

Civilian Complaint Review Board Meeting-Final
July 10, 2019

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CIVILIAN COMPLAINT REVIEW BOARD

PUBLIC MEETING

JULY 10, 2019

6:30 p.m.

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West Brighton Community Center
230 Broadway
Staten Island, New York

TRANSCRIPT OF PROCEEDINGS

B E F O R E:

FREDERICK R. DAVIE, Chair

JONATHAN DARCHE, ESQ., Executive Director

Transcribed by:

Deirdre Smith

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PUBLIC MEETING AGENDA

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1. Call to Order
2. Adoption of the Minutes
3. Report from the Chair
4. Report from the Executive Director
5. Presentation from Outreach on the CCRB
6. Presentation from Policy on Data
7. Presentation on Body Worn Cameras
8. Comments from Community Groups
9. Public Comment
10. Old Business
11. New Business
12. Adjourn to Executive Session

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BOARD MEMBERS PRESENT

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- Erica Bond, Board Member
- Salvatore F. Carcaterra, Board Member
- Jonathan Darche, Esq., Board Member
- Frederick Davie, Board Member
- Frank Dwyer, Board Member
- Lindsay Eason, Board Member
- Nathan Joseph, Board Member
- Ramon Peguero, Esq., Board Member
- Joseph Puma, Board Member
- Michael Rivadeneyra, Esq., Board Member
- Marbre Stahly-Butts, Esq., Board Member

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2 CHAIR DAVIE: Good evening welcome to the
3 July 2019 meeting of the Civilian Complaint
4 Review Board. My name is Fred Davie, I am the
5 Chair of the board and before we get started
6 this evening I'm going to ask my colleagues on
7 the board if they will introduce themselves.
8 So, I'll start on the end with Mr. Puma.

9 MR. PUMA: Good afternoon everyone, my
10 name is Joseph Puma, happy to be here on Staten
11 Island on this beautiful hot summer afternoon,
12 and I am the board member of, excuse me, the
13 City Council Rep on the board from Manhattan.

14 MR. PEGUERO: Good afternoon, I am the
15 City Council designee for the borough of
16 Queens. I'm happy to be here in Staten Island.

17 MR. RIVADENEYRA: Hi, good afternoon, my
18 name is Michael Rivadeneyra, I am the Bronx
19 Council designee to the board, and I'm happy to
20 be here tonight, thank you.

21 MR. CARCATERRA: Hello everybody, I'm Sal
22 Carcaterra and I am a Police Commissioner
23 designee to the Board, and I'm also a resident
24 of Staten Island.

25 CHAIR DAVIE: As I said, I'm Fred Davie,

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2 I'm the Chair and I'm appointed by Mayor de
3 Blasio.

4 EXECUTIVE DIRECTOR DARCHE: I'm Jonathan
5 Darche, Executive Director of the Agency.

6 MR. JOSEPH: I'm Nathan Joseph, I was
7 appointed by the City Council and I'm from
8 Staten Island.

9 MR. EASON: Good evening everyone, my name
10 is Lindsay Eason, I'm happy to be here on
11 Staten Island, I'm a Police Commissioner
12 designee.

13 MS. STAHLY-BUTTS: Hello, good evening
14 everyone, my name is Marbre Stahly-Butts, and I
15 use she and her pronouns and I am the City
16 Council designee from Brooklyn.

17 MR. DWYER: Good evening, my name is Frank
18 Dwyer and I am a Police Commissioner designee,
19 and I, unfortunately, do not live on your
20 beautiful island.

21 CHAIR DAVIE: Thank you all.

22 Before I begin my remarks I think we
23 should adopt the minutes.

24 Is there a motion to approve the minutes
25 of the last meeting?

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(No response.)

CHAIR DAVIE: Is there a motion?

EXECUTIVE DIRECTOR DARCHE: Motion.

CHAIR DAVIE: Is there a second?

MR. CARCATERRA: Second.

EXECUTIVE DIRECTOR DARCHE: I think
Mr. Puma has a point of order to make.

MR. PUMA: Yes, regarding the minutes on
page 79, line 17, I would like to move that --
okay -- but regarding the minutes of June 12,
on page 79, line 17, there is item that should
be stricken from them regarding the -- in the
interest, in the interest of maintaining
confidentiality in a specific case.

CHAIR DAVIE: All right. We have a, we
will accept that as a friendly amendment to the
motion.

All those in favor of the motion with that
amendment, please say aye.

(A chorus of ayes.)

CHAIR DAVIE: All those opposed, say, no.

(No response.)

CHAIR DAVIE: The ayes have it. The
motion is approved.

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So, thank you all for being here tonight. We are on Staten Island tonight exactly one week before the fifth anniversary of the death of Eric Garner.

As I am sure everyone in this room is aware, CCRB's prosecution of Officer Daniel Pantaleo concluded one month ago. The case is now before the Judge, Deputy Commissioner of Trials, Rosemarie Maldonado, who will render her verdict and submit it to Police Commissioner O'Neill, who has the final decision on the outcome of this case.

Now, I know many of you in this room and throughout the City, if not the country, want a resolution to this case as soon as possible, and I count myself among you. And I also have several questions and few answers that surround the case. I cannot offer much, but I will say this, this is a pivotal moment for civilian oversight of the police in New York City. Commissioner O'Neill's final decision in this case will influence police/community relations in our city for the foreseeable future.

The CCRB's prosecutors made the case that

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2 by placing Eric Garner in a fatal chokehold,
3 Officer Daniel Pantaleo engaged in misconduct
4 that warrants his termination from the NYPD.

5 And now, after five long years, the Garner
6 Family and the people of the City deserve
7 closure.

8 (Affirmation from audience.)

9 CHAIR DAVIE: Secondly, I'd just like to
10 issue a reminder to all of you that the Charter
11 Revision Commission will have its final meeting
12 two weeks from today, on July 24th at City
13 Hall.

14 While the Commission will not be taking
15 testimony, it will be voting on its final
16 report for the November ballot, which will
17 include proposals related to police
18 accountability.

19 These proposals will effect the CCRB's
20 budget and its ability to investigate officers
21 for providing false testimony to the CCRB.

22 And if police accountability matters
23 enough in your life that you're here tonight,
24 it's important that you pay attention to this
25 process.

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For more information please visit charter2019.nyc, that's charter.2019.nyc, or see the CCRB's Director of Outreach and Internal Affairs, Yojaira Alvarez -- and where is Yojaira?

MS. ALVAREZ: Here.

CHAIR DAVIE: Thank you.

Now before I turn things over to our Executive Director, Mr. Darche, let me say one other thing.

As many of you know, the Office of the Inspector General of the NYPD, this is an independent inspector's office at the police department that pays attention to, and investigates, police policies and practices.

The OIG at NYPD recently released a report on profiling and bias in policing. The report highlighted an important issue in New York City as well as many other cities nationwide, an issue that these cities have grappled with for some time.

And while the CCRB does not currently investigate profiling, I think it is important for us to think about how best to address it in

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2 our city.

3 And as a result of that, I am calling on
4 our staff here at CCRB to develop a roadmap for
5 our investigating complaints of racial
6 profiling, bias profiling, by officers of the
7 NYPD. And to determine whether the board and if
8 the board, in the future should do these
9 investigations, which we would only do if we
10 get the resources that are required to take on
11 these complaints.

12 So, we're asking the staff to do a study
13 and then come back to us with information of
14 what it would take to do these investigations,
15 if we can do them. And then again we will, we
16 can only do them well and do them right if we
17 get the resources from the City Council, from
18 City Hall, and from others that we would need
19 to do them, and to do them well.

20 I would like for us all to be well
21 informed on this decision, and I am confident
22 that the staff's insights and direction to us
23 will be helpful in that regard.

24 And on behalf of the entire board, I want
25 to thank our policy team in advance for their

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2 cooperation in taking on yet one more major
3 responsibility for the agency, and on behalf of
4 the people of the City, so that we can ensure
5 that there is transparency and accountability
6 in policing here in New York City.

7 And with that I will turn it over to the
8 CCRB's Executive Director, Jonathan Darche.

9 EXECUTIVE DIRECTOR DARCHE: Thank you,
10 Mr. Chair.

11 I would also like to welcome you all to
12 the July Board Meeting.

13 Body worn camera footage makes a
14 significance difference in our investigations,
15 but it can only be helpful if the CCRB actually
16 can acquire and assess that footage, and right
17 now there is backlog in obtaining body worn
18 camera footage.

19 And later tonight the CCRB's Director of
20 Quality Assurance will give a brief presentation
21 offering insight on how that backlog effects
22 the CCRB, and ultimately, everyday New Yorkers
23 who file complaints of police misconduct.

24 We're going to have a busy evening tonight
25 with a lot of Public Comment and I just wanted

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to go over the ground rules. If you have a specific incident you would like to report on, or followup on, the most effective way to do that is to talk to investigators who are present here today.

The public meeting is not the best way to deal with your individual complaints, speaking with investigators is the best way to do that, and today we have Edwin Pena and Matthew Corroling, from our investigative staff who can take any complaints you might have. And Edwin and Matt, if you can stand up?

(Investigators stand up.)

EXECUTIVE DIRECTOR DARCHE: So, they're there in the back.

That said, if you do, if you do chose to discuss a specific incident during Public Comment, we ask that you please refrain from giving details, like the officer's name or the case number.

This is very important when it comes to safeguarding the integrity of the investigation and the privacy of all parties involved, including any victims or witnesses who may have

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2 been present.

3 To ensure fairness and give everyone who
4 wants to the opportunity to speak, please limit
5 all comments to four minutes. The West
6 Brighton Community Center has been generous in
7 allowing us to be here, but our time is limited
8 and so please be mindful of the time limit, and
9 you'll be taking time away from the next
10 speaker's time if you don't follow the time
11 limit.

12 And finally, I want to thank the West
13 Brighton Community Center for allowing us to
14 have our meeting here, we truly appreciate it.

15 CHAIR DAVIE: Thank you, Mr. Darche.

16 We're going to hear from a number of
17 public officials and others who are here for a
18 few minutes right now.

19 Let me ask first if Council Member Debi
20 Rose is here and if she would like to come
21 up -- there is she is, and give us her
22 greetings. Welcome.

23 (Audience applauds.)

24 COUNCILWOMAN ROSE: Good evening. I
25 didn't think I was going to make it but I felt

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COUNCILWOMAN ROSE: The last time you were here on Staten Island, Chair, we had just received the word that his appointment had been confirmed by Mayor De Blasio.

And this appointment is really important to me because Mr. Joseph is the Staten Island Appointee, and he's actually the first appointee that I got named since I've been a City Council Member, so this is especially important to me.

So, I've known Mr. Joseph for decades, I won't tell you how many, we'll minimize it. And by now, you probably know why I nominated him for this position, he's objective, pragmatic and everything he has taken on in his career he has performed with excellence, and I know he's doing the same here on the board.

I'm also pleased that he's taken on the task of ensuring that more and more New Yorkers know about this board and find it accessible. He's been doing some community outreach, and I know many of the community organizations have had the opportunity to meet him.

However, on a troubling note, this weekend

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2 will mark five years since the death of Eric
3 Garner. I always have to take pause when I say
4 that. This issue, it is very personal and
5 emotional for me. And the fact that we can
6 stand here and say, five years, is an
7 egregious, you know, misjustice. And so we're
8 still waiting for some form of justice.

9 I attended a portion of the disciplinary
10 hearings for Officer Pantaleo, and I really
11 have to commend the work of the CCRB in
12 investigating and prosecuting this case.

13 As with all cases that you handle, I have
14 to frequently remind the City and NYPD
15 officials that the CCRB's commitment to
16 transparency, efficiency and reform is only
17 meaningful if its recommendations are followed
18 by the police department.

19 And I really need to stress that, you
20 know, I'm really concerned about maybe the
21 Charter Commission -- we should give you more
22 teeth, and I would hope that, you know, that
23 would be the outcome of, of the Charter
24 Commission. Because as long as you're just an
25 advisory board, there's still room for

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2 injustice to prevail.

3 And so I know that your conclusions are
4 carefully weighed and my hope is that
5 Commissioner O'Neill will respect your work and
6 follow your recommendations.

7 My repeated call for accountability is
8 rooted in the belief that the NYPD should
9 protect all residents with courtesy,
10 professionalism and respect, to strengthen that
11 accountability and increase policy/community
12 relations.

13 I want to remind everyone here that if you
14 or someone you knows wants to meet with a
15 representative of the CCRB, and it might be a
16 little difficult for you to get into Manhattan,
17 or you don't want to go to the precinct, every
18 3rd Thursday in every month, if you call ahead
19 and make an appointment, we have officials of
20 the CCRB there to take your complaints, or to
21 listen to your issues and concerns.

