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Public Board Meeting of the
Civilian Complaint Review Board

40 Rector Street - 2nd Floor
New York NY 10006

Wednesday, April 10, 2013
10:00 a.m.

Daniel D. Chu, Esq., Chair
Joan M. Thompson, Executive Director

PUBLIC MEETING AGENDA:

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1. Call to Order
2. Adoption of Minutes
3. Report from the Chair
4. Report from the Executive Director
5. Committee Reports
6. Old Business
7. New Business
8. Public Comments

BOARD MEMBERS PRESENT WERE:

- Dr. Mohammad Khalid
- James Donlon, Esq.
- Youngik Yoon, Esq.
- Janette Cortes Gomez, Esq.
- Rudolph Landin
- Tosano J. Simonetti
- Bishop Mitchell G. Taylor
- Alphonzo A. Grant, Esq.

1 CHAIRMAN CHU: Let's call this meeting to order. Good morning,
2 everyone. Let's start with the adoption of the March, 2013 minutes. Do I
3 hear a motion?

4 BISHOP MITCHELL G. TAYLOR: I make a motion.

5 CHAIRMAN CHU: And do I hear a second?

6 COMMISSIONER DONLON: Second.

7 CHAIRMAN CHU: All those in favor of adoption of the March,
8 2013 minutes, please say aye.

9 ALL: Aye.

10 CHAIRMAN CHU: Any objections? Any abstentions? Seeing and
11 hearing no objections, the minutes are adopted. I'm happy to report that in
12 terms of the APU, the MOU takes effect tomorrow. So we should start
13 getting cases. And I've heard there have been significant number of
14 meetings between our APU unit and the NYPD. They're in the process of
15 ironing out the final points. We're excited to start getting cases. Our
16 attorneys have been ready, able and willing for a good deal of time now. I
17 know they've been making very productive use of their time working on a
18 brief bank and other research so we should be able to hit the ground
19 running and we'll probably hear more from Laura, a little later on at some
20 point. I'm also excited to say that today is the final round of our Executive
21 Director search. The final--the three finalists will be interviewed this
22 afternoon by the full board and that is moving along very nicely. I'm
23 going to now turn the floor over to Joan Thompson, who is going to give
24 you the Executive Director's report.

25 EXEC. DIR. THOMPSON: Good morning. The monthly stats. The

1 CCRB received 601 complaints in March. This is 101 more complaints
2 filed in the same period in 2012, when the CCRB received 500 complaints.
3 There's a 20% increase in complaint activity for the period. The board
4 closed 817 cases in March, 243 were full investigations. The board
5 substantiated 32 cases, which is a substantiation rate of 13%. The
6 truncation rate was 70%, which was three points higher than in 2012 when
7 the March truncation rate was 67%, but five points lower than in 2011
8 when the rate was 75%. The agency's docket at the end of March stood at
9 3,442 cases, which is a 23% increase over the open docket in March, 2012,
10 when it stood at 2,797. Eighty-four percent of our open investigations
11 were filed within the last year, and 40% were filed in the last four months.
12 Of the open cases, 1,131 are awaiting board review, or approximately 33%
13 of the docket. One thousand nine hundred fifty-nine cases are being
14 investigated, and 352 cases are in the mediation program. By date of
15 incident, 64 cases in the CCRB's open docket are 18 months or older, as
16 opposed to 11 in March in 2012. This is 2% of the open docket. Three
17 cases are now on D.A. hold, four cases were filed months after the date of
18 incident, in two cases the delay has been with no apparent justification,
19 and 55 cases are pending board review. In February, the Police
20 Department closed 28 substantiated cases involving 33 officers. The
21 department did not impose discipline against 13 officers. This is a
22 disciplinary action rate of 61% and the department declined to prosecute
23 rate is 30%. In cases in which the department pursued charges and
24 specifications, the conviction rate was 83%. This includes officers who
25 pled guilty to charges and officers who were found guilty at the

1 disciplinary trials. The trial conviction rate was 67%.

2 CHAIRMAN CHU: Thank you, Joan. Turning now to any
3 committee reports. Are there any committees that are making any reports?

