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3	CIVILIAN COMPLAINT REVIEW BOARD
4	PUBLIC MEETING
5	February 13, 2019
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8	100 Church Street
9	10th Floor New York, New York
10	6:00p.m 7:00p.m.
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13	TRANSCRIPTS OF PROCEEDINGS FROM VIDEO BEFORE:
14	FREDERICK DAVIE, Acting Chair
15	JONATHAN DARCHE, Esq., Executive Director
16	
17	REPORTED BY:
18	Kristina Trnka
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2	PUBLIC MEETING AGENDA:
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4	1. Call to Order.
5	2. Adoption of Minutes.
6	3. Report from the Chair.
7	4. Report from the Executive Director.
8	5. New Business Testimony from the following
9	speakers:
10	• Nicolyn Plummer, Senior Social Worker,
11	Coordinator of Outreach and Advocacy,
12	Barrier Free Living
13	• Christina Curry, Executive Director of
14	Harlem Independent Living Center
15	• Opal Gordon, Independent, Deaf Advocate
16	• Ruth Lowenstein, Esq., Director, New York
17	Lawyers for the Public Interest
18	6. Old Business
19	7. Public Comment
20	8. Adjourn to Executive Session
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2	BOARD MEMBERS PRESENT:	
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4	JOHN SIEGAL, Acting Chair	
5	FRANK J. DWYER, Board Member	
6	JOSEPH A. PUMA, Board Member	
7	ANGELA FERNANDEZ, Board Member	
8	MICHAEL RIVADENEYRA, Board Member	
9	ERICA BOND, Board Member	
10	RAMON PEGUERO, Board Member	
11	MARBRE STAHLY-BUTTS, Board Member	
12	SALVATORE CARCATERRA, Board Member	
13	=======================================	
14	JONATHAN DARCHE, ESQ., Executive Director	
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1	Proceedings
2	MR. SIEGAL: Good afternoon. I
3	welcome you all to the February board
4	meeting of the Civilian Complaint Review
5	Board.
6	My name's John Siegal. I'm a
7	mayoral designee to the board and I'm
8	serving as Acting Chair today in the
9	absence of our real Chair Fred Davie. I'm
10	serving as Acting Chair today in absence
11	of our real Chair Reverend Fred Davie who
12	is out of town attending to a family
13	matter.
14	Thank you all for being here this
15	afternoon.
16	As a board we'd like to begin by
17	paying our respects to the two NYPD
18	officers who were shot in the line of duty
19	yesterday, Detective Brian Simonsen the
20	late Detective Brian Simonsen and Sergent
21	Matthew Gorman. It is a reminder of the
22	serious nature of the business that this
23	agency and the police department deal
24	with.
25	I was struck in reading the news

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1	Proceedings	
2	reports regarding Detective Simonsen.	
3	That this is a 42-year old man who had	
4	19 years of service on the job after	
5	having been a college graduate. And it's	
6	a reminder that there's very few	
7	places, I think, in our society where	
8	42-year olds have nearly 20 years of	
9	service on a job.	
10	And it's a reminder that the	
11	officers whose conduct we review here are	
12	not only vulnerable and often in dangerous	
13	situations but also they're young and they	
14	face considerable risks in their work.	
15	Our thoughts and prayers go out to his	
16	family, as well as to Sergent Gorman and	
17	his family as he hopefully recuperates	
18	quickly.	
19	Before we get started with our	
20	business agenda, I'd like to offer a	
21	reminder that the CCRB's first ever youth	
22	summit on policing entitled, Speak Up	
23	Speak Out, is about two weeks away. On	
24	Tuesday, February 26th, hundreds of young	
25	people between the ages of 10 and 24 will	

1	Proceedings
2	be meeting at NYU to share their
3	experiences with the NYPD and to talk
4	about their ideas for moving New York City
5	forward.
6	The CCRB staff and our youth
7	advisory council have been working hard to
8	plan this event and we are all excited to
9	attend to hear from young New Yorkers from
10	every borough. For more information on
11	the youth summit, please see Outreach
12	Director Yojaira Alvarez or visit
13	NYC./CCRByouthsummit.
14	The independent panel that last
15	year began a review of how the NYPD
16	disciplines its members for misconduct
17	known as the Blue Ribbon Commission
18	recently issued a report. The CCRB staff
19	has been pouring over that report, as have
20	I'm sure board members. Executive
21	Director Jonathan Darche will share a few
22	comments about it.
23	I note that one of the big
24	takeaways is a call for more transparency
25	within the disciplinary system. That's

1	Proceedings
2	something that this board has advocated
3	for, for a long time.
4	As a member of this board, I think
5	that will go a long way towards greater
6	trust in the system, which ultimately
7	would benefit our city as a whole. I also
8	feel it would help our work as board
9	members significantly because I know I
10	often feel a disconnect between what we do
11	and what the department and the police
12	commissioner ultimately does.
13	It would be extremely beneficial
14	to have more transparency and insight into
15	what happens at the end of this process so
16	that we can coordinate our views and our
17	discipline recommendations with what the
18	department does. And hopefully the two
19	institutions will, over time, come more
0.0	together in terms of seeing what the
20	5
20 21	results of this process ought to be.
21	results of this process ought to be.
21 22	results of this process ought to be. Before we begin the business,

8 1 Proceedings 2 Starting with Marbre on the far right. 3 MS. STAHLY-BUTTS: Hello, 4 everybody. My name is Marbre 5 Stahly-Butts. I use she and her pronouns. 6 And I am from Brooklyn. I am the City 7 Council rep from Brooklyn. MR. PEGUERO: Good evening. My 8 name's Ramon Peguero. I am the Queens 9 10 Borough designee from the City Council. 11 MR. CARCATERRA: Hi, everybody. 12 I'm Sal Carcaterra. And I'm a police 13 commissioner representative on the board. 14 MS. FERNANDEZ: Hello. My name is 15 Angela Fernandez. And I'm the mayoral 16 designee on the board. 17 MR. DARCHE: Jonathan Darche, Executive Director. 18 19 MR. RIVADENEYRA: Hi. I'm Michael 20 Rivadeneyra. And I am the Bronx designee 21 to the board. 22 MR. PUMA: Good afternoon. I'm 23 Joseph Puma. I'm the Manhattan City 24 Council designee on the board. 25 MR. DWYER: Good afternoon. Frank