22 And so I just want to thank you, I know my
23 time is up, I just want to thank you for being
24 here, and I really look forward to hearing what
25 my constituents have to say.

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2 CHAIR DAVIE: Thank you.

3 (Applause.)

4 CHAIR DAVIE: Thank you, Council Member,
5 we appreciate your support.

6 We echo your recommendations that we
7 continue to get closer in our concurrence, or
8 agreement, or the Commission gets closer with
9 us on recommended dispositions of cases.

10 And we're going to continue to advocate for
11 that, and report that, and we appreciate your
12 support on that.

13 And also, before you came in, in my
14 remarks, we made the point that this, the trial
15 of Mr. Pantaleo has ended. The Deputy
16 Commissioner for Trials, Maldonado, has the
17 case before her, she'll make a recommendation
18 to the Commissioner. And we are saying without
19 any equivocation, that we believe that the
20 Commissioner should terminate Officer Pantaleo.

21 (Applause.)

22 CHAIR DAVIE: As we move forward, we would
23 like to see if there are any comments by the
24 members of the NYPD? I know we saw some people
25 here earlier.

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(No response.)

CHAIR DAVIE: Okay. Staten Island District Attorney's Office, Ms. Euna Park.

MS. PARK: Sorry, I'm short. So, good evening.

Thank you CCRB for coming to Staten Island, but also for allowing me this opportunity to speak, excuse me, I'm a little sick as well, and thank you, everyone, for coming out today.

The reason why I am here -- and I'm from -- my name is Euna Park, and I am Chief of the Immigrant Affairs Unit that was created in November of 2018.

And you might be asking, why the Immigrant Affairs Unit in District Attorney's Office? As some of you may know, or some of you may not know, New York City is home to 3.2 million immigrants. Immigrants comprise of 37.1 percent of the City, and there is 44 percent of the immigrants working in the workforce. And approximately about 56.2 immigrants are naturalized citizens, and about 660,000 immigrant New Yorkers are eligible to become

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naturalized citizens, they have now a Green Card. Now, New York City also is a home to approximately 477,000 undocumented individuals.

Now, let's narrow that down to Staten Island. Staten Island has doubled since 1960 and 2000, and they have grown during 1970, when the majority of the other world's have actually decreased in their numbers of immigrants. And since 2000, the island population has increased to 479,500 residents, and this statistic is only from 2017, now we're in 2019, and I can only imagine the numbers are higher.

Now, what are the factors why such numbers have increased is the growth in the number of immigrants. And as you, as we -- this is testimony, this room, itself, different people from different cultures gathered together.

And since then, Staten Island actually had an increase of 57 percent between 2000 and 2017, five times faster than any other boroughs, which is very interesting because -- and this is statistic is only from 2017 mind you, this number may be much higher. And now they estimate about 114 residents who are

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2 immigrants, and that comprised of about 70,350
3 people who have been naturalized residents,
4 citizens. So they were once Green Card
5 holders, and now a citizen. And 20,600 Green
6 Card holders now and other status that are
7 living in Staten Island, and there are about
8 16,000 individuals who are undocumented.

9 Now why is this important? The reason why
10 we felt in our office that it was so important
11 to create such a unit was that there are those
12 who are just afraid to come forward. Given the
13 current climate right now, people are afraid.
14 They may be victimized, they may have witnessed
15 a crime, but they are afraid to come forward.
16 And that is why it was, it was the DA's
17 important, important role to push this with the
18 City Council, and City Council passed a budget
19 to allow immigrant unit to form. And we were
20 actually the last unit to be formed within the
21 borough, so others actually had an Immigrant
22 Affairs Unit to reach out to immigrants
23 throughout.

24 And this was created in November, 2018,
25 and what is the purpose? You might say, what

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2 do you guys do during this, you know, this
3 unit, what do you guys do?

4 So, basically what we do is, we do
5 outreach, we go into the actual community, let
6 them know that we work closely with the police,
7 and we are not working with the ICE Agent or
8 Federal Government Agent, but we are here to
9 hear every voice of every individual.

10 The whole purpose of CCRB is that every
11 person's voice are being heard. And I think
12 that is the same goal of our unit, that every
13 individual, whether there are, they have a
14 status, or they do have status but they have a
15 Green Card, and they're afraid to come forward.

16 We also prosecute --

17 EXECUTIVE DIRECTOR DARCHE: Ms. Park?

18 MS. PARK: Yes?

19 EXECUTIVE DIRECTOR DARCHE: Ms. Park, I'm
20 sorry, but we're out of time.

21 MS. PARK: Oh, I'm so sorry. Just let me
22 just do two more quick.

23 We also prosecute immigrant targeted
24 crimes, such as fraud, which they are being
25 targeted, and we educate community members.

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If you want to find out more information I have brochures in the back.

Thank you so much, and thank you for everyone here, thank you to the CCRB for this opportunity.

EXECUTIVE DIRECTOR DARCHE: Thank you.

CHAIR DAVIE: Thank you.

(Applause.)

CHAIR DAVIE: So, we are going to go to a few reports, and then we'll come back for Public Comment, and then comments from community groups.

So we are going to start with a presentation on outreach by Yojaira Alvarez.

MS. ALVAREZ: Hello, everyone. Thank you so much for coming out, it's a nice full house. We are always happy to be on Staten Island, a lot of community members here. I know a lot of you know Jahi in the back, but I just want to go over a little bit of what this City, what the Civilian Complaint Review Board does, and a little bit of our contact information in case you need it.

So, as you know, the CCRB is a City

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2 agency, independent of the NYPD, and we're
3 responsible for mediating, prosecuting and
4 investigating allegations of police misconduct.

5 As you know, we are governed by a thirteen
6 member board. A lot of those board members are
7 here today. Five are appointed by the mayor,
8 five are designated by the City Council, and
9 three are appointed, or designated, by the
10 police commissioner.

11 Now, the CCRB doesn't investigate all
12 allegations of police misconduct. There are
13 four major areas that fall under our
14 jurisdiction. The way of remembering what that
15 jurisdiction is an acronym, FADO.

16 The, F, stands for Force. That means if a
17 police officer uses force in an interaction
18 with you, full stop, that falls under our
19 jurisdiction. We would investigate that to
20 determine if it's excessive or unnecessary
21 given the totality of the circumstances.

22 The second category is Abuse of Authority.
23 Now, that's a large category. It includes
24 but not limited to, an improper stop, an
25 improper search, a police officer entering a

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house inappropriately, and as of October, it also includes allegations of sexual harassment. So, that could include a police officer using an inappropriate gesture, taking unwarranted photographs, verbal/sexual harassment, et cetera.

The third category is Discourtesy. So, that includes profanity and inappropriate gestures.

And the final category is Offensive Language. So that's language that inappropriately refers to my race, ethnicity, sexual orientation, religion or disability status.

One thing we want to point out is that the Right To Know Act is now the law. In the back you will find this sheet of paper, it has a lot information in regards to the law. There is little bit of nuance to it. I just want to go over a few point that are important for all New Yorkers to know.

That in certain situations, if a police officer does not have a legal justification to search you or your person, your vehicle or your

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home, they must proactively ask for consent. They have to tell you that you have the right to say, no.

In certain situations, if a police officer, if you are monolingual they have to, like in other circumstances, provide you with language interpretation services.

Also, a police officer in certain situations has to explain the reason for that police encounter.

Another thing that is an element of the Right To Know Act is that police officers at the conclusion of an interaction with you have to proactively give you a business card. That business card has their name and shield number on it, on the back of that card it has the number 311, to file complaint or comments. That complaint would go to us if it falls under our jurisdiction.

Now, if you feel that you had an interaction with a police officer and they did not provide you with that information, give us a call.

There are multiple ways of filing a

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complaint with us, as I mentioned 311, you can also call 1-800-341-CCRB. You can go on our website nyc.gov/ccrb, as Council Member Debi Rose mentioned, the 3rd Thursday of every month we are here on Staten Island with investigators ready to take those complaints. Her office is located at 130 Stuyvesant Place, 6th Floor.

You can also file a complaint by writing a letter, 100 Church Street, 10th Floor NYC, 10007. You can also file a complaint directly at the precinct.

Now, I know you have Jahi's information, feel free to reach out to us, to reach out to me. We are happy to go into community centers, schools, even basketball courts in order to get this information out.

My email is yalvarez@ccrb.nyc.gov, I'll be happy to provide you with my business card, and also follow us on Twitter if you have that, it's @CCRB_NYC.

Thank you so much, and thank you for coming out.

CHAIR DAVIE: Thank you.

(Applause.)

CHAIR DAVIE: Are there any comments or

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2 questions from board members? We will get to
3 Public Comment in a second.

4 (No response.)

5 CHAIR DAVIE: All right. So we are going
6 to have a brief -- sorry? We are going to have
7 a brief presentation on policy by Nicole
8 Napalitano.

9 MS. NAPOLITANO: Thank you, good evening
10 everyone, my name is Nicole Napalitano, I'm the
11 Director of Policy and Advocacy for the CCRB.

12 If you manage to grab the handout up front
13 that's called a Snapshot Of data from Staten
14 Island, you can follow along. I know it's hard
15 to see some of the numbers up here but I can
16 also bring some of these out for you.

17 I'll be brief. We actually don't get a
18 lot of our total New York City complaints from
19 Staten Island. It's only about five percent of
20 the total complaints that we received in 2018
21 come from Staten Island from last year, 222
22 total within the CCRB jurisdiction. But those
23 aren't spread evenly across the borough. So
24 the highest rate of complaints that we got were
25 from the 120th precinct. So you can see the

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red up there at the top.

We also have seen some really interesting patterns lately related to BWCs, or body worn cameras, so we're going to focus narrowly on that particular issue.

So, we are just starting to close chunks of complaints that actually have body worn camera footage included in them. But body worn camera footage really drastically impacts the CCRB's ability to close cases with what's called, On the Merits, or cases in which the board can actually determine what happened in that incident.

And so, if you sort of direct your attention at the green bars, there, on the left hand side on the bottom, and these numbers are actually pretty small currently, but we expect these to grow as we have more cases that include body worn camera footage. The rate of unsubstantiated cases, unsubstantiated means cases in which the board was unable to determine what actually happened in that particular incident, it's drastically lower when we have body worn camera footage as

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2 compared to even cases in which we have other
3 video evidence.

4 So, it's 37 percent for cases that were
5 closed in Staten Island in 2018 and 2019.
6 Again, these numbers are small because we don't
7 have a lot closed just yet, but we anticipate
8 that that's going to really continue to have an
9 impact as we close more cases that have body
10 worn camera footage.

11 Cases that have other video evidence and
12 cases that have no video evidence at all, have
13 unsubstantiation rates that are just above
14 50 percent. And so there is a real impact
15 there that we are, we're starting to see as we
16 close more and more of these cases.

17 Just flagging that those numbers are still
18 pretty small there, so we're, as we start to
19 see more cases come in, we might start to see
20 that Staten Island look a little bit more like case
21 closures in the rest of the City where we have
22 had more body worn camera closures. And those
23 impact substantiation rates.

24 And so cases in which that misconduct is
25 substantiated, it was determined that

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2 misconduct occurred and was against the law,
3 and the patrol guide, and it also increases the
4 rate of exonerations, as well as cases that are
5 unfounded.

6 Exonerations are cases in which the board
7 determines that the incident occurred but that
8 the conduct was within the law or the patrol
9 guide.

10 Unfounded is when the incident did not
11 occur as the person described.

12 So, all of those can increase when we
13 actually have video evidence that is solid
14 video evidence to determine what happened in an
15 investigation.

16 When you came in, there were statistical
17 reports for Staten Island that list the case
18 closures in the borough. If you have any
19 questions on that, you can feel free to stop
20 and see me.

21 But also, we do have online our data
22 transparency initiatives, so that's
23 nyc.gov/dti. We have lots and lots of data
24 about the work that the CCRB does available on
25 our website. That same link actually also has

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2 a feedback form, so if you want any additional
3 data or resources or have a question about any
4 of the data that we provide, we're absolutely
5 happy to respond if you connect through that
6 feedback form for us.

7 And that's the end of the presentation.

8 CHAIR DAVIE: Thank you, Nicole.

9 (Applause.)

10 CHAIR DAVIE: Let me just see if any of
11 the board members have questions or comments?

12 Yes, Mr. Peguero?

13 MR. PEGUERO: Thank you. Quick question,
14 is the data and dispositions for the body worn
15 camera, here in Staten Island, consistent with
16 the rest of the City? Or is the pool of cases
17 too small for us to be able to make a
18 determination?