4 COMMISSIONER DONLON: From the Reports and
5 Recommendations Committee, there is a semiannual report finally that has
6 been produced and it's available for the public to pick up. I believe there
7 are copies available. So, hopefully, the annual report will follow without
8 too much delay. This obviously was delayed because of Hurricane Sandy
9 and all the attendant problems. But the staff did a nice job on it and
10 hopefully the public will find it to be helpful.

11 CHAIRMAN CHU: Thank you, Jim. Moving on, is there a report
12 from the Outreach Committee?

13 BISHOP TAYLOR: Yes, Mr. Chair. Outreach Committee has had a
14 couple of meetings with the Executive Director and with the team, and we
15 have a pending meeting with the Outreach Committee of the board. But
16 parenthetically I'd like to consider our softball team as part of Outreach of
17 sorts. We had our first official game yesterday. We played the reigning
18 champs and we did not win, but it's okay, we found out we've got some
19 power hitters and some people that can make the game very interesting.
20 So I think that was really a great way to bring the agency together, bring
21 people together, help people know each other and what-not, and then
22 engage in outreach that way. Because you'd be surprised how many people
23 that--I was watching people that were watching the game that were trying
24 to figure out who's that playing and what-not, and so I think that's a part of
25 really putting the agency on another level and on par with other agencies

1 in the city by just having that small recreational piece and then us being
2 able to come together in fellowship. So I think that's part of our initiative.

3 COMMISSIONER SIMONETTI: How many people are on the DL?

4 [Laughter]

5 BISHOP TAYLOR: DL? I'm injured, but I'm still playing.

6 EXEC. DIR. THOMPSON: Well, everybody should know that the
7 Bishop is the pitcher for the team and did a very good job.

8 BISHOP TAYLOR: I struck out a couple of people.

9 EXEC. DIR. THOMPSON: Yes, you did.

10 [Laughter]

11 BISHOP TAYLOR: That's my Outreach report.

12 CHAIRMAN CHU: Thank you. Any other committee reports? If
13 not, let's turn to old business. And the point that I wanted to make is we
14 had an Operations Meeting this morning and some of the statistics that
15 were brought to our attention is that cases have been sitting longer pending
16 board review. So to the board members that were not present, I'm again
17 going to implore everyone to do everything that they can to make time in
18 their busy schedules. It's never easy to get three people together to vote
19 out a case, but we need to do a better job doing that. I know we're all
20 committed to getting that done. Towards that same vein, I think there's an
21 issue with some miscommunication regarding remote access and getting
22 the materials we need and also making the votes online. So that's
23 something that going forward we will certainly be addressing with the help
24 of our MIS people. Is there anyone else that has any old business they
25 would like to discuss at this time?

1 COMMISSIONER SIMONETTI: Mr. Chairman?

2 CHAIRMAN CHU: Yes, Commissioner Simonetti?

3 COMMISSIONER SIMONETTI: The issue again of the truncation
4 rate, I know we didn't get into that, we didn't have time to really explore
5 that at the Operations Committee meeting, but I think we're really going to
6 have to get very serious about that, try to come up with some solution for
7 what to do with the truncation.

8 CHAIRMAN CHU: I agree. At this point the truncation rate is
9 skyrocketing. As we discussed during the Operations meeting, steps are
10 certainly being implemented to address that under the tutelage of and
11 guidance of the Deputy ED of Investigations, Denis McCormick. They
12 have installed more indicators to track. And as you attended, you know
13 that I've asked them for updates so as to see where the trends are going and
14 to see how we're doing. At this point, I think they've been working
15 feverishly to try to cut down any backlogs resulting from Super Storm
16 Sandy and hopefully if I never hear the words Super Storm Sandy again I'll
17 be very pleased. But we are getting to a point now where I think it should
18 be going down the path that we need to be. Any other new business from
19 anyone else? If not, I'm going to have our Deputy Executive Director,
20 Marcos Soler, speak to us about changes, proposed changes to complaint
21 withdrawn reporting. Marcos?

