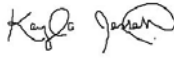
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C E R T I F I C A T E

The prior proceedings were transcribed from  
audio files and have been transcribed to the  
best of my ability.

Signature



Date September 16, 2013\_\_\_\_\_