19 MS. NAPOLITANO: It's the latter,
20 unfortunately.

21 So the pool of cases is still pretty
22 small, it's growing, but total thus far in 2018
23 and 2019, we only had 19 full investigations
24 with body worn camera footage that were closed
25 in Staten Island.

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So it's a little difficult to tell. I know that in other boroughs, the substantiation rate in particular, is higher when we have body worn camera footage.

The policy that's currently working on a full report on how BWC impacts the agency's work. And so we expect that as more cases close, Staten Island will probably start to look more like other boroughs as we just have bigger numbers.

CHAIR DAVIE: Thank you.

Other comments or questions from board members?

(No response.)

CHAIR DAVIE: All right. Thank you, Nicole.

I'm going to ask a board member who arrived after we did introductions to introduce herself.

MS. BOND: Good evening, apologies for being late, my name is Erica Bond, and I'm a mayoral designated member to the CCRB.

CHAIR DAVIE: Great, thank you.

We will now have a presentation on body worn

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2 camera data from Olas Carayannis, who is on the
3 staff at CCRB, Olas.

4 MR. CARAYANNIS: Good evening, thank you
5 for coming out.

6 So, my name is Olas Carayannis, I'm the
7 Director of Quality Assurance and Improvement
8 at the CCRB.

9 In your packets and posted online, there
10 is a memo which details the accumulating issues
11 that CCRB has had with obtaining body worn
12 camera footage, and other documents in custody
13 of the NYPD.

14 I will likely refer to body worn camera
15 footage as, BWC, throughout this, so that's
16 what that means.

17 So, tonight I just want to highlight two
18 issues raised in this memo. The increasing
19 backlog of requests for -- I'm getting a lot of
20 feedback there, do I need to move closer?
21 Okay, my apologies.

22 So, tonight I want to highlight two issues
23 raised in the memo, the increasing backlog of
24 requests for body worn camera footage, and
25 issues that we're having with the sealing

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2 statute as it relates to body worn camera
3 video.

4 So, the NYPD's court ordered body worn
5 camera program was intended to be a tool for
6 oversight of the NYPD. This footage is often
7 key to close cases on the merits. However, the
8 CCRB has been experiencing severe and
9 increasing delays in receiving these videos
10 from the NYPD.

11 Beginning in March, 2019, the CCRB began
12 to notice a significant rise in the number of
13 unfulfilled requests for body worn camera
14 footage from the NYPD. In a three month span
15 from March, 2019, to May 2019 alone, 734
16 requests for body worn camera recordings were
17 not fulfilled, which was a 338 percent
18 increase in unfulfilled requests from previous
19 months.

20 As of June 26, 2019, 788 requests remain
21 unfulfilled, many of which had been made months
22 earlier.

23 The NYPD has reportedly attributed the
24 increase in response time to an influx in the
25 freedom of information log requests for BWC

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2 recordings, indicating that this delay effects
3 all requests for body worn camera, and will not
4 abate any time soon.

5 However, information that we've gleaned
6 from multiple district attorney offices have
7 shown that the DA offices obtain their video
8 footage directly from the officers or the
9 command, and the CCRB has never been afforded
10 this opportunity.

11 The CCRB is currently in a position where
12 it's missing necessary evidence in hundreds of
13 cases and is in jeopardy of exceeding the
14 statute of limitations in those cases.

15 In addition to this backlog of BWC
16 evidence, the NYPD has refused to provide some
17 body worn camera footage to the CCRB on the
18 grounds that it depicted an arrest that was
19 sealed, even though the subject officer has
20 free access to the video footage to prepare for
21 the CCRB interview, pursuant to the patrol
22 guide.

23 This places the CCRB at a distinct
24 disadvantage. Investigators may never receive
25 that video evidence and thus cannot verify

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2 claims made by officers about what is depicted
3 in the BWC footage, and cannot determine if
4 there are additional witnesses, officers or
5 FADO allegations involved in the case.

6 This patrol guide procedure has remained
7 unchanged following the ruling in (inaudible)
8 the City of New York, which bars officers and
9 the CCRB from viewing arrest documents covered
10 by the sealing statute.

11 Currently, the NYPD has a blanket policy
12 of denying all BWC requests to the CCRB that
13 are in anyway related to a sealed case, even
14 though there's no case log or statute
15 provisions specifying BWC recordings are
16 subject to sealing.

17 At a minimum, the NYPD should be
18 conducting case by case analysis to determine
19 whether the BWC footage was integral to the
20 arrest or prosecution of the sealed case.

21 And if the NYPD determines that the video
22 should be withheld from the CCRB, then the NYPD
23 must take steps to ensure that that sealed BWCs
24 are withheld from the officers involved in the
25 complaint as well.

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With almost 800 requests for body worn camera footage backlogged, officers having greater access to evidence than CCRB investigators in misconduct complaints, and body worn camera footage blanketly being denied on the grounds that the arrest was sealed, the NYPD's current practices are inhibiting the CCRB's ability to adequately provide civilian oversight.

The body worn camera program was intended to aid in the oversight of the NYPD. Absence some action, the CCRB will have difficulty fulfilling this mandate.

And so, in the interest of, just to reserve more time for Public Comment, I'm just going to ask if you have any questions, if you can direct those to Jerika Richardson and we will certainly get back to you on any of that information.

CHAIR DAVIE: Thank you.

(Applause.)

CHAIR DAVIE: Looks like we're going to have some questions and comments on this one.

So let me just make a quick comment to say

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that Mr. Darche, Jonathan Darche's staff and I and others are working hard with the NYPD to try to get this body worn camera footage.

It's, it's unacceptable, the levels at which we're now not getting it. We try to make that clear. The NYPD has officials that have privately talked about some steps they could take to try to increase the rate at which we receive body worn camera footage.

We are continuing to have those conversations with other people in the administration, but this current level is clearly not acceptable.

This is an opportunity for the NYPD to get it right as we start this program, so we are cajoling, and encouraging, and advocating them to do it. Not to do so, even if there are some legitimate reasons for why the process is slow and, and, and not more efficient, is only to increase suspicion that there is something to hide, that there is no desire to have accountability and transparency.

So, it does a disservice to the entire Body Worn Camera Program for the NYPD to be

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slow, or to fail to turn that information over to this civilian review agency.

And we will continue to fight and advocate to get that information, get it in a timely manner, so that we can carry out our mandate that the Charter of the City of New York has given us.

Mr. Joseph?

MR. JOSEPH: Do we have support from the City Council, in particular, the Safety Committee, in ensuring that we have better access to body worn cameras, BWCs?

CHAIR DAVIE: I think I can safely say that the Chair of the Public Safety Committee on the City Council is, and continues to be, supportive of a timely release of this information.

MR. JOSEPH: Thank you.

CHAIR DAVIE: Other comments, questions?

MS. STAHLY-BUTTS: I have a question, and this might end up being a policy question, so I apologize.

But I'm just curious, of the limited requests that have been fulfilled, are they

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2 favorable to the police? So, are we seeing
3 that when they are releasing footage, that it's
4 like ending up not being substantiated, or it's
5 being exonerated? So is the actual footage
6 that we're getting favorable to the police
7 footage?

8 EXECUTIVE DIRECTOR DARCHE: We can look
9 into that but we don't have that.

10 MS. STAHLY-BUTTS: Right, I assumed,
11 that's why I thought it was probably a policy
12 conversation.

13 CHAIR DAVIE: Other questions or comments
14 from board members? And then we will have
15 Public Comment in just a bit. Yes?

16 MR. PUMA: It's just a point of
17 information for members of the public who may,
18 who are interested in this issue.

19 The agency does publish some statistics
20 about BWC, and this big packet of statistics
21 that is now out front, it's on page 12, so you
22 can get a sense of how many requests are
23 pending.

24 I've even crunched some numbers from these
25 numbers, and see that 52.5 percent of the cases

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2 in which there are pending requests for BWC,
3 those requests are over, they are 30 days or
4 more older. So 52.5 percent of the requests
5 are 30 days or older.

6 CHAIR DAVIE: Thank you.

7 Councilwoman Rose, I didn't realize you
8 were still here. There's a question about the
9 City Council and this issue, do you have any
10 comments you would like to make on it? Not to
11 put you on the spot.

12 COUNCILWOMAN ROSE: No, I, I really would
13 like to make a comment --

14 CHAIR DAVIE: Would you mind coming to the
15 mic? Thank you.

16 COUNCILWOMAN ROSE: The City Council Chair
17 of the Public Safety Committee is Donovan
18 Richards, and he's been very concerned about
19 accountability and the fact that we've, we've
20 done a lot of legislation in terms of trying to
21 make sure that you are able to do your job.

22 And so he has, he's on the record as
23 saying that we are going to do all that we can
24 to get the NYPD to meet the mandate.

25 One of the, that exact issue came up in

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terms of -- and I'm sorry the district attorney's office left, because we brought that up at the Justice Committee, who Rory Lancman is Chair of, and the DA's Office said that they didn't have the resources in order to help expedite that.

And so, I want you to know there's an internal conversation within City Council that we're looking into how to help, you know, both of them be able to meet the demand.

CHAIR DAVIE: Thank you so much.

Any other questions, comments from Board Members?

(No response.)

CHAIR DAVIE: All right. So, thank you. We will go to -- and thank you a lot as well. Omas for the presentation.

We will go to Public Comment. First we'll do comments from community groups, and I have a list here, and I'll just go through it.

We have Cynthia Davis, who's the President of National Action Network of Staten Island.

Ms. Davis, would you like to make a comment?

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EXECUTIVE DIRECTOR DARCHE: I, I would just like to remind everyone to keep our comments to four minutes.

MS. DAVIS: Hello everyone. I just wanted to thank you all for inviting me to comment, but instead I would, if you do not mind, I would prefer to have Ms. Gwen Carr to come up and comment for the fifth anniversary, Miss Gwen.

MS. CARR: Good afternoon, good evening everyone.

I'm so glad that I did come to this meeting.

I do want to thank the CCRB for all their work that they did on my case. And I think they were very, very thorough. So, I must say that, and I must thank each and everyone one of you.

And I want to thank the community. I want to thank all of you who have stood behind me, and thank you Debi, because you were there with me, and Cynthia came to Court with me every day.

And, I just want to say that it has been

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2 five years, and we are still dealing with the
3 chokehold. And, and I was in Court, sitting,
4 everyday they was trying to prove that it was
5 not the chokehold. They were saying that our
6 lying eyes didn't see what we saw.

7 But, you know, I think that we have to,
8 you know -- they shouldn't -- it shouldn't be
9 allowed for it to go on this long. It should
10 have been a cut and dry case because everyone
11 saw what happened.

12 But now, the police officer who actually
13 murdered my son, he's being protected with the
14 50a. And the 50a really wasn't designed to
15 protect the police officers, again, if they had
16 a disciplinary record. It was supposed to be
17 if, you know, for their name, their addresses,
18 where their children go to school and all this.
19 This is what the 50a was supposed to be. But
20 they took it a step further, and this way, to
21 conceal what we need to know about the police
22 officers.

23 And I'm even told that after my case is
24 over, after it goes to police, to Commissioner
25 O'Neill, that they still may not know the

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2 results --

3 (Noise.)

4 MS. CARR: I hope nobody is hurt.

5 (Audience laughs.)

6 MS. CARR: We still may not know the
7 results of the case, or the findings, because
8 of the 50a, and I think that's so unfair to us.

9 We've been out here for five years and we
10 may never know what Commissioner O'Neill
11 recommends?

12 I think that's absurd. And that has to
13 change. That needs to change. Because we as
14 the family, we as the public, we, you know, as
15 supporters, need to know what was suggested,
16 you know, what is the outcome of this case.

17 And we are not going to sit idly by and
18 let it just get swept under the rug. We are
19 going to demand -- even if we have to file all
20 types of FOILs or whatever we need to do to
21 find out what was the ruling on the Eric Garner
22 chokehold case. Thank you.

23 CHAIR DAVIE: Thank you, Ms. Carr.

24 (Applause.)

25 CHAIR DAVIE: And just for the record, the

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CCRB joins you and many other advocates and legislators in calling for 50a reform. We believe it's very important.

We have the West Brighton Tenants Association, Mr. Ahmed Kargbo, President of the Sierra Leonean Organization.

MR. KARGBO: Good evening, thank you very much for holding this forum in the community where it really matters, it's really nice.

My name is Ahmed Kargbo, and I represent the Sierra Leonean Committee here in Staten Island.

