

NYC - Civilian Complaint Review Board
October 10, 2019

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CIVILIAN COMPLAINT REVIEW BOARD

PUBLIC MEETING

OCTOBER 10, 2019

4:13 p.m.

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100 Church Street
New York, New York

B E F O R E:

FREDERICK R. DAVIE, CHAIR

JONATHAN DARCHE, ESQ., EXECUTIVE DIRECTOR

Transcribed by:

James Tetta

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PUBLIC MEETING AGENDA

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

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BOARD MEMBERS PRESENT

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- Frederick Davie, Chair
- Jonathan Darche, Esq., Executive Director
- Erica Bond, Board Member
- Joseph Puma, Board Member
- Salvatore F. Carcaterra, Board Member
- Ramon Peguero, Esq., Board Member
- Corrine A. Irish, Esq., Board Member
- John Siegal, Board Member

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SPEAKERS

Ali Springer-Elkerson

Jordan Wouk

1 Proceedings

2 MR. DAVIE: Good evening and welcome
3 to the Civilian Complaint Review Board's
4 October 2019 meeting. I am Fred Davie
5 and I am the chair of the CCRB. And I'd
6 like to thank everyone for joining us
7 this afternoon. My apologies again for
8 the late start, but as I said, we've had
9 our, a couple of our board members,
10 including our newest member, downstairs
11 trying to get through the security
12 without IDs.

13 So, before I get started, I would
14 like to welcome today, it's a great
15 privilege and pleasure to do so, our
16 newest mayoral designee to the board,
17 Corrine Irish, in her full-time
18 capacity, Corrine is an attorney with
19 the global law firm Squire, Patton and
20 Boggs. And outside of that, she's
21 demonstrated an impressive commitment to
22 using her legal expertise to advance
23 social justice.

24 I think I can speak for the whole
25 board in saying that we're glad to have

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Corrine here, we look forward to working with her to advance the betterment of police community relations in New York City.

And before we go any further, I'm going to ask her if she would like to say a few words to us.

MS. IRISH: Hi, everyone. I'm just -- I just want to say I'm happy to be here and be of service to the City. I am a native New Yorker. My family goes back three generations here. And criminal justice is very important to me, as well as police accountability and making sure we have good healthy relationships between the community and the police, New York City Police Department.

CHAIR DAVIE: Thank you. And we're really glad you're in our midst and we look forward to working with you. So, welcome.

Before I go any further, I'd like to ask the rest of the board members if

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they would introduce themselves. So, won't I start to my far right, Mr. Carcaterra.

MR. CARCATERRA: Sure. Hello, everyone. I'm Sal Carcaterra and I'm a police commissioner representative on the board.

MR. PEGUERO: Good afternoon. My name is a Ramon Peguero. I am the city council designee for the borough of Queens.

MS. BOND: Good afternoon. My name is Erica Bond and I'm a mayoral designee.

EXEC. DIRECTOR DARCHE: I'm Jonathan Darche, I'm the Executive Director of the agency. Good afternoon.

MR. SIEGAL: I'm John Siegal. Good afternoon. I'm an officer of the mayoral designees and I'm glad that we're joined by one more.

CHAIR DAVIE: Thank you all.

Our Executive Director, Mr. Darche, is going to have a few things to say

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about how important it is for all of us to vote on Election Day, but as chair, I'd like to make it clear that if we're concerned enough about police accountability, then it's evident by the fact that we're all here today. And in that regard, it's imperative, actually, it's absolutely imperative that we vote, those of us who can, on Tuesday and that we encourage our family and friends to do the same thing.

In just a few weeks, New Yorkers will have the power to dictate the future of civilian oversight of police and it's critical that we all exercise that power. In other words, vote.

Secondly, if you're concerned about police accountability enough, it means you're here and that's the reason you're here, so you should also be aware that the New York State Senate will hold hearings on civil rights Law Section 50-a, commonly known as 50-a, next Thursday here in New York City.

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2 As many of you know, 50-a is the law
3 that prohibits the CCRB from sharing
4 information about officer's disciplinary
5 records with the public. I look forward
6 to actually testifying on this matter, a
7 significant issue for this agency
8 before the senate next Thursday. And I
9 encourage you to speak with our director
10 of outreach and intergovernmental
11 affairs Yojaira Alvarez, who is right
12 here, if you would like more information
13 about those hearings.