22 BISHOP TAYLOR: Mr. Chair, we already went past old and new
23 business already?

24 CHAIRMAN CHU: We're still in new business.

25 BISHOP TAYLOR: Oh, okay, I'm sorry.

1 DEP. E.D. SOLER: Good morning, everyone.

2 CHAIRMAN CHU: Good morning.

3 DEP. E.D. SOLER: We have prepared a chart that is in your
4 package, Operations Committee package, it originally was part of that, in
5 which we are proposing an alternative way of reporting cases in
6 investigations and in particular, cases closed with the disposition of
7 complaint withdrawn. We are submitting this for board discussion. And
8 traditionally, what we have done until now is complaint withdrawn is one
9 of the categories that we have included in the generic truncated cases
10 category. If you look at the disposition report for this month you will see
11 that is about 11.3% of all cases the agency has brought here to-date, but
12 it's about 22% of all cases that are truncated. It's 186 year-to-date. So
13 what we are proposing is to provide the public with more information,
14 more transparency on this issue and to separate this category, take it away
15 from the truncation, and explain to the public why it is the members of the
16 public who file a complaint no longer want to follow with their complaint,
17 no longer want to pursue their complaint. So what we have done is to
18 identify, review a sample of the cases, identify possible categories that we
19 think would better explain to the public why it is that somebody doesn't
20 want to pursue their complaint. This does not include cases for mediation
21 because we're going to create their own categories. This is for cases that
22 are not in the investigation process. So the categories that we proposed,
23 you can see them, we created subcategories with the complaint withdrawn
24 that have the following items: You have withdrawn a complaint upon
25 advice of counsel you couldn't pursue your complaint; you withdrew your

1 complaint because you had no desire to follow through; because you didn't
2 want to take time for an interview, because now in order to pursue a
3 complaint you have a full investigation and people have to come down
4 here for an interview; because you just wanted to report a complaint but
5 you didn't want to take additional steps; because you fear retaliation from
6 the police officer; or in some instances you provided no reason. You see
7 that you have the traditional chart that we have right now, as we report in
8 all our reports, Table 1, and then we have proposed Table 2, in which
9 complaint withdrawn will be its own category, with these categories we have
10 added here. Obviously, the system is flexible enough that we could always
11 add additional categories at any point, so certainly if any board member in
12 their review of cases feels that we are missing an item or thinks an
13 additional item should be included, or members of the investigation
14 commission, that can be done at any time. These are the categories that we
15 are proposing to start as soon as possible so we can make changes to the
16 system tomorrow, we can start reporting these as of the next board
17 meeting, obviously with your approval.

18 COMMISSIONER KHALID: So this would reduce the number of
19 truncated cases?

20 DEP. E.D. MARCOS: That's correct.

21 EXEC. DIR. THOMPSON: Yes.

22 BISHOP TAYLOR: Well, I think at least--I think reduction might
23 be a different word, but I think it at least clarifies the disposition of the
24 cases.

25 COMMISSIONER SIMONETTI: Am I reading Table 2 right, the

1 bottom section, that there's only 203 cases year-to-date that the
2 complainant was uncooperative?

3 DEP. E.D. SOLER: No, we prepared this table--

4 BISHOP TAYLOR: [Interposing] January, 2013.

5 CHAIRMAN CHU: Plus I think this is just to show what their
6 proposed categories are.

7 DEP. E.D. SOLER: The number of cases that we have truncated
8 year-to-date is 1,202, of which 186 are complaint withdrawn. We prepared
9 for you to see--

10 COMMISSIONER SIMONETTI: [Interposing] For illustrative
11 purposes.

12 DEP. E.D. SOLER: --visually how you will see the report from
13 now, not in terms of actual numbers.

14 EXEC. DIR. THOMPSON: I will tell you how we came up with
15 these is that as I was closing the withdrawals I started making a chart as to
16 what the people were saying so that it would help us to understand the
17 reasons that people were giving. So this information came from the actual
18 cases, the actual withdrawals that I did over several months' time and I
19 listed the categories and that's how we came up with them.