And it's really not only mind boggling, but again, it's very important for folks who don't know that some of us who are getting this information to go back to the committees to tell people that there is recourse, so that people know that police can also be held accountable.

Some of us who went through the ordeal, twice, with the police, and I actually had to go to CCRB without being told, and outcomes were a little satisfaction I should say. I was only disappointed if I should identify the

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2 police officers with their badges and the
3 vehicles they're driving. There is no way that
4 the police cannot identify who checked that
5 vehicle out, when, and where they were.

6 Instead, they bring me a number of police
7 officers photos for me to identify, the police
8 who actually disrespected and frisked me right
9 here on Staten Island. I was very disappointed
10 in that, because I know for a fact -- I was
11 also a member of the auxiliary police unit down
12 at the 120, and I was also a former member of
13 the armed forces here, so I can relate to
14 ranks, and I know the rank of the police, and I
15 even talked to police officer, the senior
16 police officer, the sergeant, you're going to
17 be held responsible.

18 And for CCRB to bring me photos, not being
19 able to identify -- say, okay, because there
20 was a time, a time and place where the incident
21 happened, and when I made the report it was
22 less than forty-five minutes they called the
23 police back from the beat and told them, the
24 station, the precinct, and CCRB to give me two
25 dozen police officer's photos and telling me to

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2 identify the particular police officer. It was
3 very disappointing, you know, because those who
4 check the vehicles can be very easily
5 identified.

6 But this is a very good start, and I hope
7 that this would continue so that some of us who
8 are able to get this information can go back to
9 the communities and our members and educate
10 them.

11 If I have the courage to go to the
12 precinct and file a report, what about the
13 folks who don't even have the courage? They
14 are being intimidated and they are left
15 vulnerable, so, they don't even know what to do
16 it and who to talk to.

17 So, thank you very much for your time and
18 having it in Brighton and this has to go around
19 the committees so people of color, people who
20 identify themselves like myself can actually
21 get information. Thank you.

22 CHAIR DAVIE: Thank you.

23 (Applause.)

24 CHAIR DAVIE: Thank you. I would
25 encourage you to talk to Yojaira Alvarez, Mr.

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2 Kargbo, who can actually arrange for
3 representatives from the CCRB to meet with your
4 organization, to talk about ways in which
5 people can make complaints, and not have to go
6 to a precinct, but there are other ways in
7 which that can happen.

8 So, I hope you'll have that conversation.
9 I hope you invite us out to visit with your
10 organization.

11 MR. KARGBO: Thank you, sir.

12 CHAIR DAVIE: Thank you. Any other
13 comments from board members?

14 (No response.)

15 CHAIR DAVIE: So, we will hear from
16 the Reverend Dr. Demetrious Carolina, who is
17 a pastor at the First Baptist Church.

18 REV. DR. CAROLINA: Good evening all. I'm
19 certainly glad to be here at this very, very
20 important meeting and certainly honor the work
21 that you are all are doing, the challenging
22 work.

23 And I want to thank our City Council
24 person, certainly for the work that she always
25 does, and all the community groups and the

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2 folks that are here, because you really want to
3 see equity.

4 And I just want to speak to that briefly,
5 the importance of equity when we are looking at
6 both police and community relations. I don't
7 think for a second that most of us in our
8 communities don't want police officers to do
9 their job. But we also want some transparency
10 that is apparently not being afforded to us as
11 a community.

12 I'm not -- I think I will simply echo the
13 sentiments of most of the persons that are
14 here, we are not anti-police. We really -- I
15 have many police officers who are part of my
16 congregation, community, but what we are is
17 anti bullying. And certainly anti blue wall
18 for our community.

19 And so we're asking for some teeth to be
20 actually put in the CCRB. I think under this
21 administration more so than any, we should be
22 given at least that honest effort on behalf of
23 the administration.

24 City Council, we applaud you, but my
25 comments are directed toward the mayor, the

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mayor's office, and the stonewalling that seems to be occurring when it comes to actually allowing the CCRB to do its job.

So, again, thank you for what you're doing, but we want it to be known, loud and clear, that as a community of diverse citizens of New York City, we need equity when it comes to policing our own communities.

Thank you.

(Applause.)

CHAIR DAVIE: Thank you.

We will hear from Letitia Lucero, who is engagement coordinator of Mayor's Office Action Plan for Stapleton Houses.

MS. LUCERO: I just want to clarify, I'm not from the Mayor's office, so I heard, I'm not from the Mayor's office, but I work with the Staten Island Justice Center, which has a project called the Mayor's Action Plan.

And right now the only program like that in Staten Island is in Stapleton Houses. So, I'll talk a little bit about that program.

That project that we do at Stapleton Houses, and I'm going to talk about how CCRB

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has been involved in some sense in some of the community organizing that we've been trying to do at Stapleton Houses.

So, under the Mayor's Action Plan in Stapleton Houses we convene 15 NYCHA Residents, to meet with City agencies, community based organizations, and then these same 15 residents kind of bring to light their priorities for the community when it comes to safety in their community.

So, out of these meetings with community based organizations and city officials, come out projects, come out events. Recently in May, we did a Stop The Violence Event in Stapleton Houses because we saw a rise in violent acts happening in our community.

What we did have from CCRB is having somebody come in, and table. One of the things that I do like about that process is that CCRB being involved when it comes to community events, and I think one thing that we can talk about is how do we get more of that?

I think it's great when you, when we do it with you, but I think it needs to be done in a

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very more, much more, than what's happening now.

So, when you have an agency like CCRB come out to a community, you really sit there and you talk to them about the processes, like how do you make a complaint? What is the purpose of CCRB? Does 311 actually work? Like I've called 311 once, where do those complaints go?

So, when you have a community event and an organization like you guys come out and explains that process, you can then start to see more of those numbers from Staten Island. You'll start to see more of those community members coming out to really say, okay, I am now meeting somebody in person who can then explain to me what the process is.

And another thing I kind of wanted to touch a little bit on is some of the work that we're doing in Stapleton Houses is really talking about community safety, and how do we work with the NYPD to get that done?

So, when we identify priorities, they're not coming from an agency, they're not coming from the Mayor's Office, they're not coming

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from me, but they're coming from the residents that live in Stapleton Houses who are saying, public safety is an issue. Substance abuse is a big thing in Stapleton Houses. The rise of alcoholism. Those are big things that people in the community are saying are huge issues and how do we get the ear of community based organizations, in the ear of NCOs or police officers, to kind of prioritize those issues?

And I think these are just some different ways how we can organize in the community and also kind of like have organizations like yourself really come out and kind of share those resources. That's it. Thank you guys.

CHAIR DAVIE: Thank you.

(Applause.)

CHAIR DAVIE: Antoinette Donegan, Community Coordinator from the Central Family Life Center.

MS. DONEGAN: Good evening, thank you for having me.

I am here to address one of the questions; how does the NCO program, how has it improved with the community, some of the pros and the

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2 cons?

3 So, as the community coordinator, I'm with
4 the Central Family Life Center, one of the
5 programs that we have that is very pivotal with
6 the community and Staten Island, is we have the
7 one Cure Violence Program on Staten Island.

8 And how the NCO program has really worked
9 well is that one of our sites is in Mariners
10 Harbor. And the NCOs have been very good with
11 working, not so far as hand in hand, but they
12 do allow us to do the work that we do in
13 Mariners Harbor.

14 I find that because of the NCO Program,
15 they have been able to understand what we do at
16 Cure Violence, and they have been able to
17 understand the community in the Mariners Harbor
18 Houses.

19 I think that the NCO program works well in
20 that instance, but I think that the NCO Program
21 would work better in other neighborhoods as well.
22 It gives the officers an opportunity to meet
23 the community, hands on, get out of the car and
24 interact with the community. Verses driving by
25 and not getting an understanding of the

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community. It gives them a chance to get an understanding of how the community lives, how they interact with the community. Get out and just live and just enjoy and not be so afraid of the community, because we're all living, and just enjoy.

The NCOs that we have in the Mariners Harbor Houses, I believe some of the members are here from the Mariners Harbor Houses, they love their NCOs.

We have been able to get, go to them and say, hey, we need the rock wall because we're having a, we're having an event. We need this, we need that. Or, we're having issues, and we request, go to them because of this, because we have that communication.

We also care about them. They care about us as well. The NCOs from where I live, Mariners Harbor, the NCOs, that we have for Church area, in the Stapleton area and the Saint George area, the area where the, the church is, we can reach out to them.

What does not work is that the hours of the NCOs are not working, and we need them and

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their phones are off.

And so if it's a matter of a 911 situation, but a situation that we need our NCOs, their phones are off. So then who do we call? Because their shifts are not on or whatever.

So I think that that needs to be tweaked a bit because there are issues. The whole idea of the NCO program is to be, when the 911, so then what happens when they're not at work? They need to put more people on.

So, thank you for having me, and I appreciate it.

CHAIR DAVIE: Thank you.

(Applause.)

CHAIR DAVIE: Thank you.

Let me just ask any of our board members or staff, do we know if all the precincts on Staten Island have NCO programs?

(Audience replies yes.)

CHAIR DAVIE: They do. And do we know what the general hours of the NCO programs are? Is it generally a day time thing or is it 24 hours?

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2 (Inaudible responses from
3 audience.)

4 EXECUTIVE DIRECTOR DARCHE: If someone
5 wants to speak they should come up because we
6 can't all hear.

7 MR. EASON: I would like to say,
8 Mr. Chairman, while she's coming up, is that
9 from what I know about the NCO program, is that
10 when the NCOs are not on duty, they are
11 assessable via that department phone, and then
12 they call the on duty sectors to go and
13 attended to a community concern.

14 So, I would suggest that you definitely
15 followup on that, either with the NCOs or the
16 community affairs officer, because you should
17 be able to reach them when they're not on duty,
18 or their designee.

19 CHAIR DAVIE: Okay.

20 UNIDENTIFIED AUDIENCE MEMBER: This is my
21 first time. Good evening everyone my name is
22 (inaudible) I live in the neighborhood, this is
23 my first time being at the program, and
24 unfortunately, we need to do a lot more for the
25 community.

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I'm honored that you guys are working hard. I think that Staten Island and all kinds of groups really need to work a lot harder and make this possible for CCRB to move forward.

Again, I do have a question, you know, with the body cameras, how effective would that be, being that there's been so many atrocities committed by officers? Some are recording them, I think that, you know, more eyes is good, but consequences is needed. Someone pays for what they do. A crime is a crime, no matter who you are, you pay for that crime then people will start taking lives seriously, jobs seriously, working together. I think we really need to, to, to really come together, because I never heard of that program.

I've been a victim. And 120th precinct is horrible, sorry to say. They've done nothing for me. They're have a Safe Horizons there, I found out like three years later, so I've been basically living here for the eleven years and I've advocated for myself. I've been to every resource center, elected officials, and I'm still advocating for myself. So it's nice to

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2 know that we have that in the precinct, but
3 again, I did just find out about the Safe
4 Horizons.

5 So, again, we can all get together, but I
6 think we have to deal with more consequences,
7 because this is an ongoing situation where officers
8 don't actually care about the crime. They don't
9 care about what goes on in certain communities,
10 which is our communities that are targeted.
11 With -- stigmas still exist. Police violence,
12 profiling, still exist. Consequences, really
13 need to be done.

14 I've made all kind of complaints. Again,
15 these groups need to really come out to the
16 community. I've been advocating for myself,
17 I'm still doing my thing, but, you know, I
18 think when groups like this, and we have a hell
19 of a lot more resources, it will make it that
20 much more easier to get the job done, you know?
21 As opposed to people just coming to you guys,
22 complaining, you know.

23 EXECUTIVE DIRECTOR DARCHE: Thank you.

24 UNIDENTIFIED AUDIENCE MEMBER: But they
25 really need to get out. Thank you.

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EXECUTIVE DIRECTOR DARCHE: With regard to, to that previous speaker, I just want to say that we'll do some research and, and report back to you about how best to reach NCOs if the NCO is not on duty.

So, I think that's something concrete we can report back on and we'll let -- I think that was Ms. Donegan who just spoke -- so we will reach out to you, make sure that you get that information.

CHAIR DAVIE: Thanks. And then we'll get back to Public Comments in a minute, let's go back to the community list that we have, and, Mr. Edward Josey, President of the Staten Island Branch of the NAACP.

MR. JOSEY: Good evening, and thank you. I'm going to sort of push the CCRB. I've been president for quite a few years now and I've filed quite a few peoples' complaints, I would say successfully, and would believe that first you should understand what the purpose behind what the CCRB might be.

