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3	CIVILIAN COMPLAINT REVIEW BOARD	
4	PUBLIC MEETING	
5	OCTOBER 10, 2018	
6	4:00 p.m.	
7	X 100 Church Street	
8	New York, New York	
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12	TRANSCRIPT OF PROCEEDINGS	
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14	BEFORE:	
15	FREDERICK R. DAVIE, Chair	
16	JONATHAN DARCHE, ESQ., Executive Director	
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18	Transcribe by:	
19	Deirdre Smith	
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2	PUB	LIC MEETING AGENDA	
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4	1.	Call to Order	
5	2.	Adoption of the Minutes	
6	3.	Report from the Chair	
7	4.	Report from the Executive Director	
8	5.	New Business	
9		Investigation Update	
10		Training Update	
11	6.	Old Business	
12	7.	Public Comment	
13	8.	Adjourn to Executive Session	
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3	BOARD MEMBERS PRESENT	
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5	Erica Bond, Board Member	
6	Salvatore F. Carcaterra, Board Member	
7	Jonathan Darche, Esq., Board Member	
8	Frederick Davie, Board Member	
9	Frank Dwyer, Board Member	
10	Lindsay Eason, Board Member	
11	Nathan Joseph, Board Member	
12	Michael Rivadeneyra, Esq., Board Member	
13	John Siegal, Esq., Board Member	
14	Marbre Stahly-Butts, Esq., Board Member	
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2	SPEAKERS	
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4	Olas Carayannis	
5	Monte Givhan	
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3	CHAIR DAVIE: Good afternoon, I would like	
4	to call this meeting of the Civilian Complaint	
5	Review Board to order.	
6	As a first order business, the Chair will	
7	entertain a motion to adopt the minutes from	
8	the last meeting.	
9	MR. DARCHE: Motion.	
10	CHAIR DAVIE: Is there a second?	
11	MS. BOND: Second.	
12	CHAIR DAVIE: All those in favor are	
13	there any corrections or additions to the	
14	minutes?	
15	(No response.)	
16	CHAIR DAVIE: Hearing none, all those in	
17	favor of adopting the minutes please say aye.	
18	(A chorus of ayes.)	
19	CHAIR DAVIE: Those opposed say no.	
20	(No response.)	
21	CHAIR DAVIE: The ayes have it. The	
22	minutes are adopted.	
23	I would like to welcome all of you here	
24	this afternoon. As a first order of business I	
25	want to extend a very hearty welcome to our	

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newest board member, Mr. Nathan Joseph, who comes to us as the City Council's Designee from Staten Island.

#### (Applause)

CHAIR DAVIE: Mr. Joseph has spent his entire life on Staten Island, as I am told, and he is honored and eager to serve his community as a board member.

As a matter of fact, Mr. Joseph, we know that you've only been on the board a few weeks, but we've seen you doing outreach, already, to the people of Staten Island in an effort to improve community and police relations.

So, we would like to welcome you and give you a chance to say a few words if you would like.

MR. JOSEPH: Well, thank you for the welcome, I appreciate that, I'm surprised, but thank you very much. And I'm really excited to be here on the CCRB, and I can't wait to continue to do outreach and improve community-police relations. I really, really enjoy that. So, thank you very much.

CHAIR DAVIE: Thank you and welcome. Why

7 1 Proceedings 2 don't we have other the board members 3 introduced themselves. And I'll start with Mr. Siegal, to my left. 4 5 MR. SIEGAL: John Siegal, and I'm a 6 Mayoral Designee on the Board. 7 MS. BOND: Erica Bond, Mayoral Designee. MR. DARCHE: Jonathan Darche, Executive 8 9 Director. CHAIR DAVIE: Fred Davie, I'm the Chair. 10 11 MR. RIVADENEYRA: Michael Rivadeneyra, 12 City Council Bronx Designee. 13 MR. CARCATERRA: Sal Carcaterra, Police 14 Commissioner Designee. 15 MR. EASON: Good evening everyone, Lindsay Eason, Police Commissioner Designee. 16 MR. DWYER: Good evening, Frank Dwyer, 17 Police Commissioner Designee. 18 19 CHAIR DAVIE: Thank you. Thank you all. 20 Before I turn things over to our Executive Director, Jon Darche, I would just like to talk 21 22 a bit about the upcoming Youth Summit, which 23 will take place on February 5, 2019. 24 This is something we first announced at 25 last month's board meeting, and I know February

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feels like a long time away from now, but it will be here, obviously, before we know it.

