

Civilian Complaint Review Board Meeting - Final
June 13, 2018

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CIVILIAN COMPLAINT REVIEW BOARD
PUBLIC MEETING
June 13, 2018
4:06 p.m.

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100 Church Street
10th Floor
New York, New York 10007

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TRANSCRIPTS OF PROCEEDINGS:

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BEFORE:

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FREDERICK DAVIE, Chair

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JONATHAN DARCHE, Esq., Executive Director

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REPORTED BY:

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Bonita Richards

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PUBLIC MEETING AGENDA:

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1. Call to Order
2. Adoption of Minutes
3. Report from the Chair
4. Public Comment
5. Old Business
6. New Business
7. Adjourn to Executive Session

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BOARD MEMBERS PRESENT:

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FREDERICK DAVIE, Chair

JOSEPH A. PUMA, Board Member

ERICA BOND, Board Member

MICHAEL RIVADENEYRA, Esq., Board Member

RAMON PEGUERO, Esq., Board Member

LINDSAY EASON, Board Member

SALVATORE F. CARCATERRA, Board Member

FRANK J. DWYER, Board Member

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MR. DAVIE: So, I'd like to call to order this meeting of the Civilian Complaint Review Board on Wednesday, June 13, 2018.

I'd like to welcome all of you here to this meeting today, to our June meeting.

As our first order of business this afternoon, I'd like to extend a special welcome to Erica Bond. She is the newest member of our board. Erica comes to the CCRB having served as a special adviser to the First Deputy Mayor of City Hall, where she worked on criminal justice issues; including the efforts to close Rikers Island and to raise the age of criminality in New York State.

That experience along with her previous non-profit work at the Arnold Foundation, her legal career in the private sector, and her passion for making New York City a better place for all it's residence will make Erica a key contributor to the CCRB work, as we seek to improve police community relations and hold New York City Police Department accountable.

So, Erica, welcome and I offer you an

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2 opportunity to say a few words if you like.

3 MS. BOND: Thank you, thank you Chair Davie.

4 And to my colleagues on the board, and
5 to the staff, and everybody here today I just --
6 I'll say a few words and not take up too much
7 time here.

8 But I'm really -- I'm honored that
9 the Mayor has the confidence in me to actually serve
10 on this board and to continue to work on criminal
11 justice reform in the City.

12 As Chair Davie mentioned, I was
13 previously at the Mayor's office. So, I'm well
14 aware of the important work that CCRB has been
15 doing to bridge the gap between police and
16 communities. I know that NYPD is also
17 simultaneously engaged in that important work.
18 And I know that will continue in terms of the
19 expansion of the NCO Program and body worn cameras
20 that rollout across the City, which will of course
21 have important implications for the work of the CCRB.

22 And I'm really very excited to be
23 joining the board. Because I think it plays a
24 very unique and important role in bridging the
25 gap between police and communities. I think when

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the board addresses individual cases of misconduct it not only creates accountability for individual officers, but it improves trust and confidence in the police as a whole.

So, I'm very excited to be here to work with the rest of the board, to work with the staff, the residents of New York City, and with NYPD to advance the mission of the CCRB.

Thank you.

MR. DAVIE: Thank you and welcome.

Secondly, many of you may recall last year the CCRB together with Mayor de Blasio, Commissioner O'Neil, and tennis professional James Blake, announced the creation of the James Blake CCRB Fellowship.

I am pleased to let all of you know, that our Blake fellow, Bernadette Brown, has hit the ground running since starting last Monday.

Bernadette who comes to the CCRB after serving as the Deputy Legislative Director at the New York Civil Liberties Union, will serve as a link between outreach, policy, and APU. Her ultimate goal over the course of the next two years is to help reduce truncations of the

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number of complaints closed without
investigation.

We're glad she's jumped right in on
the very important task of helping the CCRB
understand how to support civilians who file
complaints.

Bernadette, welcome.

And I also would like to give you the
opportunity to say a few words if you would
like.

MS. BROWN: Thank you very much, Chair Davie
for those words.

I would say "ditto," to the everything
Ms. Bond just said. But since I didn't work for
the Mayor and some of the other places, I guess
it wouldn't be accurate.