20 CHAIRMAN CHU: My question is, these would only capture the
21 cases that are formally withdrawn; right? These are people--where people
22 sign a form and return it and say that I am formally withdrawing this case?

23 EXEC. DIR. THOMPSON: Or either saying that they want to
24 withdraw and some don't sign the form.

25 BISHOP TAYLOR: Or they verbally say it.

1 CHAIRMAN CHU: But my sense is that there are others that don't
2 say it or put it in writing but they're truncated because we just never hear
3 from them. There is three letters or five calls and at some point it just--
4 there's never any follow-up. So would these additional criteria also lend
5 itself to further defining those other categories?

6 DEP. E.D. SOLER: Right. Right now, looking at those incidents in
7 which the person specifically says I withdraw because of these reasons,
8 certainly there are some cases, as you mention, in which we see that the
9 person might have other reasons. One of the thing we see is--this works
10 two ways--one is we allow our investigators to bring those questions out to
11 the members of the public and say you don't want to cooperate because are
12 you afraid of retaliation or because you are being advised by counsel.
13 Yes, we allow investigators to ask questions right now but we are not
14 asking for instances with everybody who are not cooperating with us. So
15 we can give a call and see if the person says I cannot go down there for an
16 interview because, you can ask the question, is this because, and that
17 obviously will allow us to define better and bring more transparency. The
18 other question is the one you raised, whether in the future we want to do a
19 similar type of analysis for cases uncoop and cases unavailable and try to
20 break down further categories and try to explain to the public further this
21 is the reasons why somebody is unavailable, this is the reason why
22 somebody is not cooperating, and provide additional information to the
23 public as to why we made that determination. I think for purposes of
24 bringing greater transparency in reporting to the public on why it is, you
25 know, that person doesn't want to pursue a complaint. Right now

1 truncation is a very negative kind of over-arching category, but that's not
2 really addressed, the reasons as to why somebody doesn't want to
3 participate in the process. One thing, one of the things we have done as
4 well in terms of outreach is to create cards, to the members of the public,
5 and to create more information so they know better about how our process
6 is. I think there is a lack of understanding about how our process works,
7 which is important, so people need to understand that they need to come
8 down here to provide a statement, then often they have to come down here
9 to check for a photo array, they have to properly identify the officers, then
10 their cooperation is required. Maybe we have not made it explicit enough
11 how the process worked and explain to the public the steps they need to
12 take in order to participate.

13 COMMISSIONER SIMONETTI: Am I understanding this correctly
14 that you're saying that when a complaint is withdrawn you're going to try
15 to determine the reason for the termination or the withdrawal?

16 DEP. E.D. SOLER: Yes.

17 COMMISSIONER SIMONETTI: Fine. Now, are those number of
18 cases also going into the count to figure out the percentage of truncated
19 cases or are they being excluded?

20 DEP. E.D. SOLER: No, they're going to be right here, a separate
21 category. Complaint withdrawn will become a separate category, separate
22 from the truncation category.

23 COMMISSIONER SIMONETTI: Okay.

24 EXEC. DIR. THOMPSON: It's going to be excluded.

25 COMMISSIONER SIMONETTI: So it's out of the truncation rate?

1 DEP. E.D. SOLER: Yes.

2 COMMISSIONER SIMONETTI: Let me ask you another question.
3 Ballpark figures, how many cases--because anecdotally I know for a fact
4 that that the complaint witness is uncooperative then the complaint is
5 uncooperative are the vast majority of truncated cases. How many cases,
6 what's the percentage or the number of cases that are withdrawn in any--
7 ballpark?

8 DEP. E.D. SOLER: It's 11% of our workload. At the end of the
9 year, it's close to 700 cases.

10 COMMISSIONER SIMONETTI: Withdrawn?

11 DEP. E.D. SOLER: Yes. We close as withdrawn at the end of the
12 year, about 700 cases.

13 COMMISSIONER SIMONETTI: I must get all the complainant
14 uncoop cases. There is a vast number of those. Okay. This is good.
15 Certainly clarified our issues.