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1	Proceedings	
2	Dwyer. I'm a police commissioner's	
3	designee on the board.	
4	MR. SIEGAL: Our next order of	
5	business will be the executive director's	
6	report. So I turn it over to Jonathan	
7	Darche.	
8	MR. DARCHE: Thank you,	
9	Mr. Siegal.	
10	I want to echo Mr. Siegal's call	
11	for young people to participate in the	
12	youth summit. It's a full-day event on	
13	Tuesday, February 26th at NYU. It is	
14	going to be helpful for a report that the	
15	CCRB's doing on the relationship between	
16	young people in the city and the police.	
17	But it is I think it is going	
18	to be an opportunity for us to listen to	
19	young people and get ideas from them about	
20	how we can serve them better. So I'm	
21	excited to listen to them and learn from	
22	them.	
23	As Mr. Siegal said earlier, the	
24	Blue Ribbon Commission issued its report	
25	with a number of the recommendations that	

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1	Proceedings	
2	we are reviewing with great interest.	
3	The the commission spent seven months	
4	doing its own review of the disciplinary	
5	process. It was independent and had a lot	
6	of access to NYPD records.	
7	The report advocates transparency.	
8	As Mr. Siegal said, the board is in favor	
9	of transparency. Not just from the point	
10	of view of us having a better	
11	understanding of how how our actions	
12	are treated by the department and the	
13	effect they have on the department but	
14	also, generally, we think transparency is	
15	good for this city.	
16	We think the ability of people to	
17	understand how this disciplinary system	
18	works and how the department treats its	
19	officers who are accused of misconduct is	
20	very important. The CCRB is open to	
21	working with other agencies, lawmakers,	
22	advocates, and every day New Yorkers to	
23	bolster public confidence in police	
24	discipline.	
25	The City Council also sent a	

1 Proceedings 2 report to the 2019 Charter Revision 3 Commission. Among the suggested changes by the City Council were changes that we 4 5 feel -- or I feel if they were adopted 6 would strengthen police oversight in New 7 York City. And the council's 8 recommendations included some proposals 9 like codifying the CCRB's administrative 10 prosecution unit and tying the CCRB's 11 budget to the NYPD's budget. 12 The CCRB will work with the 13 Council and others to continue to push for 14 these changes in the interest of improving 15 transparency and accountability in 16 policing. 17 We have two investigators here 18 today, Sara Griffin and Carter Salis. Can 19 you guys -- oh, Sara is here. You know, 20 we are here to hear from people about 21 their -- what they feel about 22 police-community relations in this city. 23 But if you have a specific 24 complaint about an incident or if you have 25 questions about a complaint you have

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1	Proceedings	
2	already made, instead of addressing it in	
3	public where we have an issue with 50A, we	
4	ask that you talk to Sara in the back so	
5	that we can actually investigate and that	
6	way we can better better handle your	
7	issue.	
8	For the public speakers in the	
9	interest of ensuring that everyone has	
10	equal time to talk today and share their	
11	thoughts with us, we are going to ask that	
12	everyone keep their comments to two	
13	minutes. There's a I can't see the	
14	the time on the clock but there's a clock	
15	here. So when the public comment is	
16	happening if you guys could respect the	
17	clock, we would really appreciate it.	
18	That's all I have.	
19	MR. SIEGAL: So we now have the	
20	always exciting moment where we review and	
21	consider the minutes of the prior month's	
22	board meeting.	
23	Does anyone have a motion to	
24	approve the minutes?	
25	MR. DARCHE: There were a couple	

13 1 Proceedings 2 of errors that I would like to -- just to 3 keep it spicy while you're the Acting Chair. 4 5 MR. SIEGAL: See it's not 6 perfunctory. 7 MR. DARCHE: On page 6, line 20 the first word should be concurrences; on 8 9 page 45, line 23 where it says form it 10 should actually be from; the same mistake 11 was made on page 81, line 9; and on page 97 the last name of the speaker should be 12 13 spelt Wouk, W-O-U-K. 14 MR. SIEGAL: So does anyone have a 15 motion to approve the minutes 16 incorporating the changes that Mr. Darche has dictated? 17 MS. FERNANDEZ: So moved. 18 19 MR. SIEGAL: Is there a second? 20 MR. RIVADENEYRA: Aye. 21 MR. SIEGAL: All in favor? 22 (Chorus of ayes.) 23 MR. SIEGAL: Anyone opposed? 24 (No response.) 25 MR. SIEGAL: The minutes are

14 1 Proceedings 2 adopted. 3 Testimony now from -- we have a series of speakers to testify before the 4 5 open public comment section. 6 Let me first call on Nicolyn 7 Plummer from the Barrier Free Living. MS. PLUMMER: Two minutes. 8 9 MR. SIEGAL: You're invited guests, as are the others. Full 10 11 presentation, please. 12 MS. PLUMMER: Good afternoon. 13 Can you guys hear me? Okay. 14 Thank you for inviting us to speak 15 and thank you for the opportunity 16 (indecipherable) NYPD family. 17 I want to start, there have been various challenges with the NYPD and the 18 19 deaf community. There's a lot of 20 misunderstanding and misconception between 21 NYPD and how to interact with the deaf 22 community. 23 But first I want to say, there are 24 500,000 who are considered deaf who live 25 in New York City who communicate primarily

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1	Proceedings	
2	in sign language.	
3	Firstly, the ADA has passed to	
4	stop people with disabilities, deaf	
5	community still (indecipherable) interacts	
6	with NYPD because the way we sound tends	
7	to be too threatening. How do we help the	
8	community to understand by deaf community,	
9	it is very challenging for us to reach out	
10	to NYPD or reach out to police officer for	
11	assistance because of the communication	
12	barriers.	
13	When we talk to the police there	
14	tends to be a lot of misunderstanding,	
15	misconception. Most of the time NYPD	
16	(indecipherable) how we communicate appear	
17	aggressive because we stand so big and	
18	most likely tone deaf, most likely to be	
19	arrested because officers feel threatened.	
20	But however, deaf community	
21	communicate through their body language.	
22	That's how we communicate. We tend to	
23	stand just like hearing people speak	
24	louder, deaf bigger. (Indecipherable)	
25	they tend to stand big.	