I would just like to say, I too am just
incredibly thrilled to be here working on this
innovative fellowship. As many of you know, New
York City serves as a model for the rest of the
country. So, this is incredibly exciting.

I'm looking forward to working with my
colleagues here at the CCRB, the residents of New
York City, and the NYPD.

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Thank you so much.

MR. DAVIE: Thank you, Bernadette and
welcome.

And there's a third organizational
change that we want to talk about this evening or
this afternoon as well. On Monday, 13 new
investigators started at the agency. They are
talented, they are eager, and they are passionate
about the work we are going to do -- they're
going to do at the CCRB.

This is a good time for me to remind
everyone that we do have two investigators here
this afternoon, to receive complaints of police
misconduct.

Mac and Greg, would you please stand
so that everybody can know who you are.

Thank you.

ROB: I'm actually taking the place of
Mac, he's sent me as proxy.

MR. DAVIE: Oh, ok, great. What's your name?

ROB: My name is Rob.

MR. DAVIE: Okay, so we have Rob and
Greg.

Great, thank you.

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I'd also like to congratulate the Administrative Prosecution Unit on the success of its recent Continuing Legal Education Seminar. The CCRB's APU is a model for administrative prosecution, not only here in New York but across the nation.

It is a point of pride for this agency, and I'm always glad whenever our APU can serve as a guide for others as it did on Monday.

I also want to acknowledge the wonderful celebration of the Puerto Rican Day Heritage that took place in the City on Sunday. The theme of this year's Puerto Rican Day Parade 'One Nation Many Voices,' captured how much people of Puerto Rican descent have influenced this City and this country.

The day also served as a reminder that we must continue to stand with our fellow Americans in Puerto Rico, as they continue to face the harrowing reality that is the aftermath of Hurricane Maria. Our thoughts and prayers always will remain with them.

And last but not least of all, June is pride month. And I am pleased to join -- I was

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pleased to join members of the CCRB at the Brooklyn Pride Parade on Saturday. We actually had a good time.

Pride month is a time not only for parades and celebrating the progress we've made when it comes to LGBT rights, it is also for a time for thinking about how we can move forward together as a City. The CCRB takes this mandate very seriously and has taken steps to create a New York that is safer and fair for the LGBTQ community.

Among these steps are, conducting affirming outreach to the LGBTQ advocates; updating our complaint database to include gender neutral honorifics and additional fields for complaints preferred name and gender identity; and a 2016 report that included recommendations that help combat a discrimination that too many LGBTQ people, particularly transwoman of color and homeless youth continue to face.

And with the full implementation of the body-worn camera program coming at the end of this year, we're confident that we'll be better able to ascertain what took place during

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police/civilian interactions. While this is always important, it takes on a particular significance when we consider the fact that audio footage very often is the only way to determine if, for example, an officer used a homophobic or transphobic slur when engaging with a civilian.

All of these elements are important parts of a larger effort, one that started right here in New York at Stonewall almost 50 years ago. It's an effort to uphold the civil rights of LGBTQ people, not only here in the City but everywhere. And not only during pride month but every month.

I want to say one more thing and then I will proceed with the agenda. That is, our Executive Director John Darche is not with us. He's actually taking some well-deserved vacation. He was due to have that vacation last week, but his grandmother passed away and so he had to delay the -- his vacation so that he could be with his family.

So, we're going to wish him a great vacation. And we're going to remember his family as they mourn the loss of his grandmother.

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Thank you.

So, I should have done this before,
but the Chair will entertain a motion from the
sublime -- from the sacred to the mundane, the
Chair will entertain a motion to approve the
minutes.

MR. DWYER: So motioned.

MR. DAVIE: Second?

MR. PEGUERO: I.

MR. DAVIE: Any changes?

(No response.)

MR. DAVIE: Corrections?

(No response.)

MR. DAVIE: We'll need the vote.

All those in favor of adopting the
minutes, please say "aye."

(A chorus of ayes.)

MR. DAVIE: All those opposed.

(No response.)

MR. DAVIE: The ayes have it, the minutes
are adopted.

So, do we have public comment?

I don't have a list of people, is
there anybody here who wants to say anything?