16 COMMISSIONER KHALID: I think that category is done by the
17 E.D.

18 EXEC. DIR. THOMPSON: Yes, the withdrawns I get. That's why
19 you're not getting them .

20 COMMISSIONER SIMONETTI: Oh. - - .

21 EXEC. DIR. THOMPSON: Right. I do get them. So you don't get
22 them anymore.

23 COMMISSIONER GRANT: Just a suggestion, Joan. And I know
24 you've given a lot of thought to the categories, but is there--I think that
25 there may be a need for a category under complaint withdrawn to be maybe

1 other, with some specification of the other reason perhaps?

2 EXEC. DIR. THOMPSON: Sure. We can always add that.

3 DEP. E.D. SOLER: That's why we put a--yes, we can certainly
4 include that.

5 COMMISSIONER GRANT: And then my other suggestion is--I
6 agree that truncated has become a bad word and I think in terms of trying
7 to define it to the public better, I know we try to use more succinct words
8 or adjectives, but where it says complaint victim/witness unavailable,
9 maybe it warrants a little bit more of a descriptive description of it to say
10 something like unable to be located. I think that sort of passes on a
11 message a lot more clearly than if the victim or witness is unavailable it
12 seems as though we haven't done enough, but if we're very clear and say
13 that the person could not be located I think that clarifies it a little bit more.

14 [Crosstalk]

15 COMMISSIONER GRANT: Under the definition of unavailable,
16 that's what it is. It means that the person could not be located.

17 COMMISSIONER CORTES-GOMEZ: Not necessarily.
18 Unavailable meaning you make a phone call, they don't respond.

19 COMMISSIONER GRANT: No, that's uncooperative. I just read
20 the definition and it says unavailable is when a person cannot be located.
21 See, that's my point. You can get the wrong understanding of what it
22 means. And it's not the case. This person--

23 DEP. E.D. SOLER: [Interposing] One of the purposes of - - as I
24 said before is hopefully this will allow us to further look into other
25 categories to better give the board an understanding of how else we--what

1 other type of classifications we can provide you with, what kind of other
2 additional information we can give you even about truncated cases that
3 will facilitate a discussion about--it might be because people don't have
4 phones, it might be unavailable for different reasons and we should
5 explore those reasons and provide the board with that additional piece of
6 information. So if you allow us also as part of this we will do the research
7 and try to figure out, not guess why they're not available right now, but
8 why, the reasons behind their inability.

9 DEP. E.D. MCCORMICK: Unavailable is when we make no contact
10 with the person. It is when we make a phone call and leave a message and
11 have no direct contact with the complainant. If we have any contact with
12 the complainant, like a phone call and they do not have any time to speak
13 with us, we make that uncooperative.

14 COMMISSIONER GRANT: I don't want to drag this out, but this
15 proves my point. I just want to make sure we do something to clarify this.
16 Because as I read it, it says if the complaint was filed without any contact
17 information or with inaccurate information and the investigator is unable
18 to locate the complaint, the investigators use many methods to try to find a
19 person before a case is closed for this reason. And to me that says a lot
20 more than just saying the person is unavailable? Right. - - .

21 COMMISSIONER CORTES-GOMEZ: Well, would it be easier,
22 would it ease your mind if it says something like contact unable to be
23 made?

24 COMMISSIONER GRANT: It would be better if it said we did
25 everything, we darn well tried to locate the person and couldn't. You've

1 got my point.

2 CHAIRMAN CHU: Any other comments?

3 BISHOP TAYLOR: Are we going to vote?

4 COMMISSIONER SIMONETTI: I would suggest that they send this
5 during the course of the month, the additional information, get an
6 opportunity to look at it, and then the first thing next month we vote on it.

7 CHAIRMAN CHU: I agree. I think that at this point let's--we had a
8 public discussion, let us look at maybe the terminology and the categories
9 and perhaps take a look at what Commissioner Grant mentioned and then
10 we will discuss this further at the next meeting and take a vote.

11 BISHOP TAYLOR: Mr. Chair, are we going to--I know this
12 represents approximately 11% of trunks--I know this--a couple of weeks
13 ago I read cases and 45 of them were trunc'd. And I know that the
14 withdrawn will deal with a smaller percentage, but how are we going to
15 deal with the one that Tony talks about in terms of complaint--complainant
16 uncooperative, complainant unavailable? Is that going to be in the
17 withdrawn category as well?