I tell people, it's when you encounter police misconduct, you might be upset. Don't

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2 get upset in the street. Just file a
3 complaint. If you get upset in the street, you
4 might wind up in jail, but the way things are
5 now, you the cameras and also they identify
6 themselves, so right off the bat you can have
7 the name of the officer and perhaps his ID or
8 whatever. So you already have a portion of
9 what you need to file a complaint, so use that,
10 don't get upset and get yourself in trouble.

11 So, now, what you do is you file a
12 complaint, and go online, and some folks they
13 go to the precinct. I don't go to precinct, I
14 say go right to 100 Church Street or Rector
15 Street, which I used to do quite frequently.

16 I filed a complaint on behalf of that
17 person for the NAACP and I asked to be kept in
18 touch with them with CCRB.

19 Now, in most cases I have found the
20 results have been pretty successful, so,
21 therefor I push it.

22 Now, I tell a person that what happens
23 once the investigation is done they will
24 probably be asked to go to see to CCRB and
25 sitdown with the CCRB personnel, I tell them I

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will go with them and sit with them.

At some point the CCRB will probably investigate with the police department. Now at some point the CCRB might find it necessary to send the complaint to police department for further investigation.

Now, people say, what can the police department do to the person who has done what they might have done to the person?

Well, I understand they might lose a vacation day, maybe, or, perhaps it goes against their record. And if you get too many complaints against a particular police officer, it could affect his career. If the particular precinct gets too many complaints, in that precinct the commanding officer might suffer down the road at some point. So I do believe there might be some value in filing these complaints, so, I told them to do so.

Now, I've filed five complaints pretty successful, and I do encourage it to be done.

Now, also the CCRB, they keep records I understand. Now, if they find that the particular area has a lot of complaints of a

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2 certain type, this might raise a flag.

3 Now, you're speaking about police reform,
4 this might some how be effective in getting
5 police reform. It might be a long, dragged out
6 process but it can maybe help get that done.

7 So I say it's important from that viewpoint,
8 police reform might come about because of that.

9 Now, I also tell people that if they feel
10 inclined to do it, they might at some point,
11 have a mediation with the police officer who
12 did what might have been offensive to you.

13 I've had people do that before. And they
14 met the police officer. The police officer,
15 you know, felt kind of bad about what he did
16 and he might have apologized. So it can be
17 done.

18 But the bottom line is, you're the CCRB,
19 now, I'm speaking in positive terms right now,
20 one of the questions that I was asked to talk
21 about was, what could the CCRB do in the future
22 to make it better?

23 Now, at this point, we have a lot of
24 unmarked cars around Staten Island and out of
25 uniform police officers. Now, I do believe

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2 these officers who are out of uniform, out of
3 police cars, are running around at random out
4 of control.

5 Now, somehow you might, somehow, find some
6 way to put teeth into it, to make sure these
7 guys running around here, not under control,
8 but under control by somebody, answer to
9 somebody for what they're doing. Because at
10 this point, now, I have the impression that
11 nobody, they do not listen to anybody, just do
12 what they want to do.

13 So I would recommend that perhaps in the
14 future you kind of sitdown and put some
15 argument in place to make sure they have to
16 account to somebody for what they do.

17 And that's my presentation. Thank you.

18 CHAIR DAVIE: Thank you.

19 (Applause.)

20 EXECUTIVE DIRECTOR DARCHE: Mr. Chairman,
21 may I say something?

22 CHAIR DAVIE: Sure, Mr. Darche.

23 EXECUTIVE DIRECTOR DARCHE: Mr. Josey, and
24 the prior gentleman who is representing the
25 Sierra Leonean Community both brought up

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2 identification of subject officers.

3 And I just want to say you don't need to
4 know the identity of a police officer before
5 you make a complaint.

6 One of the things that we are, that we
7 take pride in at the CCRB, is our ability to
8 identify officers. Even if you just know the
9 location of an occurrence, and the date and
10 time, we can try to track them, who the police
11 officers involved are.

12 It's difficult. It's not always possible,
13 but if you feel that you've had a bad
14 experience with a police officer we encourage
15 you to make a complaint and give us information
16 you do have and we'll investigate it to the
17 best our ability.

18 MR. JOSEY: Question, please, can you
19 explain the so call sector situation where
20 there's supposed to be a certain sector?

21 Is it known that that sector that night
22 should be somebody in the police department?
23 It might be a benefit to track down who that
24 person might be at any given time?

25 EXECUTIVE DIRECTOR DARCHE: So, while some

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officers are assigned to steady sectors, that's not always the, the key to figuring out who an officers is.

Sometimes there are commands that are near one another and you have officers who come from different commands. And sometimes there are commands that aren't assigned to a particular area that can be narrowed down.

So it's important to make the complaint and let our investigators do their job and identify the officers who are in question.

MR. JOSEY: Thank you.

CHAIR DAVIE: Thank you.

We'll hear from Sam Owusu-Sekyere of the Ghanaian Association of Staten Island. Is he here?

UNIDENTIFIED AUDIENCE MEMBER: Yeah, he's here.

CHAIR DAVIE: Okay.

MR. OWUSU-SEKYERE: Hello, good evening. I'm happy to be here because I didn't initially know about the existence of this organization, and as most you are aware, well aware, the Muslim, the African Community in Staten Island,

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2 (inaudible) when it comes to law enforcements
3 and complaints. And, so when we learned about
4 this I thought it was a good thing, so that we
5 can open up an avenue for communication and
6 make sure that our people who also by all means
7 have other issues either correctively or for
8 opening up the dialogue between them and police
9 and making the policing of the community much
10 better and more inclusive, will have an
11 opportunity to be able address their concerns.

12 So, this is my initial visit, and I don't
13 have anything to add, but I appreciate what I
14 learned from you guys. Thank you.

(Applause.)

16 CHAIR DAVIE: Thank you very much.

17 And as with the Sierra Leonean
18 Organization, our staff would also be open to
19 talking with your organization as well, so
20 thank you.

21 Pryde Smith, who is a youth speaker.

(Audience applauds.)

23 MS. SMITH: Thank you, thank you. I want
24 to thank everyone for coming out. Good
25 evening. Y'all got some young blood up in

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2 here.

3 I just want to say the youth, I'm the
4 former president of the NAACP Youth Council in
5 Staten Island, so anything that the youth had
6 issues with they come to me and then we discuss
7 them and then we'll figure out a way to solve
8 the issues and problems that Staten Island has
9 regarding the youth.

10 I know that Nathan came to one of our
11 events, and he came and spoke to the parents
12 and students about what students can do when
13 they have issues with probably public safety,
14 the police, the NCOs, and everything like that.

15 So I definitely appreciate you, and when
16 we do have other activities I definitely will
17 extend the invite.

18 I'm here to speak about the body cameras.
19 There was an incident, February in 2018, where
20 a young man from Park Hill was driving his car
21 and he got pulled over by two police officers
22 from the 120 precinct.

23 He was in the car with three of his
24 friends, and they were smoking weed, but when
25 they got stopped, there was no weed found in

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2 the car. Well, as what he claims to be.

3 The police took the boys outside the car.
4 One officer searched the car, didn't find
5 anything. The second officer, noticed the
6 driver and said that he was part of a local
7 gang in Park Hills and called OTA, it's
8 only the Africans. And so what happened was,
9 that officer, Officer (Redacted) --

10 EXECUTIVE DIRECTOR DARCHE: Ma'am, can you
11 (inaudible) --

12 MS. SMITH: Oh, sorry, I didn't know that.
13 Okay. One officer went and searched the car,
14 had his body camera on, and somehow he said it
15 malfunctioned, it turned it off, and then when
16 he turned it back on he found a little bit of
17 weed which was like, I guess, referred to as a
18 marijuana cigarettes.

19 And so then the young gentleman who was
20 the driver of the car, said that he, the
21 officer planted something in the car.

22 Long story short, the boy went to jail for
23 two weeks. When he made bail, for the pretrial
24 it got -- what's the terminology? Discarded?

25 UNIDENTIFIED AUDIENCE MEMBER: Dismissed.

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2 MS. SMITH: Dismissed, thank you. And
3 reason was the officer who supposedly found
4 drugs in the car, in the car said that it was
5 visible to see, that's why he picked up and
6 that's why he was able to claim the drugs that
7 was there.

8 But his partner, who already looked in the
9 car, said that he didn't find anything.

10 So, to wrap up, we have these issues with
11 the youth where they don't trust police
12 officers. And, you know, what with cameras you
13 would think cameras would help the situation
14 where students would feel more safe.

15 But if, if an officer has the ability to
16 turn off the camera and turn it back on when
17 it's convenient for them what can the youth
18 feel? How can they feel safe in that moment?

19 And so, I just want to thank the CCRB for
20 giving us statistics of the body cameras and
21 what they can do. And also what the youth can
22 understand how body cameras work, and how can
23 it benefit them in the long running.

24 So, thank you so much. Nathan, you're my
25 uncle, I'll see you later, and have a good

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2 night everyone.

3 CHAIR DAVIE: Thank you.

4 (Applause.)

5 CHAIR DAVIE: Thank you. Just two quick
6 comments.

7 One, I think that there are protocols for
8 how officers should engage body worn cameras,
9 and we will, as an agency, be vigilant in that
10 regard and insist that those protocols be
11 adhered to.

12 And then as a young person I would
13 encourage you to talk to our staff about the
14 Youth Advisory Group that we have for the CCRB,
15 which you probably know about, and help us
16 recruit people to be engaged in it, because
17 it's a good way to stay informed about the work
18 of the agency.

19 And our, our goal, in addition to
20 transparency and accountability, really is to
21 improve the relationship between the police and
22 community, particularly police and young
23 people.

24 So, anything that you can do that help us
25 do that through this youth council that we

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2 have, we would really appreciate it.

3 But thank you for your leadership. Thank
4 you.

5 We have one more community speaker
6 and then we'll go to -- community organization
7 speaker, and then we'll go to Public Comment.
8 Shakina Butler, who is President of West
9 Brighton Tenant Association.

10 (Audience applauds.)

11 MS. BUTLER: So I, I was giving two
12 questions to answer, and the first one is
13 what --

14 EXECUTIVE DIRECTOR DARCHE: Use the mic,
15 please.

16 MS. BUTLER: I'm sorry, I'm a little
17 person.

18 So, I was given some questions, and the
19 first one is, what is a positive that you've
20 seen from the NCO Program and what would you
21 like to see changed?

22 So the positives are you see them out in
23 the development more. They're all over. We
24 have very, very good relationship with our
25 NCOs. Never any problems.

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And as for the other lady who had issues in Mariners Harbor with the 24 hours, I can literally call my NCOs when they're on vacation with no problems. And even our sectors, the ones that are not on the development, they're around the development, I can call them as well, any time of the day. And all of our issues, basic problem of life issues are handled in West Brighton Houses (inaudible).

So, the only thing that I would say is that I would like see changed is the time of that they're off scheduled. When they're off duty, the people in the neighborhood clearly know when they're here, when they're not here, which is basically Sunday and Monday, and that's when a lot of the issues will go on in West Brighton Houses. But other than that there is no major, major issues.

And my second question is what can the CCRB do to foster public trust? Just be consistent. Just like with any relationship it's consistency. Be honest. Be open to communicate with the residents and there to build that connection. And that's it.

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2 Thank you.

3 CHAIR DAVIE: Thank you.

4 (Audience applauds.)

5 CHAIR DAVIE: So, we're going to call the
6 folks who signed up for Public Comment to come
7 up to two at the time to the mic, just to
8 expedite the process.

9 So we're going to start with, I'm going to
10 butcher the first name I'm afraid, is it
11 Sharice?

12 MS. CLINTON: Sharice.

13 CHAIR DAVIE: Sharice Clinton, RA
14 President of South Beach.

15 And we are going to ask Samantha Martin
16 Staten Island Legal Services to come up to the
17 mic as well. Ms. Clinton.

18 MS. CLINTON: Good evening. I'm the
19 President of the South Beach Houses with New
20 York City Housing Authority for the last twenty
21 years. I was the youngest president that NYCHA
22 had. I've seen a lot different programs with
23 the police department. Some worked and some
24 didn't.

25 With the NCOs, I love my NCOs. I call

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2 them all the time. When they're on vacation,
3 off vacation. We have quality of life issues,
4 they contact the four sectors that they have,
5 they contact me if they're making verticals,
6 they're knocking on my door, they see my
7 husband outside, like they hugging me, like the
8 relationship that we have -- Staten Island has
9 nine presidents -- we love them. We are talked
10 about in other boroughs because of the quality
11 that we have with our commanding officers, our
12 precincts.