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And you have three minutes if you'd like to make the Public Comment.

(No response.)

MR. DAVIE: All right, going once, going twice?

(No response.)

MR. DAVIE: All right, great.

Is there any Old Business to come before this board?

(No response.)

MR. DAVIE: Is there any New Business to come before this board?

(No response.)

MR. DAVIE: Hearing none, the Chair will entertain a motion to adjourn to Executive Session.

Is there such a motion?

MR. DWYER: So motioned.

MR. DAVIE: Is there a second?

MR. PEGUERO: Second.

MR. DAVIE: We will adjourn to Executive Session.

Thank you.

(Whereupon, the above-entitled matter

1
2 concluded at 4:16.)
3

4 C E R T I F I C A T E

5 STATE OF NEW YORK)

6) ss.:

7 COUNTY OF KINGS)
8

9 I, BONITA RICHARDS, a Notary Public within and
10 for the State of New York, do hereby certify:

11 I reported the proceedings in the
12 within-entitled matter, and that within transcript
13 is a true and record of such proceedings to the best
14 of my ability.

15 I further certify that I am not related to any
16 of the parties to this action by blood or marriage;
17 and that I am in no way interested in the outcome of
18 this matter.

19 IN WITNESS WHEREOF, I have hereunto set my
20 hand this 18th of June 2018.

21
22 Bonita Richards

23 BONITA RICHARDS
24
25

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<p>ability (1) 14:14 able (1) 10:25 above-entitled (1) 13:25 accountability (1) 6:3 accountable (1) 4:24 accurate (1) 7:17 acknowledge (1) 9:11 action (1) 14:16 additional (1) 10:16 addresses (1) 6:2 adjourn (3) 2:10 13:16,22 administrative (2) 9:3,5 adopted (1) 12:22 adopting (1) 12:16 Adoption (1) 2:5 advance (1) 6:9 adviser (1) 4:12 advocates (1) 10:14 affirming (1) 10:14 aftermath (1) 9:21 afternoon (3) 4:9 8:7,14 age (1) 4:15 agency (2) 8:8 9:9 agenda (2) 2:3 11:16 ago (1) 11:11 Americans (1) 9:20 announced (1) 6:15 anybody (1) 12:25 approve (1) 12:6 APU (3) 6:23 9:5,9 Arnold (1) 4:18 ascertain (1) 10:25 audio (1) 11:4 AVENUE (1) 1:22 aware (1) 5:14 aye (1) 12:17 eyes (2) 12:18,21</p>	<p>C (2) 14:4,4 call (2) 2:4 4:3 camera (1) 10:23 cameras (1) 5:19 captured (1) 9:15 CARCATERRA (1) 3:10 career (1) 4:19 cases (1) 6:2 CCRB (13) 4:11,22 5:14,21 6:9,13 6:16,20 7:5,24 8:11 10:2,9 CCRB's (1) 9:5 celebrating (1) 10:6 celebration (1) 9:12 certify (2) 14:10,15 Chair (9) 