Our data tells us that police misconduct affects people of all ages, including young New Yorkers. I think the question driving everyone involved in planning this summit is; what are we as a city, as a people who want to build a better New York for the next generation, going to do about youth and police encounters?

That's a big question. We can't expect to have an answer at the end of this summit, but I do believe this is an important first step for the City, and I'm looking forward to being a part of it.

As for those who pay close attention to issues related to the CCRB, there's another matter that I would like to raise and discuss, and that is about the CCRB discussion that has come before the recent Charter Commission, the Charter Commission that has been convened by the City Council.

This is going to be an ongoing process, and over the months to come, we the board and the staff of the CCRB, will have much more to

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say publically about Charter Revision Proposals related to this board and this agency.

For now, as Chair, I want to be clear in stating that my colleagues of the board and I are in constant pursuit of practical ways to make the CCRB a better agency and to make us better board members for all New Yorkers. And that same philosophy will apply when we engage in Charter Commission around potential revisions.

With that, I will now turn the meeting over to our Executive Director, Jon Darche.

MR. DARCHE: Thank you, Mr. Chair. I would like to welcome all of you to the October Board Meeting. And I would especially like to welcome Mr. Joseph to his first board meeting. It's a, we're very excited to have Mr. Joseph on the board, and the work he's done with outreach already shows that, we are very excited to have you on board and your participation.

As many of you know, the Right To Know Act is going to go into effect next week, and the agency has been working very hard preparing

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materials as part of its public education function to make sure that the people who live in the City of New York understand their rights under the Right To Know Act as it involves police officers, and we're going to make sure that we are a presence in the community so that people understand their rights.

Also, today in the meeting, you're going to be hearing presentations by members of the Training Unit and Investigations Division, who will be providing updates on their respective units.

Finally, we have investigators here today who are going to be assigned to handle any complaints from people who might be here today.

Andrew and Rolando, can you stand up?

(Investigators stand up.)

MR. DARCHE: So, thanks, guys. If any of you have any complaints that you would like to file, they're there in the back.

That's it, Mr. Chair.

CHAIR DAVIE: Thank you, Mr. Darche.

We have now been joined by our Brooklyn Designee to the board, and I'm going to let her

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introduce herself as she gets settled.

MS. STAHLY-BUTTS: Hello y'all, Marbre, she and her pronouns, Brooklyn.

CHAIR DAVIE: Welcome, Marbre.

We will now move into New Business. And we have two updates on the agenda, one is the investigation update and the second is the training update.

So I will ask the appropriate staff to make the presentation.

MR. CARAYANNIS: Good afternoon, my name is Olas Carayannis and I'm the Director of Quality Assurance and Improvement at the CCRB, and I'm here to report on the impact of the increase in video evidence on agency benchmarks. In your packets, and on the website, you'll find a memo regarding this report.

So in 2014 the CCRB instituted a benchmark of an average of 90 days for investigations to be completed. During the last half of 2014, the CCRB received 393 video files of roughly 136 gigabytes total.

In the first half of 2018 the CCRB

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received 2,198 video files of roughly 908 gigabytes total. That's a 563-percent increase in the amount of video evidence we have received.

Corresponding with this increase in the amount of video evidence, the average time that an investigation takes has increased. In the first half of 2018, the average days to investigate a full investigation was 130 days, and 71 days when including truncations in that average.

The amount of video evidence received by the CCRB will continue to rise, and we expect that the days a case spends in investigations will have rise as a result.

So this increase in video evidence comes from several sources, but the most notable source is the continuing rollout of the NYPD's body-worn camera program.

We expect that the amount of video evident received by the CCRB will continue to rise as new commands are enrolled in this program.