14 Last, but certainly not least, we
15 have some very special guests with us
16 today and I'd like to acknowledge their
17 presence. Around this time last year,
18 the CCRB began accepting applications
19 for the Inaugural Class of the Youth
20 Advisory Council. I don't think anyone
21 knew at the time exactly what to expect,
22 but we asked for three basic things from
23 the applicants. One, that you be
24 between the ages of ten and twenty-four.
25 Two, that you reside in one of the five

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boroughs. And three, be willing to commit to work -- to the work of improving police community relations in our city.

On that last piece, the members of the Youth Advisory Council have blown us all away with your work and your commitment. What this group has been able to achieve in planning the CCRB first ever Youth Summit is nothing short of amazing. I'm not alone in believing and, still months later, in being these months later, thoroughly impressed with the work that you did in putting that exceptional event together.

So, as we join you today on your graduation day for your hard work, your leadership and for your commitment to the cause of civilian oversight of police. I want to thank you, you, the young leaders who have given so much of yourselves to improve police community relations in this city.

We hope it wont stop with your

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graduation. But that as you move on and grow that this will stay with you and that you will maintain this commitment both to the city and to improving how community's interact with police officers too, specifically, in the police department more generally here in this city.

We want to hear from you, and I understand one among you has been designated to speak and that is Ali Springer-Elkerson, who is a member of the Youth Advisory Council and you have some words of reflection that you will give us as we say goodbye to you, and, I guess, welcome a new class.

So, Ali.

MR. SPRINGER-ELKERSON: Hello, everyone. My name is Ali. I am twelve years old. I am in the eighth grade. And I am in the Fellowship of Learning School in Harlem.

I was a little nervous to speak today but I was also excited because

1
2 this program means a lot to me. I
3 applied to join the Youth Advisory
4 Council for the CCRB after hearing about
5 it from my mother. She told my school
6 about a Youth Summit that would be
7 important to community relationships
8 with the police department. When I was
9 selected, I was eleven years old. I was
10 also excited and I didn't know what to
11 expect. We met on Saturdays during the
12 year and talked about many things and
13 different ways to improve the way police
14 officers police our community. I
15 learned about other kids in New York
16 City and how they are effected by the
17 police. I learned about metal detectors
18 in schools and how that is another form
19 of policing and how it effects the way
20 children feel about going to school. I
21 learned about children being stopped on
22 the street in different neighborhoods
23 and how you have rights that police are
24 not supposed to violate. I also learned
25 that my voice matters.

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The Youth Summit was a great chance to allow children to have a day off from school where they can discuss how they see the world and how they want to change it in the way they are treated.

I would encourage other children to apply to the program. It will give them a chance to meet people their age who believe in the community service and justice. It will give them a chance to voice their opinion.

The CCRB really believes in what the youth have to say and our concerns and our fears and ideas. I even applied this year and I hope to be selected. I think last year the youth council was just getting started and that it can only get better. I believe the Youth Advisory Council will continue to make a huge difference in the way our communities trust and depend on the police department.

Thank you.
(Applause.)

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CHAIR DAVIE: Thank you.

How would you like to run for Mayor of New York? If I'm living, sign me up when you're ready. Thank you, and thanks to all of you who are part of this class and the inaugural class of the Youth Advisory Council.

We're going to start taking applications for 2020 right now. The application portal is open and we invite young New Yorkers between the ages of ten and twenty-four to apply online by visiting NYC.gov/CCRBYouthCouncil, NYC.gov/CCRBYouthCouncil. Also, if you'd like more information, we have a (inaudible) of it sitting right here and Yojaira Alvarez that we introduced earlier. We want to thank her for her hard work generally here at the CCRB, but in particular, for helping organize and shepherd this council, along with other of your colleagues here at the CCRB. So, thank you.

(Applause.)

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CHAIR DAVIE: Go ahead, tell us.

MS. ALVAREZ: I just wanted to thank Harya as well for being such a great --

CHAIR DAVIE: She's over here.

Thank you, as always. I really appreciate it.

So, congratulations again. And the dialogue between the agency and young people will continue. As I said, we hope it doesn't stop here. We look forward to your contributions for many years to come.

Now, I want to turn things over to our Executive Director, Jonathan Darche.

EXEC. DIRECTOR DARCHE: Thank you, Mr. Chair.