1:12 2:6 3:4 5:3,12 7:12 12:4,6 13:15 change (1) 8:6 changes (1) 12:11 chorus (1) 12:18 Church (1) 1:6 City (12) 4:12,20,24 5:11,20 6:8 7:21,25 9:13,17 10:9 11:12 civil (2) 6:22 11:11 civilian (3) 1:3 4:4 11:7 civilians (1) 7:6 close (1) 4:14 closed (1) 7:2 colleagues (2) 5:4 7:24 color (1) 10:20 combat (1) 10:19 come (2) 13:9,13 comes (3) 4:11 6:20 10:7 coming (1) 10:23 comment (3) 2:7 12:23 13:3 Commissioner (1) 6:14 communities (2) 5:16,25 community (2) 4:23 10:12 complaint (3) 1:3 4:4 10:15 complaints (4) 7:2,7 8:14 10:17 concluded (1) 14:2 conducting (1) 10:13 confidence (2) 5:9 6:5 confident (1) 10:24 congratulate (1) 9:2 consider (1) 11:4 continue (5) 5:10,18 9:19,20 10:21 Continuing (1) 9:4 contributor (1) 4:22 Corrections (1) 12:13 country (2) 7:22 9:17 COUNTY (1) 14:7 course (2) 5:20 6:24 create (1) 10:10 creates (1) 6:3 creation (1) 6:15 criminal (2) 4:13 5:10</p>	<p>criminality (1) 4:15</p> <hr/> <p align="center">D</p> <p>Darche (2) 1:13 11:17 database (1) 10:15 Davie (22) 1:12 3:4 4:3 5:3,12 6:11 7:12 8:3,21,23 12:9,11,13,15,19 12:21 13:5,8,12,15,20,22 day (3) 9:12,14,18 de (1) 6:13 delay (1) 11:21 Department (1) 4:24 Deputy (2) 4:12 6:21 descent (1) 9:16 determine (1) 11:5 Director (3) 1:13 6:21 11:17 discrimination (1) 10:19 ditto (1) 7:14 doing (1) 5:15 due (1) 11:19 DWYER (3) 3:11 12:8 13:19</p> <hr/> <p align="center">E</p> <p>E (2) 14:4,4 E-MAIL (1) 1:24 eager (1) 8:9 EASON (1) 3:9 Education (1) 9:4 effort (2) 11:9,11 efforts (1) 4:14 elements (1) 11:8 engaged (1) 5:17 engaging (1) 11:7 entertain (3) 12:4,6 13:16 Erica (5) 3:6 4:10,11,22,25 Esq (3) 1:13 3:7,8 evening (1) 8:6 everybody (2) 5:5 8:17 example (1) 11:6 excited (2) 5:22 6:6 exciting (1) 7:22 Executive (5) 1:13 2:10 11:17 13:16,22 expansion (1) 5:19 experience (1) 4:17 extend (1) 4:9</p> <hr/> <p align="center">F</p> <p>F (2) 3:10 14:4 face (2) 9:21 10:21 FACSIMILE (1) 1:24 fact (1) 11:4 fair (1) 10:11 family (2) 11:22,24 favor (1) 12:16 fellow (2) 6:18 9:19 fellowship (2) 6:16 7:20</p>
B		
<p>Bernadette (4) 6:18,20 7:8 8:3 best (1) 14:13 better (2) 4:21 10:24 Blake (3) 6:15,16,18 Blasio (1) 6:13 blood (1) 14:16 board (18) 1:3 3:3,5,6,7,8,9,10,11 4:5,10 5:4,10,23 6:2,7 13:10,13 body (1) 5:19 body-worn (1) 10:23 Bond (4) 3:6 4:10 5:3 7:15 Bonita (3) 1:16 14:9,23 bridge (1) 5:15 bridging (1) 5:24 Brooklyn (1) 10:3 Brown (2) 6:18 7:12 business (5) 2:8,9 4:8 13:9,12</p>		