1 Proceedings 2 A lot of time there are 3 misunderstanding with the information that they convey to the officer. Most of the 4 5 time (indecipherable) when we are trying 6 to convey our message to the officer 7 there's always a lack of understanding and we (indecipherable) officer because deaf 8 9 tend to be mocked, they make fun of 10 because the inability to speak and articulate the situation. Is that clear? 11 12 That's another layer of 13 victimization that we encounter with NYPD, 14 why we are less likely to report for 15 assistance. Another thing that we don't 16 want to go to the NYPD station because 17 we experience humiliation, mistreatment. 18 19 And another situation where I want 20 to describe. When an officer arrive at 21 the scene to communicate with the deaf, a 22 lot of time an officer will say 23 (indecipherable) a deaf individual cannot 24 hear themselves. So how do you expect a deaf to follow instructions when they 25

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1	Proceedings	
2	cannot hear you. And if they can't hear	
3	and they fail to follow the command, they	
4	end up being arrested and go to jail. So	
5	(indecipherable).	
6	How can we improve our	
7	interactions with the police officer when	
8	they have a misconceptions about us. They	
9	have a lack of sensitive training. They	
10	need to understand about deaf	
11	understand about the culture because they	
12	sign doesn't mean it's a sign of a gang.	
13	It's just the way we communicate.	
14	(Indecipherable) interaction with	
15	NYPD. NYPD needs training how to interact	
16	with the deaf. Not only that, the system	
17	itself needs to be changed, needs to be	
18	reformed, to better our	
19	communities, to better accommodate deaf	
20	and hard of hearing communities. Thank	
21	you.	
22	MR. SIEGAL: Our next speaker is	
23	Christina Curry, Executive Director of	
24	Harlem Independent Living Center.	
25	UNKNOWN SPEAKER 1: So there will	

1	Proceedings
2	be a little bit of pausing while we're
3	processing but we'll be voicing for
4	Dennis.
5	MR. MARTINEZ: Good afternoon. My
6	name is Dennis Martinez. And I work for
7	Harlem Independent Living Center. And I'm
8	a deaf advocate. And I am replacing
9	Christina Curry today.
10	So the police don't know how to
11	approach deaf people and what ends up
12	happening is that a deaf person will go to
13	sign to the police officer and they think
14	that they're being aggressive. So what
15	ends up happening is that they go to sign
16	and what the police will do is take their
17	hands, put them behind their backs and not
18	allow them to communicate with them.
19	And obviously they cannot sign
20	with their hands behind their backs. And
21	some deaf people cannot voice for
22	themselves, some are hard of hearing.
23	Nicolyn was just voicing for herself but
24	not all deaf people are like that. And it
25	prevents them for being able to have that

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1	Proceedings	
2	communication. And they don't have access	
3	to that when their hands are handcuffed	
4	behind their back.	
5	And every deaf person has	
6	different levels of communication needs.	
7	Some need a certified deaf interpreter to	
8	work with them because English may not be	
9	their first language or maybe they don't	
10	even know American Sign Language. They	
11	may be an immigrant and know another sign	
12	language from another country.	
13	The best way for the deaf	
14	community and NYPD to communicate with	
15	them is to be able to actually provide a	
16	sign language interpreter when they're	
17	approaching a deaf person.	
18	That's all I have. Thank you.	
19	MR. SIEGAL: Thank you.	
20	The next speaker is Opal Gordon.	
21	MS. GORDON: Good evening. My	
22	name is Opal Gordan and please forgive me	
23	if I'm emotional. I'm crying a little bit	
24	up here because what Nicolyn said, you	
25	know, that really hits me. It hits close	

20 1 Proceedings 2 to home. That's exactly what happened to 3 me actually. Last September or in September of 4 5 2015 I went to family court. It was 6 actually -- it was downtown. It was very 7 close to here. This was for personal reasons. And I was in the judge's room 8 9 and, you know, there was people there in 10 the courtroom but there was no 11 interpreter. 12 I was lost. I didn't know what was going on. And my social worker, she's 13 14 hearing and she was in the back of the 15 room. My lawyer was next to me. So I 16 said, what's going on? What happened? 17 They told me that our court date -- that 18 is was actually postponed. It was going to be cancelled because there was no 19 20 interpreter. 21 So I was walking in between the 22 judge's room and then there's another 23 room, and then a lobby. So me, my social 24 worker, and the lawyer -- the three of us 25 -- we were walking out. I just grabbed my

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1	Proceedings	
2	pocketbook and I was going into this next	
3	room and two detectives came right up to	
4	me. And the first thing I noticed were	
5	these silver handcuffs that they were	
6	holding. I was frightened. I had no idea	
7	what to do.	
8	They came right up to me and I	
9	said I need an interpreter. I signed like	
10	this. I need an interpreter. And my	
11	social worker told me or told them Opal	
12	needs an interpreter. My lawyer said,	
13	calm down. I said, no. I have a right.	
14	I need an interpreter. I don't know	
15	what's going on.	
16	After fighting back and forth I	
17	just I put my bag down and I put my	
18	hands in front of me. And I had a good	
19	reason why I put my hands in front of me.	
20	So I could communicate or if I need to	
21	write something down or write notes back	
22	and forth. But again, the detectives in	
23	front of me, they kept saying please turn	
24	around, turn around. I said no.	
25	And I just I had to grit and	

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1	Proceedings	
2	bear it and just cooperate. I didn't want	
3	anything to happen. We were already in	
4	family court. So I turned around and I	
5	put my hands behind my back like this.	
6	And I just felt destroyed. I had no idea	
7	why I was being arrested.	
8	And while I was in family court I	
9	knew that they already had an interpreting	
10	office or they had a translating office	
11	for other languages on the second floor.	
12	And no one called the interpreters. But	
13	they just went ahead and arrested me and I	
14	had no idea why. And no one could run	
15	upstairs to grab an interpreter. I was	
16	just I was so upset and I was beside	
17	myself.	
18	They said you have the right to	
19	remain silent. You know, I kind of	
20	understood what they said but it was hard	
21	for me to it was so quick and they	
22	threw the handcuffs on me. They threw it	
23	behind my back and I felt I couldn't	
24	communicate, I couldn't write, I couldn't	
25	say anything. It was a really awful	