I want to welcome all of you here today, especially the members of the Youth Advisory Council. I remember when I went to the symposium, when I first walked in, I was just impressed at the turnout, which the work you did to get the hundreds of people who came to the symposium was impressive enough, but

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then the content was -- it's very tough to describe, to have the level of seriousness and engagement from young people, and maybe it reflects on me that I didn't expect it and maybe I should have expected it. It was -- it was -- I was gobsmacked.

It was -- it was a great program and the best thing about it is that our policy unit is taking what we learned from the symposium and is going to use it as part of the report. And so, the work that you did putting that together isn't just ending with the people who went to this symposium. It's going to inform the work that this agency does going forward and hopefully that the city does going forward. So, thank you all again.

This is the last meeting before the November 5th election. And I want to take this opportunity to remind everyone that the voter registration deadline is tomorrow. There are many significant

1
2 charter revisions on the ballot this
3 November and it's important for all of
4 us to be involved in this process.
5 Specifically with regard to the CCRB,
6 there are provisions that would change
7 the make up and appointment process for
8 the board, require the police
9 commissioner to provide detailed
10 explanations to the CCRB when the level
11 of discipline imposed on a member of
12 service is different from what the board
13 recommends. It would allow the CCRB to
14 investigate potentially false official
15 statements made by an officer, who is
16 investigating, to recommend discipline
17 if it's appropriate. It will set a
18 minimum budget for the agency and it
19 will allow the board to designate to the
20 executive director the power to issue
21 subpoenas.

22 Whether or not these changes go into
23 effect depends on this election. So,
24 each and every one of us has the power
25 to effect that outcome by registering to

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vote and showing up to vote. And I'm urging all of you to make sure you're registered and know where your polling place is, and I think there's actually early voting for this. So it's -- it's --

CHAIR DAVIE: October 26th.

EXEC. DIRECTOR DARCHE: So, if you could, it's -- it's a new process, so there's like, if you're used to the same way of voting you should still double check, make sure you're registered, make sure your election polling place is where you expect it to be. But also find out where your early polling place is because it's possible to vote early.

Just to go over a few ground rules for public comment. If you have a specific incident that you're concerned about, please address it with investigators who are present here tonight after the meeting is concluded or you can actually go flag them down if you wanna talk to them now. Emily and

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Olga, are you guys here? Right in the back. So, if you guys have something you want to talk about with them, they can answer your questions.

And if you could all limit your comments to four minutes today to make sure that everyone has a chance to -- to speak. And thank you again for coming to the meeting today.

CHAIR DAVIE: Thank you. Thank you, Mr. Darche. Thank you, Jon. On those ground rules, there is a clock here and we will keep time. I'd also say just on the voting, on the early voting. I actually was able to find a portal if you just Google "Early voting NYC," and then you can key in your -- your home address and they'll tell you where your early voting site is. So, we really encourage it.

We've been joined by another board member since we started the meeting. Mr. Puma, do you want to introduce yourself?

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MR. PUMA: Yes. Good afternoon, everyone. My name is Joseph Puma. I'm the Manhattan City Council designee and it's just great to see a packed room and I want to congratulate the Youth Advisory Council members for all of their work on the symposium and outside of this symposium.

CHAIR DAVIE: Thank you.

I know that we have no new business, I haven't been informed of any. And I haven't been informed of any old business.

So, we're going to move directly to public comment. I have two names here and then we'll open it up for anyone who didn't get a chance to register.

So, Jordan Wouk.

MR. WOUK: Good afternoon. Jordan Wouk. He and him. That wasn't quite fair putting me up after Ali, that was a very nice speech.

Two general comments. First, on a positive note. As most of you know,

1
2 hundreds of thousands of New Yorkers
3 were concerned about the failure to
4 discipline Officer Pantaleo. Once the
5 issue was raised on the presidential
6 candidate debate, the number must have
7 gone into the millions. People are
8 aware of the decision by Judge Maldonado
9 to find Officer Pantaleo guilty and many
10 were pleased with the disciplinary
11 actions taken by the police
12 commissioner.

13 In all of the coverage I saw and
14 read, I do not recall any mention that
15 it was the CCRB that obtained the
16 conviction. I have reason to believe
17 that many CCRB staff put in tremendous
18 numbers of hours, a major team effort.
19 If more people knew that, then they
20 would thank you. I thank you.