13 Again, you have officers who love their
14 job, and then you have officers who are just
15 doing the job. And we have to understand that
16 and that's like with any city agency.

17 However, Ms. Garner, it's very
18 unfortunate, condolences to the family on the
19 fifth anniversary, which was an unfortunate
20 tragedy.

21 But we nine presidents got to learn the
22 other half of how officers are trained. There
23 is a program called Citizens Policing Academy,
24 it's a very good, free program. It takes your
25 time, but it helps you get to understand how

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officers are trained, their mind set, and, again, not every officer has a good day, not every officer has a bad day.

And officers are there to do a job and that's to protect and to serve. Courtesy, professionalism and respect goes a long way with me as a community leader for a long time. So, I have to lead by example, and I thank CCRB for coming out more, being proactive and listening to the complaints. Because Staten Island had a lots of complaints, long time. You're working with our elected officials, Ms. Rose, Ms. Servino, (inaudible) talkers, I just think that consistency, like former Miss Butler, my former colleague says, and transparency, to be openminded, try to get a lot of these cases resolved.

To resolve a case is the best policy because you're showing the public, the leaderships, that you are there, you're doing your job no matter how it affects. If I cause, if I have a crime, I'm going to jail if the police is called.

If a police officer does something,

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2 whether good, bad or indifferent, and he's
3 caught, he needs to go to jail, there's no,
4 okay, because you have a union that they have
5 to back you.

6 A lot of city agencies have union, but if
7 they steal money, they going to jail; you
8 understand what I'm saying?

9 So it needs to be transparency,
10 consistency and honesty.

11 They should not, there should be a device
12 on that camera that they are not allowed to
13 turn it off. The minute you put it on your
14 body that heat from your body has it on 24/7.

15 So, that's all I have to say. Thank you
16 so much.

17 (Audience applauds.)

18 CHAIR DAVIE: Thank you.

19 EXECUTIVE DIRECTOR DARCHE: One comment
20 about the body worn cameras, the policy that
21 has been developed by the department, the
22 police department, in conjunction with the
23 Federal monitor from the Floyd case, tries to
24 balance privacy concerns with the need for
25 oversight with the five community over the

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NYPD.

And so, there are times when you don't want to have footage of what's happening on, in an incident that's being taken by the department.

And so there are issues that come up with, with activation by officers and we take those very seriously, but it isn't so simple as to say they should always be on. Because there are privacy concerns when you are going into peoples homes, and when you're dealing with victims of crimes, or maybe they don't want to have footage of their, of themselves forever, in the NYPD database. I just wanted to point that out.

CHAIR DAVIE: Thank you. Ms. Martin.

MS. MARTIN: Hi, thank you so much for being here. My name is Sam, I'm a social worker at Staten Island Legal Services in the Family Law and Domestic Violence Unit, and I'm the chair of the Richmond County Domestic Violence Task Force, I'm also a resident of Stapleton.

One great thing about being the chair of

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the Richmond County Domestic Violence Task Force is that I get to hear from all different people in all different agencies about the ways that their constituents and their clients are interacting with all there is of law enforcement and legal proceedings.

And I just wanted to raise that one thing that we are still seeing despite, Pedia, despite some of the really amazing work that has been done, is that we are still seeing monolingual speakers of languages other than English, who, when the police come are not given an interpreter, and instead the actual perpetrator who speaks English in a domestic violence incident is the only person that's interviewed, and the only person that's able to provide a narrative.

And because of that we have domestic violence victims who are being arrested with criminal charges, and even if they're ultimately going to be dismissed, during that time period, you know, it affects their job and especially for domestic -- sorry, that's Dylan, he's training to be a service dog -- especially

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2 for a domestic violence victim, to suffer an
3 additional problem in their ability to be
4 economically stable, affects their ability to
5 leave their abusers and to stay gone.

6 And I'm personally seeing a lot of clients
7 who are returning to their abusers because of
8 these criminal charges that their abusers are
9 able to lobby against them because of the
10 language issues.

11 So, I just wanted to know if you had
12 any -- first of all, if this is being tracked
13 at all? So if there is anywhere for to us give
14 information about instances? I mean, I know we
15 can report individual instances, but that
16 doesn't help the client when they're going
17 through the criminal proceeding.

18 And I also haven't scene any data about
19 interpreters being provided, verse necessarily
20 what we language we deemed that alleged
21 perpetrator actually speaks.

22 EXECUTIVE DIRECTOR DARCHE: So, I don't
23 know that we have the answers to your questions
24 right now.

25 I know that language access is something

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2 that's very important to the CCRB, not just
3 making sure that the department is providing
4 language access to, to the people it interacts
5 with, but also for CCRB to provided language
6 services and enable people who speak different
7 languages who are differently able to use our
8 services.

9 So, I will commit to you that we will have
10 an answer to your question, and we'll get it to
11 you personally, but then we will also make it
12 public so that everyone can have the answer to
13 that information.

14 MS. MARTIN: Thank you very much. I
15 really appreciate that. What is that best way
16 to followup about that?

17 CHAIR DAVIE: The lady sitting right here,
18 that's Yojaira Alvarez.

19 MS. MARTIN: Okay. Wonderful. Thank you
20 so much, really appreciate it. Thank you.

21 CHAIR DAVIE: Thank you.

22 We will now call up Cleatus Imopi and
23 Jeremiah Salia.

24 So you if you both could come up to the
25 mic and we'll start with Mr. Imopi, you want to

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2 pronounce -- introduced yourself and help me
3 with your last name.

4 MR. IMOPI: Hi everybody, good evening, my
5 name is Cleatus Imopi, I can tell you have some
6 African in you because you know that, that's
7 really good.

8 CHAIR DAVIE: 98 percent.

9 (Audience laughs.)

10 MR. IMOPI: Okay, I'm from Nigeria,
11 awesome.

12 I'll keep it short and sweet. A little
13 bit about me, from Staten Island, born in
14 Nigeria, raised the majority of my life lived
15 in the Harbor, Arlington, went to 51 Wagner, et
16 cetera, et cetera, went to college, got my
17 masters, et cetera, I came back. My mother
18 opened up a deli in Arlington. She's the only
19 black woman deli owner on Staten Island.

20 Being from here, it's always like a terror
21 right? Because you love being from home when
22 you come back home, you realize that home
23 hasn't grown.

24 And what when I say that I say that, there
25 is a lot things that's happening in our

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2 communities. I am from Arlington, I work in
3 our community and I also work at Concord. And
4 in those spaces, and especially because of
5 police, and with all of the knowledge that I
6 kind of, you know, read about taken in, a lot
7 of the issues are like how everyone says is
8 accountability. Yeah, these camera are here
9 but what's the purpose of cameras if no one is
10 going to be held accountability? Right?

11 As well as why are you putting people who
12 are getting paid to do a job, to police people,
13 who do not have the best interest of the people
14 in those communities?

15 So the issue I start to have when I sit
16 down and hear everybody speak is not so much
17 that the points they're trying to make, but
18 it's the fact that okay, we're going to say
19 we're going to do all these things but what
20 work is really being done to ask to hold people
21 accountable and what are result?

22 Because at the end of the day, I have a
23 family. I have people I care about. If I
24 can't rely on the law, the police, the NCOs
25 because congratulations to West Brighton NCOs,

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2 but when I call mine, it goes to voice mail.

3 When somebody pulled a knife on my mother,
4 at our business, we're still fighting a case
5 now -- when it's black and white. Because even
6 when the cops came to my business and I said,
7 what would you do if you didn't have that
8 badge? Then wouldn't tell me to calm down,
9 they wouldn't want to be told to calm down.
10 They wouldn't want to be told, let the law
11 handle it. Because the law doesn't handle it.
12 Or if they do, they'll handle it in a year.
13 They handle it in six months. They handle it
14 until you kind of forget about the pain because
15 you don't want to take it anymore. Because you
16 have no choice but to get up to it. Because
17 time kills everything, right?

18 So I guess what time trying to say bless
19 the child to Ms. Smith, and also be a young man
20 here, millennial, there is no spaces for us.
21 If I want to go to police officer, I know a lot
22 of them, went to high school with them. There
23 is no space that I feel like the police
24 officers who hold their job, their standard,
25 their position to the, to the same standard

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that they would hold the people they're
policing, and I think that that is the
conversation.

There is no standard. It's a job. People
are getting lots of money to do whatever they
want and hide behind a shield. When things go
bad, they have the union. When things go bad,
they have a wall. But in reality when thing go
bad in my hood, there is no wall. It's life and
death. I have to protect me and mom.

So, I think, the point I'm trying to
really make is, I respect what the CCRB is here
for, I respect that they say get involved in
politics. I respect that they say, you know,
know your rights, but what is the, what is the
purpose of knowing all these things if there is
no results going to come from it?

What is the result of taking the time out
to try to build these relations when the
reality is the people don't care about the
relations. They want to get their money, get
their pension, get their benefits, make sure
they stay on their phone with the nice lights
and uniform, have the honor, go home, and their

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family are protected for the of their lives.
But my family has to fear for their lives in
their own spaces. And they're paying their tax
money to people to live a life that they don't
even get to live in their own communities.

CHAIR DAVIE: Well, thank you for those
comments.

(Applause.)

CHAIR DAVIE: I think that there are
probably a lot of areas where you would find
some disagreement. I understand the
frustration. I certainly, as a black man
myself in this city, understand where it comes
from.

But I do think that we have to use in our
society these institutions, agencies and
organizations that we have to try to address
these situations, so that we can approximate,
at least to try to live in community and in
harmony with one another.

We are here because for a long time there
was not the level of accountability and
transparency when it came to the interaction of
the NYPD, its officers with the civilians of

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this city. That's why this agency was actually founded, 25, 26 years ago. And it's why our jurisdiction and authority has continued to expand.

We still help, we've come a long way, we still have a lot of work to do, and clearly a lot of that work relates to young people, young people of color and police officers.

For you to have the view that you have of this situation, of the NYPD, that you have, it's really unfortunately. And it's our job to try to address that and change it.

I would encourage you to, if you have a complaint against an officer, file it, let our folks look at it and investigate it.

But, one, don't take matters into your own hands --

MR. IMOPI: I can't. I would be in jail tomorrow.

CHAIR DAVIE: -- I think -- yeah, good.

And, two, don't give up on this process. Because it's just important for us to keep perfecting it, or trying to perfect it, but you have to stay involved, you have to stay engaged.

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2 MR. IMOPI: I know, I apologize, I know my
3 four minute, you know, standard, but my final
4 point is, it should never be us versus them.

5 CHAIR DAVIE: Correct.

6 MR. IMOPI: I don't hate cops. I like
7 cops. I like safety. I like, I want to go
8 running in the Harbor, or through Arlington,
9 and, you know, walk my dog, you know, do stuff
10 that people do when you have the freedom to do
11 so.

12 I think that's amazing, I think it's
13 beautiful. I want to go bike riding and not
14 have to worry about my bike being stolen. I
15 love that. But I also want it to be a team
16 effort. We don't -- I don't think anybody
17 really hates cops. We paying money to be
18 protected. No one wants to be afraid in their
19 life. The police department is a beautiful
20 thing. But at the same time, it's like, if
21 you're paying for something and you're not
22 getting the service, why am I paying for it?

23 CHAIR DAVIE: Okay. Thank you.

24 (Audience applauds.)

25 CHAIR DAVIE: Mr. Salia.

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MR. SALIA: Hi, good evening to everyone. I'm Jeremiah Salia, I'm a human rights activist. I'm want to say a very big thank you to the organizers of this noble forum, and I also want to say a big thank you to Ahmed Kargbo, who is my president, I've have actually listened to a lot of discussion, how to view the police and the civilian relationship, which is most paramount thing.

A day or two, I saw what happened between the White man and the Black African who actually went to visit somebody, they were having a party. So White guy get into the place, the White guy ask him, why are you here? He says I'm her to visit somebody. He said, no you don't need to go there. And what happened? They called the cops on the black guy. A very little boy, very little boy, I think the age of five or seven, he was crying, daddy, don't do that, don't call the cops, daddy, don't do that. I was so amazed at the little boy like that thinking like that.

So it's like, these organizers, we need to develop, or you need to develop an actual

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program, we are in, you need to visit the situation, how to bring black, blue, white together, so that let us all look at each other and ourselves as one.

It is only because we are divided that is why, you found out that even within the cops, they are also divided. I admire the cops when they are out there, they make sure they interact with the community people.

So I'm also encouraging the committee that this body creates what we call a police partnership board, that we compromise of all these nationals in the city, Ghanaians, they can be have meetings, including the police, that can have meetings so that the community can see their representation on the partnership board and they can also see the police on the partnership board. And that partnership board need to develop and create, what, like a suggestion box.