Once the program is fully implemented, approximately 20,000 police officers will be

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equipped with body-worn cameras. In turn, we expect that virtually all CCRB investigations will include some amount of video evidence.

Video evidence increases the amount of time it takes for CCRB to investigate our cases. Not only must the investigators obtain the video and watch the videos for their entire run time, they must also analyze the evidence, identify any witnesses and additional leads, locate those witnesses, and follow those leads. Often video evidence requires an investigator go frame by frame to properly analyze the depicted event.

The CCRB has taken some steps to address the time that this increase in video evidence adds to investigations. The CCRB has a field team whose job it is in part to locate evidence from non-NYPD sources and to extract this evidence early.

The CCRB has also expanded its NYPD

Liaison Unit to assistant in the timely
acquisition of body-worn camera footage. Also
the CCRB has obtained a training in powerful
video analysis software to ensure the video

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evidence is analyzed properly. However, this software will likely increase the length of time a case spends in investigations because proper analysis requires careful processing, and as a result, more time.

The increase in video evidence is a boon to investigations and we embrace it. The investigations division is aware of the challenges that the increase in video evidence presents to the agency, especially in terms of expeditious investigations.

However, the 2014 benchmarks were created before the rollout of the body-worn camera program, when the agency received 563-percent less video evidence than we currently receive. Furthermore, the expected increase in complaints due to the commencement of the Right To Know Act, and implementation of Phase 2 of the agency's plan to investigate allegations of sexual misconduct, will likely cause a further increase in investigative times.

So, in the coming months, the CCRB will continue to study this issue and we'll revise the agency benchmarks accordingly.

15 1 Proceedings 2 Thank you. 3 CHAIR DAVIE: Are there any questions or comments? 4 5 (No response.) 6 CHAIR DAVIE: From the members? 7 (No response.) 8 CHAIR DAVIE: From the public? 9 (No response.) CHAIR DAVIE: All right. Well, thank you. 10 11 We look forward to continuing to get updates on 12 our investigation and the timetables for them. 13 Thank you. 14 ATTORNEY2: Thank you. 15 CHAIR DAVIE: All right. 16 MR. GIVHAN: Good afternoon everyone, my name Monte Givhan, and for the last two years 17 I've served as the Director of Training for the 18 19 CCRB. 20 I'm here today to provided you with a 21 brief overview of CCRB's plan to train our 22 investigators to responsibly and effectively 23 handle Phase 2 Sexual Misconduct Allegations. 2.4 Following the board's adoption of the 25 Sexual Misconduct Resolution in February, the

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agency began a dialogue with advocates and experts in the field of sexual assault and trauma in order to educate ourselves.

As a result of those conversations we determined that the following is needed in order to effectively and responsibly investigate Phase 2 Cases; our investigators must have a foundational understanding of sexual assault and rape culture. They need a deep understanding of the neuroscience of trauma, in particular how trauma impacts memory and recollection. They need to understand and embrace a victim-centered approach to interacting with complainants. They need to master the nuts and bolts of documenting their sexual assault investigations. They need to understand issues related to false reporting. And they need to know how to manage their own emotional needs and wellness while investigating these cases.

In the coming months CCRB will be collaborating with multiple entities to address these training needs, including Bellevue

Hospital Center, the New York City Alliance for

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Sexual Assault, FETI, which is an acronym that stands for Forensic Experiential Trauma

Interviewing, and End Violence Against Woman

International.

So, first a word about the Bellevue

Hospital Center collaboration. Beginning this

Saturday, and continuing through the end of the

month, seven CCRB investigators will be

participating in a 40-hour Victim Advocates

Training Program conducted at Bellevue

Hospital.

The 40-hours of training takes place on evenings and weekends and includes speakers from the district attorney's office and police department, survivors and other sexual assault service providers. During the training there will be roll-plays on interacting with survivors in a manner consistent with best known practices for not retraumatizing them.

We are also currently in the process of collaborating with the New York City Alliance for Sexual Assault to develop at least three customized trainings for our investigators.

The first of these trainings, which is called

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Understanding Trauma and Adapting a
Victim-Centered Approach, will take place
before the winter holidays.