18 CHAIRMAN CHU: No. I think those are distinct categories. But--

19 BISHOP TAYLOR: [Interposing] Are we going to try to look at
20 out how to--can we talk about?

21 CHAIRMAN CHU: Yes, I believe that in, one, with withdrawal
22 cases where we're expanding the reasons, and these reasons, from what I
23 see, are being taken from the actual cases, these are the big categories. I
24 think it might be helpful to look at the category and the universe of cases
25 that we have in, for instance, the unavailable and the uncooperative and

1 see similarly what the major categories are, if for no other reason just so
2 that there's specificity, so it's not just trunc'd, because they each have a
3 different reason for being trunc'd. Which is why I think let's hold off on
4 the vote until we have further information. And then also with the
5 terminology we might come up with slightly different terms for the
6 categories.

7 BISHOP TAYLOR: So in one particular case, say you have officer
8 unidentified and then the victim--so in a case like this where you can't
9 actually even identify the officer and then the complainant is
10 uncooperative. That's an unfair--it weighs against our ratios unfairly
11 because if the officer's not identified and the complainant is uncooperative
12 and it's trunc'd but it's not under withdrawn, this is some of that 37%, so I
13 think that's the part that we really have to get you guys to look into of how
14 we can define those a little bit more.

15 EXEC. DIR. THOMPSON: So we've got the categories.

16 CHAIRMAN CHU: Yes. I think again we should look at what other
17 categories would be appropriate for those remaining segments.

18 BISHOP TAYLOR: Okay.

19 COMMISSIONER SIMONETTI: To ensure integrity with the
20 numbers that we're giving out, we should have some controlling device
21 built in the truncated cases. And the statisticians can provide us with a
22 fair number of cases that we should randomly take from the truncated
23 cases and try to do further investigation on them just to see if they truly
24 come out truncated. Okay? That will give us some assurance that we're
25 not compromising the system.

1 CHAIRMAN CHU: Anything from this side of the table?

2 [Laughter]

3 CHAIRMAN CHU: Okay. If there's no further new business, we
4 will now move to public comment. Ms. Suzannah Troy?

5 MS. SUZANNAH TROY: Yes. Hi, everybody. I'm Suzannah Troy.
6 First of all, for any good NYPD officer, or anybody like Inspector Mesa, a
7 good CCRB investigator, thank you. My sad news is it looks like I'm the
8 only civilian speaking up today. And I can't get to my business until I
9 address what I heard here. First of all, Ms. Thompson, perhaps maybe you
10 would take whatever information you weren't sending to Mr. Simonetti and
11 please start sending it to him, because you weren't aware, he needs to be in
12 the loop, everybody here does. Number 2, before I get to my business, I
13 don't believe your statistics are accurate. For instance, I can prove it.
14 Look up the name Luis Flores. Was it truncated or not? Luis Flores has a
15 9-to-5 job. He cannot be here now. And he was never called back. He
16 made a complaint and he was never called back. So where does his call
17 fall in your statistics? And who is policing CCRB? Now I'm going to get
18 to my business. Number 1, these meetings are not being publicized. Most
19 people do not know they exist, and I'm the only civilian that found out
20 about it only because I had to pull it out of Graham Daw's conversation.
21 You need to publicize that, unless you don't really care about civilians and
22 you don't want us to be an active part of this. That's number 1. Number 2,
23 Mayor Bloomberg, the media, Commissioner Kelly, seems like there's a
24 startling lack of interest in the fact that CCRB was shut down for
25 Hurricane Sandy. Number 2, Mr. Bloomberg, Mr. Technology, is up to his