1	Proceedings
2	experience. And I know they have a
3	translation department on the second floor
4	so there's really no excuse.
5	But I'm hopeful the NYPD and the
6	board here can please try just hear our
7	stories, our experiences. Because we are
8	here to listen to all of you and we want
9	someone to hear us. We need to work
10	together and just we want to have less
11	problems in the future and work together
12	as a team and bridge the gap.
13	Thank you so much.
14	MR. DARCHE: Mr. Chair, can I say
15	one thing before you call the next
16	speaker?
17	MR. SIEGAL: Yes. I assume a lot
18	of us have questions on the policy issues
19	this is raising and we should ask at the
20	end of the testimony but sure. Go ahead.
21	MR. DARCHE: I just wanted to tell
22	Ms. Plummer, Mr. Martinez, and Ms. Gordon
23	that we will convey your stories to the
24	police department and to the police
25	commissioner and make sure that the

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1	Proceedings	
2	department is aware of what you're telling	
3	us and this issue. Because it's we	
4	appreciate you coming down and sharing	
5	these incidents with us so that we can	
6	tell the department and try and improve	
7	the relationship between the deaf	
8	community and the NYPD.	
9	Before and I didn't want you to	
10	think that we weren't that the lack of	
11	questions that we wasn't a lack of	
12	understanding or appreciation of what you	
13	were saying.	
14	MR. SIEGAL: The next speaker is	
15	Ruth Lowenstein Director of the New York	
16	Lawyers for the Public Interest.	
17	MS. LOWENKRON: Good afternoon.	
18	First minor correction, Lowenkron,	
19	L-O-W-E-N-K-R-O-N.	
20	Thank you for the opportunity to	
21	speak to you today. I am the director of	
22	the disability justice program at New York	
23	Lawyers for the public interest. We work	
24	with the deaf community in a coalition	
25	known as the Deaf Justice Coalition. The	

		25
1	Proceedings	
2	primary goal of that coalition is figuring	
3	out the best working relationship we can	
4	with the NYPD. We do other things as well	
5	but this is one of the primary things.	
6	As you heard so eloquently from	
7	the speakers before me, it is an enormous	
8	problem for the deaf community. There is	
9	the fear that was articulated that I	
10	can't and won't try to do justice to. But	
11	I think it really is so important for you	
12	who are trying to think of the best	
13	policies to serve our city, that you	
14	recognize the huge numbers of people who	
15	are deaf and the huge fear that they have,	
16	which is sadly also well founded from	
17	their negative experiences with the	
18	police.	
19	So I'm going to focus on what we	
20	think are some of the solutions and I know	
21	that Nicolyn, among others, mentioned	
22	them. The key is to have training of the	
23	police officers. There's just no way	
24	around it. It's easy to understand. We	
25	are not trying to malign the police	

1	Proceedings
2	department that might think that when they
3	see someone signing it is a gang, when
4	they see someone acting in a very excited
5	matter that they are concerned. That
6	could be a very natural reaction if you
7	didn't know what to do. If you didn't
8	know to ascertain if the person were deaf.
9	So if you are trained if you as
10	a police officer are trained and know what
11	to ask and what to expect this won't
12	happen. So training is absolutely key.
13	This is something that the deaf
14	community is very eager to help with.
15	We're not just saying ya'll go do it. We
16	will help you. In fact, we will tell you,
17	no that's not quite the way how to do the
18	training. So please call on us and let us
19	help you in that regard.
20	But our big ask of you is make
21	sure that that training happens across the
22	board. This is something this is a
23	training that has to happen for every
24	police officer who comes in contact with
25	the public whether they're out on the

1	Proceedings
2	beat or whether they're in the police
3	station or wherever they may find
4	themselves.
5	Of course what's also equally
6	important and related to that is that
7	there be interpreters. You can't have an
8	individual let alone you hear the
9	stories you can't have a person whose
10	deaf having their hands tied behind their
11	back so they can't speak with you, they
12	can't communicate with you. But you also
13	absolutely have to ensure that they have
14	an interpreter.
15	Writing is not the answer.
16	Attempts at vocalizing are not the answer.
17	Attempts at some sort of communal sign
18	language like wait or something like that,
19	none of that is what works. It's
20	interpreters. And there has to be
21	commitment to getting interpreters there.
22	Now we have worked with the NYPD
23	and they have been amenable to setting up
24	a pilot program but it wasn't enough, it
25	wasn't fast enough, it's not being

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1	Proceedings	
2	replicated.	
3	And in addition, they were putting	
4	much too much of an emphasis from our	
5	perspective on computer communication.	
6	They purchased tablets so that they could	
7	avail themselves of an internet service to	
8	do the interpreting. Now that's fine in a	
9	pinch but it's only fine in a pinch. They	
10	need that real, live interpreter present.	
11	As I said, not enough emphasis on that.	
12	And this pilot program did not go	
13	far enough. It was only in three	
14	precincts. We understand that there are	
15	efforts to broaden it but we have not seen	
16	the results of that yet. That is key. So	
17	we ask you to push for that.	
18	The other thing that's really	
19	important is one of the things that	
20	we've been involved in is getting visors	
21	in automobiles that point out the fact	
22	that people are deaf. But there's a lot	
23	of resistance in the deaf community to	
24	even raising one little finger to say look	
25	at my visor. So that's another part of	

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Proceedings	
the training that's critical. The visor	
says I'm deaf. The visor also has a few	
canned, if you will, statements I just	
my car doesn't work or whatever the	
statements are. It's a great idea but it's	
only great if the police, again, are	
trained at every level.	
Those are the key things I wanted	
to articulate. But while I have the	
platform I just want to talk about two	
other areas related to people with	
disabilities that my office is also	
working on that are also hugely critical.	
So we work on behalf of people	
with mental health as part of the CCIT	
NYC, which is the Coalition for Crisis	
Intervention Training New York City. And	
as part of that coalition and what our	
office otherwise does, is advocate on	
behalf of individuals who experience	
mental health crisis and find themselves	
in the worst case scenario and way too	
often literally shot dead as a result of a	
communication effort gone awry.	
	the training that's critical. The visor says I'm deaf. The visor also has a few canned, if you will, statements I just my car doesn't work or whatever the statements are. It's a great idea but it's only great if the police, again, are trained at every level. Those are the key things I wanted to articulate. But while I have the platform I just want to talk about two other areas related to people with disabilities that my office is also working on that are also hugely critical. So we work on behalf of people with mental health as part of the CCIT NYC, which is the Coalition for Crisis Intervention Training New York City. And as part of that coalition and what our office otherwise does, is advocate on behalf of individuals who experience mental health crisis and find themselves in the worst case scenario and way too often literally shot dead as a result of a