Because trauma is inherent in most of the work that CCRB does, we've decided to have all CCRB investigators participate in this training, not only the Phase 2 investigators.

For Phase 2 investigators this will serve as a primer for the five day FETI certification training that I will discuss in a a moment.

The New York City Alliance training will introduce investigators to the neuroscience of trauma, symptomology, how trauma impacts memory and narrative, and common responses to trauma including fight, flight or freeze, and at times immobility and other implications.

We will also collaborate with the Alliance on developing a customized training that will provide an overview of sexual assault and rape culture. That date has yet to be set.

The Alliance has a version of this training that it provides for advocates and for law enforcement, and we will work together in

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training, as well as the investigative division, to adapt that training for our purposes.

And the third customized training that we're working on in the partnership with the Alliance will cover the fundamentals of documenting an investigation. This will be adapted from trainings that the Alliance does for law enforcement and for forensic rape examiners.

In addition to helping us to develop and deliver customized trainings, the Alliance will be working with the Investigative Division

Leadership to conduct an audit of all CCRB case management practices, from intake through notification of disposition, and provide expert feedback of what current procedures will need to be modified or overhauled for Phase 2 Sexual Misconduct Cases.

The seventeen Phase 2 Investigators will also be participating in a five day FETI training. As I said before, that stand for Forensic Experiential Trauma Interviewing.

That training will take place between

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January 7th and January 11th. All the Phase 2
Investigators will participate in it. It's a
five-day certification training that is widely
considered to be the gold standard in trauma
informed interviewing protocols. This training
includes a one-day course in the neuroscience
of trauma, a one-day course on FETI
methodology, and then three-day
simulation-based course on practical
applications of FETI methodology when
conducting interviews of trauma victims.

Using the Forensic Experiential Trauma
Interview Approach, investigators can gather
the best possible evidence by interviewing
victims in ways that empower and calm them, so
they are able to provided more accurate,
coherent, consistent and persuasive narratives.
All seventeen of the Phase 2 Investigators, as
well as all three members of the training team,
will participate in that training.

And then finally, I mentioned End Violence
Against Women International, which has an
online training institute. So to provided our
agency with the capacity to do ongoing

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in-service trainings, and refreshers for Phase 2 Investigators, we've identified End Violence Against Woman International's Online Training Institute.

EVAWI, which is an acronym for End
Violence Against Women International, is a
Spokane, Washington, based professional
training organization that envisions a world
where gender-based violence is unacceptable,
where perpetrators are held accountable and
victims receive the compassion, support and
justice they deserve.

Their online training institute is funded through a grant from the U.S. Justice

Department Office for Victims of Crime, and it provides free training courses designed to improve professional responses to sexual assault.

Participants can access training modules by enrolling through their website. Currently, their online training institute offers 18 training modules with a total of a 190 hours of instruction on topics that include investigative strategies and tactics, report

#### Proceedings

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writing, understanding rape kits, and many other topics important to understanding sexual assault and investigating allegations of assault.

CCRB's Phase 2 Sexual Misconduct working group is presently in the process of reviewing and vetting these online trainings to determine which ones are likely to be relevant and useful to Phase 2 Investigators.

The organization, EVAWI, has been very supportive and enthusiastic about CCRB inhabiting this space and our decision to take on these cases. And so, similar to the New York City Alliance, they will be serving as sort of an institutional mentor to us, reviewing our policies and practices, and work with us on developing investigative protocols for handling Phase 2 cases.

CHAIR DAVIE: Thank you. Comments or questions?

MR. SIEGAL: Just a quick question, I don't know if it was covered in the past -- and that's excellent, all that training, it's not an easy investigation to do.

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So on that, how are -- and maybe investigations can answer it better -- how are those cases going to be handled? Is it going to be any investigator or are there going to be a certain squad of more well trained investigators to handle these cases?

MR. GIVHAN: So the Investigations Unit is in the process of identifying the seventeen investigators that will be primarily responsible. They will be attending all the trainings that I just referenced.

MR. SIEGAL: So, there will be seventeen?

I thought you said seven initially.

ATTORNEY2: So, for the Bellevue training --

MR. SIEGAL: Au-hau.