1 eyeballs in corruption on City Time, the 911 tech, and it seems to me that
2 CCRB technology is so awful, so flawed that it doesn't work during a
3 hurricane and is not portable. So being that you could not hurricane move
4 this--and it's really sad that Mr. Taylor was laughing, joking about soccer
5 and I'm talking about things that are so--he's joking about softball--these
6 are our lives. I'm a victim of a violent crime. Without surgery in this eye
7 I would be blinded. I called several of you and spoke to you about it,
8 because CCRB took my case and gave it to Internal Affairs. Do you think
9 that's a good thing? I don't think so. Because if CCRB kept them--Deputy
10 Inspector Edward Brinski [phonetic], Lt. Angelos Bragos [phonetic], the
11 head of the detective squad in the 1st Precinct, Sgt. Chan [phonetic], the
12 other supervisor of the detective squad, Detective Bragona [phonetic],
13 would have to come in and testify. Now it's secretive and closed off and
14 it's five months and Internal Affairs has done nothing. I had a debate with
15 Graham Daw. You guys brushed me aside and got rid of me, and Graham
16 Daw and I had a semantic battle, just like over here a few minutes ago, on
17 what is discourteous. When I was violently assaulted at a medical office,
18 at Dr. Fabelman's [phonetic], I went to the precinct, they told me this is
19 going to go nowhere, and they handed me a piece of paper that talked
20 about the words courteousness--what are the terms for--

21 COMMISSIONER SIMONETTI: [Interposing] CPR. Courtesy,
22 professionalism, and respect.

23 MS. TROY: Thank you. It failed on all of them. We're talking
24 about anti-Semitism. I was told I had to wait four days to be falsely
25 arrested on Saturday. I said to Det. Bragona, why, why do I have to wait

1 four days, I agreed to be arrested on Tuesday, why do I have to wait four
2 days? He would not answer me. I said arrest a Jew on the Sabbath? He
3 wouldn't answer. I said are you anti-Semitic? He wouldn't answer. He
4 told me he didn't care if I had two black eyes. If that doesn't count as
5 discourteous? Okay. I want to tell you, you guys brushed me aside, I am
6 now making a YouTube documentary on NYPD hero Joe Sanchez who was
7 fired and set up. Here is a CCRB complaint. This is a CCRB complaint
8 from 32 years ago. The CCRB complaint is very similar to what we're
9 going to hear in the Adrian Schoolcraft [phonetic] trial, 2013. This man, a
10 community member, was kidnapped. Two Internal Affairs officers on the
11 CCRB complaint came to his home. This man told him, told the two
12 officers my wife does not have a key into the house, I have to wait for her.
13 They didn't care. They kidnapped him for four days. I'm sorry if I'm
14 interrupting.

15 CHAIRMAN CHU: No, not at all. Please continue.

16 MS. TROY: Thank you. So what I'm saying is this is proof, proof
17 that in 30 years nothing has changed. So I'm going to do a YouTube
18 documentary. It's already begun. I'm trying to meet Charles Hines for a
19 five minute interview because I have his letter and a juror's letter saying
20 that Joe Sanchez should be reinstated, and he never was. There's
21 incredible proof. I have letters from special prosecutors, you name it, New
22 York State Assembly - - , so I'm going to work to get this man 30 years
23 later an apology and to be reinstated so he can retire as an NYPD officer.
24 But what I'm telling you today is you want NYPD reformed, so how are we
25 going to get NYPD reformed? My YouTube documentary is going to tell

1 you that we cannot get reform until we stop punishing NYPD officers that
2 have the courage to come forward and blow the whistle. Okay? Next is
3 CCRB. From what I've witnessed today, it sounds like I should be on this
4 panel as a civilian representing the civilians. Who is representing us? I
5 was punched in the eye, I was nearly blinded, my hair ripped out, my
6 earring ripped out. She wasn't arrested. The cops mocked me, they
7 laughed, they treated me like I was a sex worker that had been raped. Ha
8 ha ha, we don't care. Sgt. Chen, when I called in to report that - - filed a
9 false complaint, he ended up refusing me the right, refusing me the right to
10 report that. He laughed. Oh, you're the woman assaulted at the doctor's
11 office, ha ha ha ha.