		3
1	Proceedings	
2	We are active in one case of that	
3	sort, which will actually be heard next	
4	week in state supreme court, about just	
5	trying to get body-worn documents with	
6	respect to one of those interactions. But	
7	this is and I don't mean to minimize	
8	anything in the deaf community. There are	
9	deaths that result from the	
10	miscommunications there too. So we are	
11	talking about things that are literally	
12	matters of life and death.	
13	With respect to the mental health	
14	crisis, what we are advocating for and	
15	what we are hoping that you would be	
16	supportive of is to the best we can to	
17	remove the police from the situation.	
18	This is a win-win. The police do not want	
19	to be involved when someone is having a	
20	mental health crisis if they don't have to	
21	be involved. Most frequently what is	
22	required is a health professional.	
23	What we say is that you should	
24	have mental health professionals and what	
25	are known as peers, individuals who	

		31
1	Proceedings	
2	experienced mental health crisis	
3	themselves, who can be on the scene. And	
4	that this be a part a formal process	
5	that the city adopts in terms of how to	
6	respond to people who have mental health	
7	crisis.	
8	Now of course we recognize that	
9	the police are going to have to respond in	
10	certain instances. There will be	
11	dangerous situations. The triage that has	
12	to be done at 911 is key or if another	
13	number is developed, fine. But clearly	
14	there has to be good training there.	
15	Again, focus on training. So there will	
16	be triage at 911 or a police officer will	
17	come upon someone on the street and so	
18	what they have to do be able to do is,	
19	again, know how to handle the situation.	
20	There is a what's called crisis	
21	intervention training that the police	
22	force, again, this is after a lot of work	
23	and we pride ourselves, we are litigators	
24	in our office but we also are coalition	
25	partners. We also sit down with people	

Proceedings
and we try our hardest to make things
work. This is just another area where
we've been working with the police to make
sure that police officers are trained
across the board in this agreed upon
method of training, crisis intervention
training. That's key and we hope you can
support us in that.
And of course it goes without
saying but I will say it, that one of the
best ways to avoid interactions with
people with mental health crisis is to
avoid the crisis in the first place. And
the way to avoid crisis is to have decent
mental health services and that is sorely
lacking in this city. And that would be
something if we could count on you to
support that.
I will say one last thing about
and very quickly on this the last group
of person's with disabilities that we
advocate on behalf of and that is those
with physical disabilities. We are very
concerned about physical access both to

1	Proceedings
2	police stations, again, something sorely
3	lacking and to the transportation vans
4	available to the police. That was
5	something we were forced to litigate and
6	we are seeing changes happen in that
7	regard to ensure that people that have
8	mobility impairments, use wheelchairs will
9	be transported in an accessible vans. But
10	it's not happening across the board
11	either. And again, something that we
12	would call on you to please support us
13	with.
14	So thank you very much. If you
15	have any questions of me now or at any
16	other point I would be more than happy to
17	discuss them with you. Thank you.
18	MR. SIEGAL: Let me just start
19	asking a couple of questions and I'm
20	asking you because you're there but others
21	who spoke may have the answers or our
22	research department may.
23	And let me say there's no one who
24	can be on this board and deal with the
25	cases that we deal with who isn't

		(.)
1	Proceedings	
2	intimately familiar with the extent of	
3	cases involving people with mental health	
4	issues and mental health crisis. It's a	
5	huge part of the case load of the board.	
6	Let me just ask a couple of	
7	questions because I have not encountered	
8	issues about deaf people. You said	
9	there's a half a million one of the	
10	speakers said there is half a million deaf	
11	people in New York City. Do you know how	
12	many interactions with the police	
13	department there are of people with	
14	hearing disabilities on an annual basis?	
15	MS. LOWENKRON: No, I don't. That	
16	would be something that we would like to	
17	know too. We have asked that in the	
18	context of mental health and have had a	
19	hard time getting that information.	
20	But Nicolyn is raising her hand	
21	that she may have the answer so please let	
22	me turn to her.	
23	MR. DARCHE: Nicolyn if you	
24	could Nicolyn you could get up.	
25	MS. PLUMMER: We don't have the	
		_

		35
1	Proceedings	
2	exact answer how many times there have	
3	been interactions but we have asked many	
4	times. We can say about 55 percent of the	
5	deaf (indecipherable) the NYPD. But in	
6	term of the records we don't have that	
7	information. (Indecipherable) up in the	
8	air. We don't know the answer.	
9	MR. SIEGAL: And the other	
10	question, it's just obvious to me, is how	
11	many members of service in the NYPD, if	
12	you know, know American Sign Language or	
13	personnel in the police department	
14	actually know how to sign.	
15	MS. PLUMMER: My understanding	
16	we were told there are 15 officers who	
17	know sign language. And they are	
18	classified as a certified interpreter and	
19	they are not certified. They are an	
20	officer who can be able to communicate	
21	with the deaf in sign language. But when	
22	it comes to (indecipherable) we don't	
23	recommend them (indecipherable) as an	
24	interpreter.	
25	But when we call (indecipherable)	

		36
1	Proceedings	
2	the NYPD, 90 percent of the time we do not	
3	interact with an officer who knows sign	
4	language. Most of the time we interact	
5	with an officer who failed to provide a	
6	sign language interpreter and the	
7	situation escalated at some point.	
8	MR. SIEGAL: Are there staff sign	
9	language interpreters any where in the	
10	police department other than these 15	
11	officers?	
12	MS. PLUMMER: You mean staff and	
13	not an officer?	
14	MR. SIEGAL: Correct.	
15	MS. PLUMMER: We don't know.	
16	MR. SIEGAL: Thank you.	
17	Anyone else have questions?	
18	MR. CARCATERRA: I have some.	
19	The pilot program you spoke about,	
20	when did that start and what three	
21	precincts is that in? Do you know?	
22	MS. PLUMMER: You want to answer?	
23	You want to answer?	
24	We did three pilot programs that	
25	we have been working with NYPD three years	