MR. GIVHAN: -- since that's not a training for us, it's a training for their victim advocates, they were willing to set aside seven slots.

So, they are supportive of our efforts, they are committed to providing additional slots in future trainings, but for the training that will begin this Saturday they set aside

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seven slots for us.

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MR. DARCHE: Can I jump in for a second?

MR. GIVHAN: Yes, please.

MR. DARCHE: So, we have not settled on one procedure yet that we would recommend to you for how we're going to do this.

Part of it is evaluating the case load that is coming in while we're still in Phase 1 of this program, because we don't know how many people we really need to have trained in order to investigate the Phase 2 complaints yet.

The other issue is we're not sure how we want to structure it. Do we want to have a squad, or two squads, that are just dedicated to this? Or do we want to have people distributed throughout all of the squads so that -- we're still working on actual procedure, but Monte's report is on how we're getting people trained-up, so that we have a group of investigators who can conduct these investigations once we've figured out how to actually do it.

MR. SIEGAL: Yes, and Monte, thank you, that report was excellent, that covered a lot,

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and the reason I did bring that up is because in my prior life, you know, these are complicated investigations, and I guess what Jon just said, was whether or not it's a group within each squad, or just a squad, we'll know once the cases come in and you can better manage these cases.

I know if, you know, throughout these kinds of investigations, normally, there is not everyone that catches those cases.

MR. GIVHAN: Right.

MR. SIEGAL: There are very specific, very well trained investigators, because of the sensitivity for the victims, and that's why they do that.

MR. GIVHAN: That's exactly right. And just to sort of reinforce what I said earlier, one of the nice things about some of the people that we'll be partnering with on the training is their commitment to this, to this overall project that we're taking on, and they're will to really sort of shepard us through it.

So they will be doing, as I said, an audit of our procedures, and be providing some

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suggestions. I think we certainly have some ideas internally, but we really are a looking and grateful for the access to some experts who can really tell us whether, whether we're on the right path.

MR. SIEGAL: Great, thank you.

CHAIR DAVIE: Other comments or questions?

MR. DARCHE: Yes, I have a question.

CHAIR DAVIE: Sure.

MS. STAHLY-BUTTS: And thank you for that, that was super helpful.

And you may not be the only person to answer this, but curious about kind of the outward facing campaign. We didn't take these complaints for a long time. This type of violence is especially difficult for folks to come forward with. I think as Andrea, who brought this to us, talked about, fear of retaliation by the NYPD.

So, I'm curious, what is our outward facing campaign around inviting folks to make these complaints and protecting them once they make those?

MR. GIVHAN: So, it's something that's

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very much on our radar. I think that, that sort of developing the training protocols and the procedures is sort of the first piece of that.

Outreach is involved in all of the efforts and there is ongoing conversations, and I think that the Outreach efforts need to be informed by what we're doing in practice.

But we know that it's, that we'll be, that once, as word gets out about us taking these on, there will be an uptick in our ability to talk, with knowledge, about this work when we're dealing with the public is critical. So that's sort of baked into this process of putting together the training.

MS. STAHLY-BUTTS: I guess I'm curious too about how folks who are doing the outreach are also being trained or instructed. And then if there is like, if we have a forum who does our outreach if there is some way they will also incorporate some of these trauma informed practices around survivors into that as well, to make sure that as we're asking folks and inviting folks in, that we're doing that in way

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that's sensitive.

CHAIR DAVIE: So Yojaira-- Monte, should we have Yojaira address any of this? Thanks.

MS. ALVAREZ: Thank you so much. That's a really good point. We are having our team do mental health first aid training. Everyone on our team is certified in that. And then as these trainings come to us, we want to be participating in that way, because we don't want to retraumatize, we want to be able to discuss it in a way that's informative but not triggering.

And then moving forward we really want to be able to share additional resources like

ThriveNYC, at the end of the presentation, just with everyone that is present, to help in that effort.

MS. STAHLY-BUTTS: And I think specifically, this piece around if you report sexual violence, how folks are safeguarded from retaliation. Fear is, just from my own experience of having these conversations, is really important to folks and a big piece of fear for folks.