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<p>fields (1) 10:16 file (1) 7:6 first (2) 4:8,12 Floor (1) 1:7 footage (1) 11:5 forward (2) 7:23 10:8 Foundation (1) 4:19 FRANK (1) 3:11 FREDERICK (2) 1:12 3:4 full (1) 10:22 further (1) 14:15</p> <hr/> <p align="center">G</p> <hr/> <p>gap (2) 5:15,25 gender (2) 10:15,17 give (1) 7:9 glad (2) 7:4 9:9 goal (1) 6:24 going (6) 8:10,11 11:23,24 13:5,5 good (2) 8:12 10:4 grandmother (2) 11:20,25 great (4) 8:21,25 11:23 13:8 Greg (2) 8:16,24 ground (1) 6:19 guess (1) 7:16 guide (1) 9:10</p> <hr/> <p align="center">H</p> <hr/> <p>Hall (1) 4:12 hand (1) 14:20 harrowing (1) 9:21 Hearing (1) 13:15 help (2) 6:25 10:19 helping (1) 7:5 hereunto (1) 14:19 Heritage (1) 9:13 hit (1) 6:18 hold (1) 4:24 homeless (1) 10:21 homophobic (1) 11:6 honored (1) 5:8 honorifics (1) 10:16 Hurricane (1) 9:22</p> <hr/> <p align="center">I</p> <hr/> <p>identity (1) 10:17 implementation (1) 10:22 implications (1) 5:21 important (7) 5:14,17,21,24 7:5 11:3,8 improve (1) 4:23 improves (1) 6:4 include (1) 10:15 included (1) 10:18 including (1) 4:14 incredibly (2) 7:19,22 individual (2) 6:2,4</p>	<p>influenced (1) 9:16 innovative (1) 7:20 interactions (1) 11:2 interested (1) 14:17 investigation (1) 7:3 investigators (2) 8:8,13 Island (1) 4:14 issues (1) 4:13</p> <hr/> <p align="center">J</p> <hr/> <p>J (1) 3:11 James (2) 6:15,15 John (1) 11:17 join (2) 9:25 10:2 joining (1) 5:23 JONATHAN (1) 1:13 JOSEPH (1) 3:5 jumped (1) 7:4 June (5) 1:4 4:5,7 9:24 14:20 justice (2) 4:13 5:11</p> <hr/> <p align="center">K</p> <hr/> <p>key (1) 4:22 KINGS (1) 14:7 know (5) 5:16,18 6:17 7:20 8:17</p> <hr/> <p align="center">L</p> <hr/> <p>larger (1) 11:9 legal (2) 4:19 9:4 Legislative (1) 6:21 LGBT (1) 10:7 LGBTQ (4) 10:11,14,20 11:12 Liberties (1) 6:22 LINDSAY (1) 3:9 link (1) 6:23 list (1) 12:24 looking (1) 7:23 loss (1) 11:25</p> <hr/> <p align="center">M</p> <hr/> <p>Mac (2) 8:16,20 making (1) 4:20 MAMARONECK (2) 1:22,23 mandate (1) 10:9 Maria (1) 9:22 marriage (1) 14:16 matter (3) 13:25 14:12,18 Mayor (4) 4:12 5:9 6:13 7:16 Mayor's (1) 5:13 meeting (5) 1:4 2:3 4:4,7,7 member (8) 3:5,6,7,8,9,10,11 4:10 members (2) 3:3 10:2 mentioned (1) 5:12 MICHAEL (1) 3:7 minutes (5) 2:5 12:7,17,21 13:2 misconduct (2) 6:3 8:15 mission (1) 6:9</p>	<p>model (2) 7:21 9:5 Monday (3) 6:19 8:7 9:10 month (4) 9:25 10:5 11:13,14 motion (4) 12:4,6 13:16,18 motioned (2) 12:8 13:19 mourn (1) 11:25 move (1) 10:8 mundane (1) 12:5</p> <hr/> <p align="center">N</p> <hr/> <p>name (3) 8:21,22 10:17 nation (2) 9:7,15 NCO (1) 5:19 need (1) 12:15 neutral (1) 10:16 new (18) 1:7,7,23 2:9 4:15,20,24 6:8,22 7:20,24 8:7 9:6 10:11 11:10 13:12 14:5,10 newest (1) 4:10 non-profit (1) 4:18 Notary (1) 14:9 number (1) 7:2 NYPD (3) 5:16 6:9 7:25</p> <hr/> <p align="center">O</p> <hr/> <p>O'Neil (1) 6:14 offer (1) 4:25 office (1) 5:13 officer (1) 11:6 officers (1) 6:4 Oh (1) 8:21 ok (1) 8:21 Okay (1) 8:23 Old (2) 2:8 13:9 once (1) 13:5 opportunity (2) 5:2 7:10 opposed (1) 12:19 order (3) 2:4 4:3,8 organizational (1) 8:5 outcome (1) 14:17 outreach (2) 6:23 10:14</p> <hr/> <p align="center">P</p> <hr/> <p>p.m (1) 1:5 Parade (2) 9:14 10:3 parades (1) 10:6 particular (1) 11:3 particularly (1) 10:20 parties (1) 14:16 parts (1) 11:9 passed (1) 11:20 passion (1) 4:20 passionate (1) 8:9 PEGUERO (3) 3:8 12:10 13:21 people (4) 9:16 10:20 11:12 12:24 place (4) 4:21 8:19 9:13 10:25 places (1) 7:16</p>
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