There are people who normally fear to go directly to the police, to give information or to interact with them. Maybe when they the put those things into that suggestion box, that

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2 police partnership board that has been created,
3 will look at this information and share with
4 the police that information and they can take
5 action.

6 And sometimes the relationship between the
7 police and the community, there are such a
8 crimes, minor crimes, people go and suffer for
9 it. And when they suffer for those crimes,
10 they are not looking at the charge, but they
11 are looking at the police that actually made
12 the arrest. Just like when we are talking
13 about searching of that vehicle. And you will
14 look, any time here, look at the police, they
15 are always not happy with the police.

16 So there is that issue of setting up the
17 police partnership board and suggestion box, so
18 this kind of information can be flowing into
19 those partnership boards, and those partnership
20 boards can sometimes be handling some of those
21 issues, go to the police, crimes that are very
22 minor, there is no need for somebody to go to
23 jail for it, and that we encourage the
24 community people to actually have trust in the
25 police.

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2 And lastly, this body worn camera. I
3 don't know whether there is any
4 punishment, because there are times, not only
5 police, I love police --

6 EXECUTIVE DIRECTOR DARCHE: So sorry --

7 CHAIR DAVIE: Go ahead. And we'll give
8 you a minute.

9 MR. SALIA: Yes.

10 I was with the police partnership board as
11 a secretary, so like, when they switch off
12 these things and when they switch on, when
13 something happens, whether there is any
14 punishment on those police officer as a result
15 of doing those things. Thank you.

16 CHAIR DAVIE: Thank you.

17 (Applause.)

18 CHAIR DAVIE: Rachinda Kramer and Michael
19 Devito, from NYCID.

20 UNIDENTIFIED AUDIENCE MEMBER: Devito
21 left.

22 CHAIR DAVIE: Okay. So maybe we can have
23 Malin Broker come up from the 122 precinct
24 council and be ready to speak? She left?

25 MS. KRAMER: Hi, I'm Rachinda Kramer, and

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2 I just wanted to thank you for having the
3 meeting. The last meeting I came to in Staten
4 Island, at Port Richmond High School was just a
5 lot of verbiage and very little content, and
6 this time I really feel that the issues are
7 being addressed, probably because of the Eric
8 Garner case, and thank you very much for doing
9 it.

10 I also would like to say that I think what
11 we need to do with the police is try to have --
12 first of all I think a lot of the problems
13 tends to occur at the top and not at the
14 bottom. And I think that, but I do think that
15 an enormous number of the NYPD are
16 unconsciously racist. I think that the
17 administration, the people at the top have
18 decided to send people in, everything is being
19 sent to certain areas.

20 I live close to the West Brighton, not
21 West Brighton, Jersey Street, thank you, Jersey
22 Street Project, and the police are there,
23 sometimes I'm going to the Y at half past five
24 in the morning, and they're out, active, they
25 have the lights on all of the time.

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I mean the more you put police there, the more crime you're going to find. And this never happens in White areas.

And I mean, my experience with the police, because I have a black daughter, tends to be very negative in the last fifty years.

But I think that we really need to make an effort to try to get the community to work with the police. And I don't know how to, it needs operate on a lot of different levels and ideally it would be a one on one situation, I think.

(Applause.)

CHAIR DAVIE: Thank you.

EXECUTIVE DIRECTOR DARCHE: Unconscious bias isn't just an issue for the police department, it's an issue for CCRB, but it's really an issue for everyone in society.

And it's something that we have been trying to grapple with at the CCRB, to make sure we're not letting unconscious bias affect how we interpret cases and investigate cases and make recommendations.

MS. KRAMER: I would just add (inaudible.)

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MS. STAHLY-BUTTS: Thank you for that. In addition, unconscious bias, I think there is also deep, entrenched structural racism throughout all these systems.

So, in addition to how individuals may behave and in any given moment, these systems were created and built in many ways to oppress and exploit black and brown communities and they are doing that effectively.

So I think we should all kind of talk about kind of the structural things that are in place in which even the CCRB has very little power of the police department over these things, and that's also intentional.

So I just wanted to name structural racism as a real live, active beast that has a deep impact on our ability to have any power in these spaces.

CHAIR DAVIE: Thank you.

We have now on the list Tristen Sharp, and then Tianqi Robin Yang. Can we get both to come up, Tristen Sharp and Tianqi Robin Yang.

MR. SHARP: Good afternoon. So I only have like two questions. Mostly, excuse me

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2 going on police brutality, police misconduct,
3 and also about the body camera thing.

4 You know community is everything to me.
5 I'm actually a member of this community. I run
6 a company called Two Sharp Production, Two
7 Sharp Design and we do a lot for the community.

8 EXECUTIVE DIRECTOR DARCHE: Can you get
9 closer to the mic?

10 MR. SHARP: We do a lot for community.
11 And usually when you hear community, you think
12 home, safety, and feel different things.

13 When we see NYPD, we don't feel safe, we
14 don't feel secure and respected, you know? We
15 actually feel fear. Which is a big, big
16 problem because living life with fear is not
17 really living at all, right?

18 So, the, the whole thing with the police
19 conduct and the police brutality, I think it's
20 more sort of how the officer is feeling that
21 day. When we see, you know, what mood is this
22 officer in? Am I going home tonight or am I going
23 to die tonight? Over something that can be
24 either true or not. Maybe it's just minute.

25 The whole thing with the body camera thing

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is to me, I don't feel like it's adequate. The reason why I say that is because, rest in peace Eric Garner, five years ago, there was all kind of footage and it meant nothing. It meant nothing, you know, and so, no matter you can see from this cops angle, it's really not changing anything.

So I think the problem, or the question should be, what can we do to change the mentality of an officer, and the mentality of the people in the communities, the civilians? We shouldn't fear when we see an NYPD Police Officer. We should actually feel welcomed, home.

As a tax payer, it sucks to know that the money that I'm paying to live here, I'm also living in fear.

That's not a good way to live. I'm just done with that.

CHAIR DAVIE: Thank you.

EXECUTIVE DIRECTOR DARCHE: Thank you.

(Applause.)

MS. YANG: Well, good evening, everyone. And thank you very much, thank you very much

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2 for having me here. And I'm so my name is
3 Tianqi Robin Yang, I'm from the U.S. Census
4 Bureau partnership specialist from the U.S.
5 Census Bureau, and today I would like to bring
6 the, to share the 2020 Census Bureau message to
7 the board members of CCRB as well as to the
8 public.

9 I'm not directly addressing what we had
10 before, but this is a very important message,
11 so I would like to share with you guys.

12 The, as you know, the 2020 Census is
13 approaching. It's every ten years, and we want
14 to come and count everyone once and only once
15 and in the right place.

16 Today I would like to let everyone know
17 that it's important, it's beneficial to, to
18 ourselves, and also it's safe and confidential,
19 and then we also have job opportunities at the
20 Census Bureau.

21 So, first of all, why is it important?
22 So, as you know the, well, the, the, so, the
23 Census, the 2020 Census, first of all, when we
24 have -- it determines the seats of the House
25 of, in the House of Representatives.

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2 Secondly, it also determines that the
3 annual allocation of \$675 billion Federal
4 dollars that is distributed in the fifty
5 states. And that includes housing vouchers,
6 Medicaid, Medicare, Child Health Plus, as well
7 as the money that goes, the money that goes
8 into school districts, the health and nutrition
9 programs for example. So it's everywhere that
10 we are consuming resources.

11 And it's beneficial to you, because you
12 have the right to get your deserved resources.

13 And secondly, it's confidential. So the
14 Federal Law, there is the Federal Law that
15 protects our responses, our information, it's
16 all confidential. Anyone who violates, our
17 employee, anyone who violates this would be
18 severe, would face severe Federal, Federal
19 Penalty, which means five years in prison and
20 as well as \$550,000 fine. So, nobody would
21 ever violate this.

22 And then we would, we would like to share
23 the job opportunities. If anyone has interest
24 in that, you can come to me and I'll share the
25 information. I'm bringing some flyers. I'm

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bring some flyers, if anyone is interested, you can get a copy from me.

Thank you very much for giving me this time.

(Applause.)

CHAIR DAVIE: Thank you.

EXECUTIVE DIRECTOR DARCHE: Thank you.

CHAIR DAVIE: So, Carl Smith, Occupy the Block, and Jennifer Gray-Brumskine African Leadership of Staten Island.

MR. SMITH: Good evening.

CHAIR DAVIE: Good evening.

MR. SMITH: My name is Carl Smith and I'm one of the members of Occupy the Block. It's an organization of volunteers, men, who go into seven communities on Staten Island.

This is our fifth year. Originally we went out Thursday, Friday and Saturday. Now this year, we go out on Thursday, from eight to eleven, and Friday from nine to twelve.

And our mission is pretty much as the same as true to life, as creditable messengers to interrupt the violence that occurs in our community, and to stop gun violence.

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We go out, we have a reference table, and we share information with individuals and direct them to agencies that can assist them to have a better quality of life.

Now, on, on one issue, I always say we have to find our how things were constructed in order to deconstruct, okay? When we don't really look at that, then we just get lost, because we just spitting in the ocean with all the things that we come up with.

I was looking at the police department formed in 1845. Their mission was to enforce the laws, preserve the peace, reduce fear and provide a safe environment. Where is that happening? How was it constructed? And we have to be a component in getting them back to that, because everything else is the horse is out of the barn.

So we have to look at the culture bias that permeates that system. We have to look at, and we always, you know, like we're behind, we're always going to be behind because we always chasing the horse that's already out of the barn.

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2 So, we don't get into our schools and talk
3 to our young people. They going to be on the
4 street. We'll run into them later. So we have
5 to get into our schools and provide assistance
6 where it's not being provided.

7 So that's all I have to say. Thank you,
8 you guys for all that you do.

9 But remember, we cannot be complicit in
10 our own demise.

11 CHAIR DAVIE: Thank you.

12 (Applause.)

13 CHAIR DAVIE: Thank you.

14 MS. GRAY-BRUMSKINE: Good evening. My
15 name is Jennifer Gray-Brumskine, I'm the
16 chairman of the board director for the Liberian
17 Community Association of Staten Island, the
18 largest African community on Staten Island, and
19 I'm also the public relations officer for the
20 African Leadership of Staten Island.

21 I'm going to vent and then I will suggest
22 how I can help in terms of what I'm venting
23 about. The issue here is systemic racism.
24 That's the underlying issue. And we can talk
25 around this room, we can talk about everything.

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We have two America, a White America and a Black America.

And sometimes many of us, many of the Black people, I will also blame them because when they get to position of influence they tend to suffer, from what I call, niggeritis. Instead of helping to drive the process for us, to have a solution, they become part of the problem themselves. So the black community, those people that are in a position of influence for the Black community, are also a major problem in a systemic racism in our community.

The demographic on Staten Island has changed tremendously. So we can sit here all night and talk about policing. We cannot have police reform if we do not have a criminal justice reform. It's not going to happen. Because at the end of the day we get arrested and we go to court and the judges sit there and make decisions that is detrimental to the Black Community.

So, my appeal to you here, I'm not here to (inaudible) because you have the record, and if you see the statistic for 10304, most of those

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2 arrests are young African immigrant kids from
3 African immigrant parents. As you can see,
4 Ahmed here, I'm here, so you know we are not
5 making it up, the demographic has changed.

6 As of 2010 Census, it said 11% but
7 if you take into consideration the people that
8 were not counted, you can say twenty percent of
9 the black demographic on Staten Island.

10 What is the issue? The issue here I'm
11 going to speak specifically to the 10304, the
12 120, and the Park Hill Community. Policing in
13 the Park Hill community is not what we hope for
14 it to be. We want to see the police engaging,
15 police engagement. Asked the community, it's
16 not happening. There is no engagement because
17 when you engage people you tend to talk, and
18 you dialogue, you agree, you disagree, and you
19 come to some kind of common ground. So, that's
20 the problem we have.

21 Secondly, our youth, they have two culture
22 now. They have their African culture and they
23 have their American culture. Those challenges
24 the youth are facing, we need to educate the
25 police force. You putting the police force in

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2 the African community that has 54 countries in
3 Africa, and so many dialects and languages and
4 you haven't had that culture barriers and
5 language barriers training.

6 So, these are some of the underlying
7 issues. Okay. There are other people here who
8 are waiting here all night, who worry, our
9 community is willing to help. My suggestion is
10 for this Board to have a triangle, the police,
11 the community and the community review board
12 for us to come up with a blueprint on police
13 and civic engagement by communities. Because
14 you have these new and emerging communities we
15 bring with us our culture.