12 CHAIRMAN CHU: Ms. Troy, if you have public comment I'm
13 going to encourage you to continue. If you're going to discuss individual
14 cases--

15 MS. TROY: [Interposing] The bottom line is this. I recorded them
16 turning me away at the precinct. My rights have been violated. I went to
17 CCRB, they turned it over to Internal Affairs. This CCRB complaint from
18 32 years ago, nothing came of it. My CCRB complaints--I have one
19 against a detective that's part of Bloomberg's squad, you guys have been
20 sitting on it like you're hatching an egg for the next century. I'm telling
21 you CCRB is taking too long. From what I heard today, it's shameful that
22 you can't get three people together to rule. You don't seem to care. These
23 are all lies. These cops are intimidating us, they're making us feel fearful.
24 I'm scared now that they're going to put handcuffs on me, strip search me,
25 and hold me prisoner for two days like Detective Bragano wanted me to

1 do, with bleeding in my eye. I have a doctor here, a wonderful man I
2 spoke with, he knows the seriousness of having a hole in your retina and
3 detached, and you guys didn't help me. And you could have helped me by
4 taking my case and making these men come in and testify. And you didn't
5 do that. So I'm saying that CCR has failed, you need a wake-up call, you
6 need passionate people like me to come in and make you aware that a ten
7 o'clock meeting when civilians cannot attend, we need to be part of this,
8 we need to put a fire under your behinds if that's what it takes, because
9 you don't seem to understand how frightening and threatening these cops
10 are. I was - - letter in *The Wall Street Journal*, "Betrayal at Ground Zero,"
11 a letter in the *New York Times* asking for a raise for the NYPD and FDNY.
12 I think I've had 17 letters published on behalf of our rescue workers,
13 including NYPD, since 9/11. Now I'm asking for--I've called Judge
14 Mullen [phonetic], I'm asking for the Commission and an outside monitor,
15 an outside permanent monitor. And CCRB, if you're not going to do the
16 job, let's get rid of you. If you're not going to fight for us, if you're not
17 going to take this seriously--this Hurricane Sandy and how many
18 truncated, how many people came to you and you found excuses to brush
19 us aside? Because that's what I feel like you've done to me. You're taking
20 way too long. And the Hurricane Sandy is not going to go away. I hope
21 you hear about it until you get technology up-to-date, until the Mayor--we
22 get a mayor, because this mayor doesn't care. CCRB was shut down, and
23 anybody who came in during that time frame or before deserves to be
24 heard. And Luis Flores--look up his name--is proof that CCRB is not
25 doing their job and no one is monitoring you and no one called him. I

1 spoke to him yesterday. To-date. And I don't know if it's like ten months
2 now or a year, no one from CCRB followed up, so I'd like to find out
3 what's the status report on him. Because it shouldn't be truncated. This
4 guy is waiting. He was shot by a police officer, disrespected, and he's
5 waiting.

6 CHAIRMAN CHU: Ms. Troy, if you would like some status updates
7 as to individual cases, I will get someone to provide you with as much
8 information as possible.

9 MS. TROY: But it's not good enough because Luis Flores can't be
10 here in person. I'm going to ask him to come to your next meeting. But
11 it's not good enough. Most civilians don't know you guys exist. You just
12 want to collect your paychecks. I called all of you and basically you had
13 your decision and Graham Daw betrayed me--

14 COMMISSIONER SIMONETTI: [Interposing] Excuse me. I'm the
15 senior member of the board. I've been on the board for 16 years. I haven't
16 collected one penny.

17 MS. TROY: Okay. Then maybe--no offense--

18 COMMISSIONER SIMONETTI: [Interposing] Pro bono. I serve
19 pro bono.

20 MS. TROY: --but maybe you ought to retire and I want to get a
21 commissioner that I'll pay. I would rather pay taxpayer money to a
22 commissioner that will answer--

23 CHAIRMAN CHU: [Interposing] All right. I think you've made
24 your point. Thank you very much.

25 MS. TROY: Thank you, sir.

1 CHAIRMAN CHU: Seeing no additional people looking to speak,
2 we're going to take a very brief recess and break into Executive Session.

3 [END RECORDING]

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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:

Kathryn B. Selby

Date: April 15, 2013