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MS. ALVAREZ: Thank you for bringing that up. We'll definitely be able to fold that into the presentation as well. Thanks.

MR. DARCHE: One of the ways that the Outreach Unit has really been very helpful to this process, and similar to the way the Policy Unit has been helpful, is their contacts throughout the community, so they brings us resources in a way. And Yojaira has been extremely helpful to us on that front, and the Training Unit in particular, for developing the trainings that we have now.

So, it's kind of an all hands on deck, where we're having to kind of transform the agency to handle these things in a way that, as Yojaira said, doesn't retrigger or retraumatize people.

CHAIR DAVIE: Other questions, comments? From members, sure.

MR. JOSEPH: I'm glad we're do this. It's great and it's really important. One question
I have, if you know, you may not know, does
training include everyone? By that I mean men,
woman, transgender, gay? Is that all part of

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1	Proceedings	
2	the training?	
3	MR. GIVHAN: Are you talking about who	
4	will be trained or	
5	MR. JOSEPH: No.	
6	MR. GIVHAN: about sexual violence	
7	MR. JOSEPH: About people who have	
8	been assaulted sexually.	
9	MR. GIVHAN: The full universe.	
10	MR. JOSEPH: Okay.	
11	MR. GIVHAN: The full universe because,	
12	you know, our investigators and everybody here	
13	needs to be equipped to handle anything that	
14	comes through the door, and so those, I think	
15	that it's very safe to predict.	
16	And we know that many of the vulnerable	
17	populations that you just named are	
18	particularly susceptible, so that is absolutely	
19	critical.	
20	One thing that I probably should have said	
21	before, is that I'm excited about this for the	
22	agency as a whole because I think a lot of the	
23	training that we'll be doing around Phase 2 is	
24	going to make us a stronger agency as a whole.	

Some of the best practices around dealing

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1	Proceedings			
2	with victims of trauma are in no way particular			
3	to victims of sexual trauma. So, all these			
4	things, as we begin to think about these things			
5	and take on trainings and other things that we			
6	haven't done before, that those will all make			
7	us a better, stronger agency, not just with			
8	regard to Phase 2.			
9	CHAIR DAVIE: Any other comments?			
10	(No response.)			
11	CHAIR DAVIE: Questions?			
12	(No response.)			
13	CHAIR DAVIE: Thank you Monte, great work,			
14	and we look forward to it continuing.			
15	MR. GIVHAN: Thank you.			
16	CHAIR DAVIE: Thank you.			
17	Is there any Old Business to come before			
18	this board?			
19	(No response.)			
20	CHAIR DAVIE: I don't have a list for			
21	public comment.			
22	Do we have anyone from the public who			
23	wishes to make statement or ask a question?			
24	(No response.)			
25	CHAIR DAVIE: Hearing and seeing none, the			

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1	Proceedings	
2	Chair will entertain a motion to adjourn to	
3	Executive Session. Is there a motion?	
4	MS. STAHLY-BUTTS: Yeah, I move.	
5	CHAIR DAVIE: Maybe not, maybe we'll just	
6	sit here.	
7	The motion has been made and second.	
8	All those in favor to adjourn to Executive	
9	Session please say aye.	
10	(A chorus of ayes.)	
11	CHAIR DAVIE: All opposed no.	
12	(No response.)	
13	CHAIR DAVIE: The ayes have it. We are	
14	adjourned to Executive Session. Thank you.	
15	(Time noted 4:30 p.m.)	
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     STATE OF NEW YORK
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     COUNTY OF WESTCHESTER
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               I, DEIRDRE SMITH, Court Reporter and
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     Notary Public with and for the County of
     Westchester, State of New York, do hereby certify
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     that I reported the proceedings that are
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     hereinbefore set forth, and that such transcript is
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     a true and accurate record of said proceedings.
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               I further certify that I am not related to
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     any of the parties to this action by blood or
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     marriage, and that I am in no way interested in the
     outcome of this matter.
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     WITNESS MY HAND, 24th day of October, 2018.
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     Deirdre Smith
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     Deirdre Smith
                                    My commission expires:
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    Notary Public
                                    April, 2019
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