1 Proceedings 2 ago. The three take pilot programs take 3 place at Queens, Staten Island, and 4 Manhattan. 5 We don't know how many deaf have 6 gone to these three precincts. We don't 7 know how many have used the pilot. We don't know. Then we also learned that the 8 9 pilots for three precincts last for three months. The outcome of the pilots, I have 10 11 no idea. I also learned that the pilot 12 (indecipherable) take place in Bronx and 13 Harlem, we don't an update either. 14 MR. CARCATERRA: Who do you deal 15 with -- who do you deal with in the police 16 department on that side? What part of the 17 PD do you deal with? MS. PLUMMER: Well, we have been 18 19 working with Susan Herman. That's who 20 we've been working with for a long period 21 of time, Commissioner Susan Herman. 22 MR. CARCATERRA: Thank you. 23 MS. PLUMMER: You're welcome. 24 MS. LOWENKRON: I'm happy to 25 provide you with the precinct numbers but

		3
1	Proceedings	
2	I don't have them on me either. Sorry.	
3	MR. SIEGAL: Any other board	
4	members have questions.	
5	MS. BOND: I just have one.	
6	And apologies, everyone, for being	
7	late.	
8	My name is Erica Bond. I'm a	
9	mayoral designee.	
10	Just one question. I was	
11	wondering whether there are other cities	
12	around the country that have models for,	
13	you know, better working with the deaf	
14	community and improving relationships	
15	between the deaf community and their	
16	local police departments? Are there	
17	places we should be looking to for	
18	projects or programs that have helped to	
19	address some of the concerns you raised	
20	today?	
21	MS. PLUMMER: If you're familiar	
22	with Washington D.C., (indecipherable)	
23	University. Are you familiar with	
24	(indecipherable) University? They have a	
25	strong relationship with NYPD. We have	

		3
1	Proceedings	
2	got a lot of information. Also, there's	
3	another relationship in Rochester.	
4	From my understanding, they have a	
5	better relationship with police then what	
6	we have in New York. Maybe because the	
7	size of the (indecipherable). I'm not	
8	quite sure. But there's no reason for us	
9	to be suffering from here and we are not	
10	receiving services. But the amount of	
11	(indecipherable) NYPD but what they implement	
12	and the protocol. I don't know. I don't know.	
13	MS. BOND: Thank you.	
14	MS. PLUMMER: Did you understand?	
15	MS. BOND: Yes. Thank you.	
16	MR. SIEGAL: Other board members	
17	have questions?	
18	Joe?	
19	MR. PUMA: First, I want to thank	
20	all of the members of the public who came	
21	to testify on this issue. It's just	
22	last week I saw one of the the comedy	
23	news shows a segment on precisely this	
24	topic. It used comedy but it was making	
25	many of these very important points.	

1 Proceedings 2 Just in my community there are several assisted living facilities that 3 primarily house deaf and hard of hearing. 4 5 In fact, on the block that I live on there 6 is one and Barrier Free Living also has a 7 facility in my -- a home in my 8 neighborhood. I guess I wanted to ask 9 about, what is the experience of police of 10 deaf and hard of hearing people in your 11 experience with police that are responding to those facilities? 12 13 They probably know that they are responding to that -- to that -- you know, 14 15 to a building where people -- they're 16 going to encounter deaf and hard of 17 hearing people. But how prepared are they to interact? 18 19 MS. PLUMMER: You mean how does 20 the officer know that individual is deaf 21 or hard of hearing? 22 MR. PUMA: Yes or even responding 23 to specific locations where -- such as the 24 home Barrier Free Living on Second Street 25 and Avenue C, which is the one I'm

Proceedings
familiar with, or Tanya Towers, which is
the one on my block, on 620 East 13th
Street.
MS. PLUMMER: The pilot in that
area, that's one of the pilots in the
police station. That's one of the pilots
in Manhattan. We don't know how many have
gone to. But I do know the people from
Tanya Tower are complaining about they not
getting they not being served well by
the police officers. So we start to think
about how we can improve our interactions
but that's one of the pilots that take
place. (Indecipherable).
place. (Indecipherable). It's Precinct 121. That's one of
It's Precinct 121. That's one of
It's Precinct 121. That's one of the pilots, Precinct 121. Staten Island
It's Precinct 121. That's one of the pilots, Precinct 121. Staten Island is Precinct 115 no. The one in Staten
It's Precinct 121. That's one of the pilots, Precinct 121. Staten Island is Precinct 115 no. The one in Staten Island is 121. One in Queens is 115 near
It's Precinct 121. That's one of the pilots, Precinct 121. Staten Island is Precinct 115 no. The one in Staten Island is 121. One in Queens is 115 near the Lexington school for the deal.
It's Precinct 121. That's one of the pilots, Precinct 121. Staten Island is Precinct 115 no. The one in Staten Island is 121. One in Queens is 115 near the Lexington school for the deal. MS. LOWENKRON: I think you were
It's Precinct 121. That's one of the pilots, Precinct 121. Staten Island is Precinct 115 no. The one in Staten Island is 121. One in Queens is 115 near the Lexington school for the deal. MS. LOWENKRON: I think you were obviously onto something and the idea that

1	Proceedings
2	don't have all the information. But we
3	certainly know anecdotally of situations
4	in all well, certainly in the mental
5	health context as well where the police
6	know the individuals, you have a different
7	kind of a policing relationship. So we've
8	seen that anecdotally for sure. A study
9	to that effect would be very interesting.
10	But you also know that even when
11	someone is known the last person who
12	was killed, he was known to the community.
13	Every body said well only if I were there,
14	if I were there, if I were there. But it's
15	more that's needed, right. We can't just rely
16	on one police officer who knows his or her
17	beat or something like that.
18	But, yes, I do believe that there
19	is a more positive relationship that's
20	developed in the way you've spoken of.
21	MR. SIEGAL: Ms. Gordon, did you
22	have a comment?
23	MS. GORDON: Yes, I do.
24	I forgot to add, I'm also a deaf
25	advocate in the community. So I forgot to