16 So, if the police on the streets and the
17 police commissioner at One Police Plaza does
18 not have no, they don't have any idea of the
19 changing demographic they cannot police
20 effectively. Because the sole purpose of the
21 police is to serve and protect its citizens.
22 And that's is not happening. Putting all the
23 blame on the police but the criminal justice
24 system is so rotten and working against the
25 Black that we need to see that.

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2 So, my suggestion is, taking the complaint
3 is not enough for the African Community.
4 Taking the complaint is not enough for the
5 Black Community. You been taking these
6 complaints for 25 years and the arrest record
7 has change. So my suggestion is let's come up
8 with a blueprint, partnership, participatory
9 process, so at the end of the day -- maybe it
10 will take us two years, or a year when this
11 blueprint is done it will be --

12 CHAIR DAVIE: Thank you.

13 MS. GRAY-BRUMSKINE: -- it will be test as
14 private project in the immigrant community and
15 in the Black Community.

16 CHAIR DAVIE: Thank you.

17 MS. GRAY-BRUMSKINE: Thank you.

18 CHAIR DAVIE: Thank you.

19 (Applause.)

20 CHAIR DAVIE: I will now hear from Angela
21 Dyutal, and then after that Jordan Wouk.

22 MS. DYUTAL: Thank you. Hi, my name is
23 Angela Dyutal, I'm the Assistant Director at
24 Jobs Plus. We are a program funded by Human
25 Resource Administration NYC, and we provide

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2 employment training and resources for NYCHA
3 Residents.

4 So we work with the six developments, some
5 of the Barry houses but basically West Brighton
6 Houses, Richmond Terrace, Stapleton, South
7 Beach, Mariners Harbor. I just want -- Tow
8 Hill, thank you.

9 So, I just briefly want to mention that
10 with the NCOs, overall, our staff and
11 residents, we really have a great relationship
12 with the NCOs and at all of the NYCHA
13 developments. They're very helpful. Over all
14 we've only heard good things, and also
15 personally, I live on the North Shore.

16 I did want to mention something I really
17 want to recommend, because as a organization
18 that's funded by the City HRA, we have recently
19 received funding and training for trauma
20 informed training. And it's a wonderful
21 training and I highly recommend it for police
22 officers as well as community leaders.

23 And the reason is because what we learned
24 our staff, I'm not a social worker, and our
25 part time and our full time staff learned that

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2 seventy percent of the adult population has
3 experienced some kind of trauma in their
4 lifetime. And that could be going without
5 food. Having a hardship of having one parent
6 at home. Having a parent that's incarcerated.
7 Having a real violent episode happen in your
8 household or your neighborhood.

9 So, this is real mental health dilemma
10 that many Americans are dealing with and we're
11 happy that the city is funding organizations to
12 empower us to better deal with the community.

13 And I really want to recommend that police
14 officers have that training. It is very
15 important because if you are a police officer
16 on Staten Island, you probably are white, you
17 probably come from a middle class family, you
18 probably have not been exposed to other
19 cultures, other colors, other religions. And
20 so, when you go into a neighborhood, like a
21 NYCHA community, and you're dealing with
22 different people, different color, individuals
23 that live here that have family members that
24 are incarcerated, individuals that have been
25 stopped by the police many times. That is a

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2 trauma. It's a real trauma. It has a
3 psychological effect. It has so many damaging
4 effects. And that is real dilemma and it's
5 something that I really hope that there is more
6 training.

7 I can't say anything more. I could say
8 more but, but, I thank you for this
9 opportunity.

10 (Audience applauds.)

11 CHAIR DAVIE: Thank you.

12 EXECUTIVE DIRECTOR DARCHE: I want to say
13 that the CCRB is also been working hard to try
14 and bring trauma informed investigation to the
15 CCRB.

16 In 2018, when the board adopted the sexual
17 misconduct policy, it was something that we, as
18 a staff, had really been learning about and
19 trying to implement in what we do in our
20 everyday investigations.

21 But I think it's also important to know
22 that it's not just people who are in NYCHA
23 facilities who have trauma, police officers
24 have trauma too.

25 And so when we use our trauma informed

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2 interviews skills, it's not just when we are
3 talking to civilians, it's officers also,
4 because we are impartial investigative body and
5 we treat everybody the same when we're
6 interviewing.

7 MR. WOUK: Good evening, my name is Jordan
8 Wouk, I do not live here in Staten Island.

9 The topic of structural racism has come up
10 a couple of times and I think it's a very
11 worthy discussion.

12 Yes, it exists, and there are reasons why
13 it exists, but I don't think I'm the one to
14 talk about that.

15 And a few minute ago somebody talked about
16 the origin of the police, and that's certainly
17 is one story, but in the United States there is
18 a second story, which I assume many people
19 know, and it has to do with the police in the
20 south which developed it for the purpose of
21 controlling the enslaved population. Whether
22 that carries over to New York or not, I don't
23 know, but that's a second story.

24 Speaking of the police, I've been to about
25 ten of these meetings now, and I have always

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2 seen blue uniforms in the front row. This is
3 the first time I have not seen them. And the
4 reason it's important is many of the comments
5 that were made were specifically addressed to
6 the police here in Staten Island.

7 The CCRB has a role, but it's the police
8 themselves who have the real responsibility,
9 and somebody made a comment about it coming
10 from the top -- yeah, it comes from the top,
11 from the deputy inspector, or the inspector, or
12 the captain -- who isn't here. So, I hope that
13 can be addressed.

14 The business about the body worn camera,
15 this is to me, very disappointing, and really
16 angry. Over the past few years outside of the
17 New York, we've seen several cases that have
18 been resolved when the police body worn cameras
19 Footage is made available, it then becomes very
20 obvious what has happened.

21 I can easily be cynical and say that the
22 reason that the reason this is not being
23 released is it is to the disadvantage of the NYPD,
24 that they have a reason not to let it out.
25 It's not simply, procedural, and of course I

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2 could be wrong in that.

3 About five years ago my wife and I came
4 out here to Staten Island to an event on
5 Richmond Terrace that was setup for Eric
6 Garner, I've been following it. I tried to go
7 to the trial, in the One Police Plaza. The
8 first day, I arrived before 7:15. I was the
9 first member of the general public there.

10 Now, the rule is that the public is
11 allowed into these hearings, as everybody
12 knows. However, they worked it out so that I
13 didn't get in at the beginning, and the second
14 person doesn't get in until the lunch break.

15 Yeah, and it's open to the public -- but
16 they purposely didn't make it open to the
17 public.

18 Many trials have overflow. You can go to
19 Federal trials, you can go to criminal trials,
20 and there is overflow room and they certainly
21 have the ability, they have the space and they
22 have the technology. Why they didn't do it?
23 Again, I'm a cynic, I don't think they wanted
24 that many of us to know. But there were
25 certainly many people there, Ms. Carr,

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whose son was killed and Mrs. Baez, Anthony Baez who was killed 25 years ago I think, and had a very similar case of a choke and, I guess he had asthma, and it was argued that he died from the asthma. I just don't get it.

One of the fascinating things to me was listening to Mr. London. Mr. London was a very capable lead attorney for the defense, and he kept referring to Eric Gardner. Now, I listened to that, and you know, maybe you don't hear that Eric Garner is being said, but after a while it begins to grow on you. He was saying Eric Gardner, he was not saying Eric Garner. And I can only think, given how impressive a talent he is, he was doing that purposely, and it was really disgusting.

And I'll end on that note. Thank you.

CHAIR DAVIE: Thank you.

(Audience applauds.)

CHAIR DAVIE: I want to thank everyone for their comments. Let me just say that the CCRB is going to continue to work hard on accessing body worn camera footage.

I've heard tonight that the NCO programs

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seem to be working pretty well. I also heard the youth and young people talk about this continued fear that they have for NYPD officers. It seems to me that there's some lessons to be learned from the NCO experience that can be applied, perhaps, to how officers engage with young people.

We still have a lot of work to do to improve police community/relations. This agency is committed to that. I will, if you have complaints, please lodge them with us and do. You can do it on phone. You can do it online. You can do it in person. And allow our investigate to investigate.

Commitment to transparency and accountability. That's our mandate and that's what we'll pursue. All with an eye toward trying to make this city a better place for everyone.

Let me ask, is there any Old Business to come before this board?

(No response.)

CHAIR DAVIE: Any New Business to come before this board?

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(No response.)

CHAIR DAVIE: New or Old Business?

MR. JOSEPH: Let me check.

CHAIR DAVIE: Special deference to our Staten Island representative on the board.

MR. JOSEPH: Actually, a question that's come up was presented to me by many people in the community, so I'm going to bring it up as a public statement.

What happens with officers who have multiple substantiated allegations? What role does CCRB play in what happens with those officers?

The community feels that, you know, yes, we'll substantiated it, we'll bring charges against them, do whatever you're doing, but if it's happening over, and over, and over, and over again, you know -- they have seven substantiated, ten, twelve, whatever -- what do you do? How, how does our organization deal with that?

EXECUTIVE DIRECTOR DARCHE: So, the main way in which the CCRB takes into account officers with prior substantiated complaints in

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2 their history is when we are evaluating new
3 cases that they have that have been
4 substantiated, and recommending new level of
5 discipline as going to be impose -- that the
6 CCRB is going to recommend the imposed by the
7 police department. In case and so, in most of
8 those cases, we would recommend that charge be
9 brought, the most serious form of discipline,
10 because of the prior disciplinary history that
11 the member of service has.

12 CHAIR DAVIE: Thank you, Mr. Darche.

13 Any other comments or questions?

14 MR. JOSEPH: Yes, can I followup on that?

15 CHAIR DAVIE: Sure.

16 MR. JOSEPH: Do we speak with the precinct
17 commanders or the police commissioner about
18 these officers that have these multiple
19 allegations?

20 EXECUTIVE DIRECTOR DARCHE: Every, every
21 month we inform the department when an officer
22 has a new CCRB complaint. But that's, that's
23 not necessarily a substantiated complaint, that
24 is just a complaint that is coming to the, to
25 the agency. And we make sure the department

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2 knows about it, and, I'm, I'm fairly certain
3 that under the new, I think it's called RAILS,
4 the new computer system that the department
5 has, the commanding officers are informed of
6 officers in their command who get new
7 complaints.

8 MR. JOSEPH: But not specifically those
9 officers that have had multiple complaints? We
10 don't have anything official to deal with
11 those particular officers with their commanding
12 officers at this point?

13 EXECUTIVE DIRECTOR DARCHE: Correct.

14 MR. JOSEPH: Okay. Thank you.

15 CHAIR DAVIE: Mr. Peguero.

16 MR. PEGUERO: First of all I want to
17 concur two points, I'm also very dismayed not
18 to see the police officers here, listening to
19 both the positive and the issues presented by
20 the public. I think this is the first meeting
21 that I've come to that I have not seen
22 representation.

23 The other thing is, just an observation,
24 that approximately four years ago I was going
25 to the hearings to be selected as a CCRB board

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member and Council Member Rose was there and she was talking very passionately about the work and about the transparency and how she was the first City Council member to directly open her office up to the CCRB to ensure that her constituents particularly, were able to have access to this information.

Many elected officials have come before us to testify and to speak, and soon after, I do not see them. But I would like to personally commend Council Rose, she has been with us two and a half hours listening to every single person and complaint and I really respect that, thank you.

(Applause.)

CHAIR DAVIE: Thank you, Mr. Peguero, and thank you Councilwoman Rose.

Any other business?

(No response.)

CHAIR DAVIE: A motion to adjourn to Executive Session?

EXECUTIVE DIRECTOR DARCHE: So motion.

CHAIR DAVIE: Is there a second?

MR. RIVADENEYRA: Second.

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CHAIR DAVIE: All those in favor, please
say aye.

(A chorus of ayes.)

CHAIR DAVIE: All those opposed, please
say, no.

(No response.)

CHAIR DAVIE: The ayes have it.
We are adjourned to Executive Session.

Thank you to all of you have you for
coming out tonight. Thank you.

(Time noted: 8:50 p.m.)

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STATE OF NEW YORK)
) ss.
COUNTY OF WESTCHESTER)

I, DEIRDRE SMITH, Court Reporter and
Notary Public with and for the County of
Westchester, State of New York, do hereby certify
that I reported the proceedings that are
hereinbefore set forth, and that such transcript is
a true and accurate record of said proceedings.

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

WITNESS MY HAND, this 25th day of July, 2019.

Deirdre Smith

Deirdre Smith
Notary Public

My commission expires:
April, 2020

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