21 The chair has expressed a desire to
22 make CCRB a household name in
23 five years. There is a question on the
24 upcoming ballot related to the CCRB. If
25 voters could connect the ballot question

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with the fact that it was the CCRB, not the federal government, not the state government, which obtained the conviction of Officer Pantaleo. I think it would make the public appreciate the CCRB's contribution to our city.

Maybe outreach can use the CCRB's role in this matter to help explain the value of the CCRB. One message to get out might be, CCRB obtained the conviction of Officer Pantaleo. I plan to make this point at the upcoming meeting for my community board where I will urge support of the CCRB ballot question.

Finally, I bring to the board's attention the recent rash of suicides by members of service. I feel for their families and fellow officers and as a concerned citizen, I am greatly disturbed by the losses. One suicide this year was Deputy Chief Steven Silks who gave thirty-eight years of service. Given how long the boards police

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commissioner designee served, I assume that one or more of you know or knew Deputy Chief Silks and maybe other victims. I am sorry for all of your losses.

CHAIR DAVIE: Thank you.

Let me just say that we again -- we have acknowledged the staff for the hard work that they did on the case involving Officer Pantaleo. We will acknowledge them again. And there was some mention of the CCRB in at least one of those articles and its role. But clearly we have a long way to go to make CCRB a household name that people know of and and -- and -- and use in -- you know, as soon and quickly as possible, sooner than five years.

But we do appreciate the staff and the professionalism that the staff exhibits everyday in doing its work on behalf of the people of New York City often without very much praise or recognition for that, yet they do it

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just the same. So, I want to thank everyone.

I also would like to not only acknowledge the -- the pain that the suicides of officers cause many of us, but also acknowledge the -- the recent death of Officer Mulkeen. I offered my condolences to the commissioner and the officer's family. I did that in private. I will now do it publicly. And extend -- I think I can say on behalf of this board, our condolences for the very tragic, tragic death of -- of -- of that officer.

So, thank you.

We'll now hear from Derek Harris.

(No response.)

CHAIR DAVIE: He left.

Any other public comments?

(No response.)

CHAIR DAVIE: Any other business to come before this board?

(No response.)

CHAIR DAVIE: This is quick.

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MR. PEGUERO: The minutes.

CHAIR DAVIE: We did not approve the minutes. Thank you, Mr. Peguero.

The chair will obtain a motion to approve the minutes. (Inaudible).

MS. BOND: So moved.

CHAIR DAVIE: Thank you.

Is there a second?

MR. PEGUERO: Aye.

CHAIR DAVIE: The minutes have been -- has been moved and seconded. (Inaudible) we'll the minutes.

Are there any changes, modifications, revisions?

(No response.)

CHAIR DAVIE: Hearing none. All those in favor of the minutes as we have them, please say "aye."

(Chorus of "Ayes.")

CHAIR DAVIE: Opposed?

(No response.)

CHAIR DAVIE: No.

The "ayes" have it. The minutes are approved. The chairman will attain a

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motion to adjourn to executive session.

MR. PEGUERO: Moved.

CHAIR DAVIE: Is there a second?

MS. BOND: Aye.

CHAIR DAVIE: We have a motion to adjourn to executive session. It has been seconded. All of those in favor please say "aye."

(Chorus of "Ayes.")

CHAIR DAVIE: All those opposed?

(No response.)

CHAIR DAVIE: No.

We are adjourned. Thank you all for coming. Thanks again, young people. We are so glad you came.

(Thereupon, the meeting was concluded at 4:34 p.m.)

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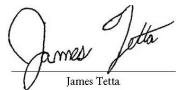
C E R T I F I C A T E
STATE OF NEW YORK)
: ss
COUNTY OF NASSAU)

I, JAMES A. TETTA, a Notary Public within
and for the State of New York, do hereby
certify:

That the witness whose examination is
hereinbefore set forth was duly sworn and that
such an examination is a true record of the
testimony given by such a witness.

I further certify that I am not related to
any of these parties to this action by blood or
marriage, and that I am not in any way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my
hand this 10th day of October, 2019.



James Tetta

10th 27:19	adoption 2:5	always 15:6	(13)	21:16
26th 18:8	advance 5:22 6:3	am 5:4,5 6:12 7:10 11:20,21,22 22:21 23:5 27:14,16 (11)	around 9:17	believes 13:13
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