		43
1	Proceedings	
2	mention that about myself. And I live on	
3	14th Street across from Tanya Towers,	
4	actually facing it. And I hear of so many	
5	stories, so many problems in, you know,	
6	within the community. Deaf senior	
7	citizens that have complaints that the	
8	police officers are are going to Tanya	
9	Towers and I can see right from my front	
10	window that there's no communication.	
11	They are asking for an interpreter.	
12	Because I can see the conversations	
13	happening from across the street.	
14	And there's just no training. And	
15	we it's there's a lot of deaf people	
16	that live in this area and you never know	
17	there might have been a fire or a fight or	
18	someone needs to go to the hospital and	
19	literally I can see it from my front	
20	window. You know, we all know each other.	
21	The community is very tight knit. And I	
22	hear all of these stories and it's really	
23	very sad.	
24	The police it's not that they	
25	need to know sign language but it's that	

		4.
1	Proceedings	
2	they need to know the protocol to call for	
3	an interpreter. It's so important because	
4	you go there and yet you're standing in	
5	front of someone that needs help and you	
6	can't you can't understand each other.	
7	We need we need improvements. It needs	
8	to be better.	
9	MR. SIEGAL: Thank you.	
10	MS. PLUMMER: I would like to add	
11	(indecipherable) I would say 90 percent of	
12	the time when a deaf call 911 and identify	
13	them self as deaf, they just pass us to	
14	all (indecipherable). When they arrive at	
15	the scene, interpreter never showed up.	
16	Officer has never been accompanied by an	
17	interpreter. When they arrive, what	
18	happens? How do you communicate with a	
19	deaf individual? How? If you're not able	
20	to communicate with a deaf individual, the	
21	deaf become their anxiety is very high	
22	and the situation starts to escalate. The	
23	officer (indecipherable) and then at one	
24	point the officer will arrest the deaf	
25	because they seem to be portrayed aggressive	

		4
1	Proceedings	
2	but no, they're not aggressive. That's	
3	the way they (indecipherable) and if you	
4	have no way of communicating.	
5	Normally I would tell the victim	
6	if the officer arrive without an	
7	interpreter, what's the back up plan? If	
8	the officer doesn't have any tablet or	
9	telephone with a video interpreter where	
10	you can communicate with a live interpreter	
11	I don't know if they have it in place yet.	
12	That was one of the pilots. If the	
13	officer does not have a video in the	
14	tablet (indecipherable) live interpreter	
15	not available, what is the back up plan?	
16	We tell the victim, the deaf to give the	
17	officer the number give the officer the	
18	number. Not all officers will be willing	
19	to take the number. Why so the victim can	
20	be able to communicate with the officer	
21	through the video relay services	
22	(indecipherable). Remember they arrived	
23	without an interpreter. When the officer	
24	dial the number the victim is able to	
25	communicate through the video relay	

1	Proceedings
2	services. The officer will understand
3	what the victim is saying through the
4	screen. The operator hear what the
5	officer is talking through the video relay
6	services, it's not supposed to happen.
7	It's against FCC. It's a violation of FCC
8	because officer and victim cannot be in
9	the same room because remember we have no
10	other choice. We have to tell the victim
11	to use video relay services that officer
12	is not able to provide a live interpreter
13	at the moment or don't have any form of
14	device or know how to communicate with the
15	deaf at the moment.
16	We have to come up with a
17	different strategy of how we can
18	have better services because we do a lot
19	of things we are not supposed to do. Even
20	though it is against FCC. Understand
21	that? Because they are not supposed to be
22	in the same room. But if you use
23	(indecipherable) officer and the deaf can
24	be in the same room. We don't know how many
25	officer or how many tablets that they can

		47
1	Proceedings	
2	be able to communicate through the live	
3	interpreter. We don't know. I heard that	
4	it's taken place but I haven't seen it so	
5	I don't know.	
6	MR. SIEGAL: Thank you.	
7	I think we all appreciate all the	
8	speakers who came down and opened our eyes	
9	to this issue and the staff who arranged	
10	for this. I know there will be follow up.	
11	This raises so many questions and issues	
12	for us to deal with, I think.	
13	MR. DARCHE: There's not only	
14	going to be follow up with regard to the	
15	relationship between the NYPD and the deaf	
16	and disabled community. But also the	
17	CCRB's relationship with the deaf and	
18	disabled community. To make sure we are	
19	providing the services that you all need	
20	and so that we can make sure that we treat	
21	you with the respect that everyone is	
22	entitled to.	
23	MR. SIEGAL: Thank you very much.	
24	We are going move to the public	
25	comment section of the meeting. We have a	

		48
1	Proceedings	
2	couple of people who have signed up to	
3	speak. The first speaker is Ellen Levine	
4	for two minutes.	
5	MS. LEVINE: Hi. No. I'm going	
6	to speak by myself. Thank you.	
7	I just wanted to add some	
8	information about the deaf community. I'm	
9	hard of hearing and I can speak for myself	
10	but when I get very excited or very upset,	
11	my voice gets really high and I can't	
12	control it. And whenever I've called the	
13	police on my own behalf when I'm having an	
14	issue with someone else, they have	
15	threaten to arrest me because I won't	
16	lower my voice. And I tell them and	
17	explain to them that I am hard of hearing	
18	and I can't control my voice but they tell	
19	me we don't care, lower your voice and	
20	then they refuse to listen to anything	
21	that I have to say.	
22	So I just want you to be aware of	
23	that type of issue as well. Thank you.	
24	MR. SIEGAL: The next speaker who	
25	signed up is I'm not sure of the name I	

1 Proceedings 2 think it's Jennings, Y Jennings, or 3 Jenningsy. MS. JENNINGS: I'm going to make 4 5 it short. Can you hear me? Where's the 6 time? I'm going to make it short. We all 7 know who Ms. Jennings is. 8 I came here years ago about a 9 problem. I was chasing -- I called 10 yesterday about this. I'm watching 11 everybody up here. Now, you know, I sit in the back. What do I do in the back? 12 13 Sit very quietly and watch. After I 14 watch, what do I do? I write everything 15 down. What do I do after that? There's a 16 letter a day to 1600 Penn. Do you see the 17 letters? They go on every bus and train camera. The top of the letter says in 18 19 case anything happens to me. 20 These are harassment reports. I 21 have many of them about people grabbing, 22 reaching, harassing me. This is this. I 23 spoke to Mr. D some time back about this. 24 He couldn't help me with something else. I 25 said to every elected official I speak to

	50
Proceedings	
that I fear for me life you can grab and	
reach, march into me and I can go into a	
precinct, Long Island Rail Road No. 4	
more than a few times ask for help,	
asked to leave, asked to leave.	
November 2018 by Lieutenant Allen.	
I feel bad for the deaf person	
here because they treat me unbelievably	
badly, I can't imagine how they treat	
them. And I can't do anything but sit in	
the back, as you saw me sitting back there	
like this, as all of this was going on.	
Maybe we can speak after,	
Mr. Darche?	
When I say until 12 years ago I	
never opened my mouth or hated anyone.	
I'm tired of saying that. But it's on	
now. And I know one thing, this is not	
going to play out in the good light. The	
underline is drugs I don't do drugs.	
I'm lying.	
I'm going to sit back there and	
maybe Mr. D can find time today to speak	
to me or I can come back another time and	
	<pre>that I fear for me life you can grab and reach, march into me and I can go into a precinct, Long Island Rail Road No. 4 more than a few times ask for help, asked to leave, asked to leave. November 2018 by Lieutenant Allen. I feel bad for the deaf person here because they treat me unbelievably badly, I can't imagine how they treat them. And I can't do anything but sit in the back, as you saw me sitting back there like this, as all of this was going on. Maybe we can speak after, Mr. Darche? When I say until 12 years ago I never opened my mouth or hated anyone. I'm tired of saying that. But it's on now. And I know one thing, this is not going to play out in the good light. The underline is drugs I don't do drugs. I'm lying.</pre>

1	Proceedings
2	we can try to talk. But, again, this is
3	bad because you see me sit back there.
4	You all notice me look I just go like
5	this because I know I can't do anything
6	because I'll go to jail. So I just sit
7	back there because you'll are watching me.
8	I'm going to go sit back there and
9	we can see what we can do. I've seen the
10	paper, water bottles, everything else.
11	How does this end? I do fear for my life.
12	Have a good day.
13	MR. SIEGAL: Thank you.
14	Are there other public citizens
15	with comments?
16	Sir.
17	The man brings his own clock.
18	UNKNOWN SPEAKER 2: I'm going to
19	give myself 22 minutes.
20	Following up on Ms. Lowenkron's
21	second point. The police department has a
22	subject called EDP, Emotionally Disturbed
23	Persons. They receive a tremendous amount
24	of training. I'm sure most of you are
25	aware in here that there are lots of

		5
1	Proceedings	
2	citizen groups who are very concerned	
3	about what happens when somebody with that	
4	kind of situation is addressed by the	
5	police. Deborah Danner, Mohammed Bhai.	
6	There's a long list of them.	
7	And one of the problems that we	
8	that people see is if a police officer	
9	shows up in uniform that is initially a	
10	trigger no matter how politely or relaxed	
11	form the police office is in. That's	
12	still uniform, armed is a trigger. So	
13	what people are talking about is, yes,	
14	having a different number to call and to	
15	then have people respond who are	
16	particularly trained in this. Not	
17	necessarily even members of the NYPD.	
18	But that is a lot of what's going	
19	on. Press conferences on the city hall	
20	steps, all sorts of groups getting	
21	together. It's interesting several groups	
22	have come together and right now they are	
23	pushing for people other than police	
24	responding to calls. So when Mrs. Bhai,	
25	the mother, called and said my son is	

		53
1	Proceedings	
2	having a problem, somehow it would have	
3	been great if she was able to call	
4	something other than 911 and to have other	
5	people come who have those skills.	
6	There's a famous officer John	
7	Mr. Shanahan. He does all sorts of movies	
8	and he is involved in hostage situations.	
9	He's the kind of person who deals with a	
10	hostage. You can't just train any police	
11	officer I have another 15 minutes. You	
12	can't just train any police officer to	
13	handle hostage situations and no, you	
14	can't train every police officer to handle	
15	an EDP situation. Thank you.	
16	MR. SIEGAL: Thank you.	
17	Are there other people with	
18	comments?	
19	(No response.)	
20	MR. SIEGAL: Seeing none. We are	
21	at the end of our agenda.	
22	Is there a motion to adjourn to	
23	executive session?	
24	MS. STAHLY-BUTTS: I have a quick	
25	question or comment.	

54 1 Proceedings 2 MR. SIEGAL: Yes. 3 Or any old business from members of the board. I apologize I should have 4 5 said that. 6 MS. STAHLY-BUTTS: You're good. 7 I just wanted to name and express some concerns around the recommendations 8 9 for the charter revision committee not including a transfer of disciplinary 10 11 authority from the mayor to the CCRB. I think as folks in this room 12 13 know, the CCRB does not have the power to 14 enforce discipline. It only makes 15 recommendations. This is a continuing 16 issue, I think, for the independence of 17 this agency and the effectiveness. 18 So I just wanted to name advocates 19 across the city are calling on a transfer 20 of power from the police department to the 21 CCRB to decide discipline. I think that 22 we should also be advocating for that. I 23 think it's a real lost opportunity. I 24 just want to advocate for a public 25 conversation at the next meeting or soon

		55
1	Proceedings	
2	around how to make sure that our	
3	recommendations to the City Council	
4	include advocating for our own power and	
5	also in line with I think advocates across	
6	the city who really are demanding some	
7	reallocation of power.	
8	MR. SIEGAL: Any other comments or	
9	business from the board?	
10	(No response.)	
11	MR. SIEGAL: Hearing none, is	
12	there a motion to adjourn to executive	
13	session?	
14	MR. DWYER: So moved.	
15	MR. SIEGAL: Second?	
16	MS. STAHLY-BUTTS: Second.	
17	MR. SIEGAL: All in favor?	
18	(Chorus of ayes.)	
19	MR. SIEGAL: Any opposition?	
20	(No response.)	
21	MR. SIEGAL: We're adjourned until	
22	the March meeting. Thank you all very	
23	much.	
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2	CERTIFICATE	
3		
4	I, KRISTINA TRNKA, a shorthand reporter and	
5	Notary Public within and for the State of New York,	
6	do hereby certify:	
7	That the within statement is a true and	
8	accurate record of the stenographic notes taken by	
9	me.	
10	In witness whereof, I have hereunto set my	
11	hand this 27th day of February, 2019.	
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13		
14	Kristina Trnka	
15	KRISTINA TRNKA	
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