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CIVILIAN COMPLAINT REVIEW BOARD
PUBLIC MEETING
January 12, 2022
6:35 p.m.

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HELD VIA VIDEO CONFERENCE

B E F O R E :
FREDERICK DAVIE, CHAIR
JONATHAN DARCHE, ESQ., EXECUTIVE DIRECTOR

Transcribed by:
Stephanie O'Keefe

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PUBLIC MEETING AGENDA

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

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BOARD MEMBERS PRESENT

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1. Frederick Davie, Board Chair
 2. Erica Bond, Board Member
 3. Corrine Irish, Esq., Board Member
 4. Dr. Demetrius S. Carolina Sr., Board Member
 5. Arva Rice, Board Member
 6. Esmeralda Simmons, Esq., Board Member
 7. Joseph A. Puma, Board Member
 8. Michael Rivadeneyra, Esq., Board Member
 9. Herman Merritt, Board Member
 10. Willie Freeman, Board Member
 11. Salvatore F. Carcaterra, Board Member
 12. John Siegal, Esq, Board Member
 13. Frank Dwyer, Board Member

Presenters:

Jahi Rose - Director of Outreach
New York City Civilian Complaint Review Board

1 PROCEEDINGS

2 MS. ALVAREZ: Good evening,
3 everyone. Thank you so much for
4 joining us.

5 For those that would like ASL
6 services, our ASL interpreters today
7 are Aisha Simpson and Craig Ridgway.
8 There will be a link in the chat that
9 will provide you instructions on how
10 to pin their videos and a CART
11 services link will also be provided.

12 Thank you.

13 CHAIR DAVIE: Thank you,
14 Yojaira.

15 Good evening, everyone. Welcome
16 to the Civilian Complaint Review
17 Board's January Board Meeting.

18 My name is Fred Davie, I am the
19 Chair of the Board, and this is our
20 first meeting of 2022.

21 I'm going to ask my fellow board
22 members if they will introduce
23 themselves, and I will start with Mr.
24 Carolina.

25 MR. CAROLINA: Good evening.

PROCEEDINGS

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2 Demetrius Carolina, Staten Island
3 Mayoral Appointee.

4 CHAIR DAVIE: Thank you. Ms.
5 Simmons.

6 MS. SIMMONS: Good evening.
7 Esmeralda Simmons of Brooklyn, New
8 York, Public Advocate appointee.

9 CHAIR DAVIE: Mr. Merritt.

10 MR. MERRITT: Council
11 Representative from Brooklyn.

12 CHAIR DAVIE: Mr. Puma.

13 MR. PUMA: Good evening. My
14 name is Joseph Puma. I am the City
15 Council Representative on the Board
16 from Manhattan, and a life-long
17 resident of the lower East Side.

18 CHAIR DAVIE: Mr. Rivadeneyra.

19 MR. RIVADENEYRA: Good evening.
20 Michael Rivadeneyra. I am the City
21 Council Appointee for the Bronx,
22 residing in the Bronx.

23 I just wanted to take a quick
24 moment and thank everybody out there
25 for all their prayers and support for

1 PROCEEDINGS

2 the Bronx, the tragedy of this past
3 weekend, and the Bronx is coming
4 together.

5 CHAIR DAVIE: Indeed. Prayers
6 for sure and all of our support and
7 resources that we can render to help
8 what is a horrific, horrific tragedy
9 there in the Bronx.

10 Thank you, Michael.

11 Mr. Carcaterra.

12 MR. CARCATERRA: Good evening
13 everyone. My name is Sal Carcaterra,
14 and I'm a Police Commissioner Designee
15 to the Board.

16 And to echo Michael's and the
17 Chair's sentiments, you know, just
18 prayers to families of those victims.

19 CHAIR DAVIE: Thank you.

20 MR. CARCATERRA: -- many
21 victims.

22 CHAIR DAVIE: Thank you, Sal.

23 Ms. Bond.

24 MR. CARCATERRA: You're welcome.

25 CHAIR DAVIE: Sure. Is it not

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working? Okay. Should I introduce you and we'll come back?

So Erica Bond is a Mayoral appointee and hails from Brooklyn. Is that right? Alright. And you're still on mute, unfortunately.

Did I miss anyone? Is there anyone else, any other Board member?

Alright. We are expecting some other Board members to sign on, a few are having technical difficulties, but if I'm correct, we have a quorum.

And as much as we do, I'm going to ask for an approval, a motion to approve the minutes from the last meeting.

Is there a motion?

MR. CAROLINA: So moved.

CHAIR DAVIE: Is there a second?

MR. CARCATERRA: Second.

CHAIR DAVIE: Are there any changes or corrections to the minutes?

(No Response.)

Hearing none, all those in favor

1 PROCEEDINGS

2 of approving the minutes, please say
3 aye.

4 (Chorus of "ayes")

5 Any opposed?

6 (No response)

7 The minutes are approved. Thank
8 you.

9 I'm gonna remind Board members
10 to mute and then when, when we're back
11 or when you're speaking, then remember
12 to unmute and that will help cut down
13 on some of the background noise.

14 So, as many of you know, I have
15 served as Chair of the CCRB for the
16 last five years. Today will be my
17 last Board meeting.

18 In June, I reached out to Mayor
19 Adams to congratulate him on becoming
20 the Democratic Nominee for Mayor, and
21 I informed him then in that new year,
22 I plan to step down as Chair. I
23 reiterated this in November, and
24 shared my decision with key advisers.

25 My resignation has only to do

PROCEEDINGS

1
2 with my believing I've served in this
3 role long enough, and it's time for
4 someone else to take the helm.

5 It's been an honor and a
6 privilege to serve the City and the
7 people of New York as part of the
8 CCRB.

9 I joined the Board in 2016 and
10 became Chair in 2017, and over these
11 six years, we have made great strides.
12 I am proud to have worked with City
13 Hall, the City Council, the State
14 Legislature Advocates, and many others
15 to strengthen civilian oversight of
16 the NYPD.

17 Just this year, the City Council
18 approved multiple bills expanding the
19 Agency's powers. In April, they
20 passed a bill expanding the CCRB's
21 jurisdiction to include investigating
22 bias-based policing and racial
23 profiling. This new unit will finally
24 provide recourse for victims of
25 biased-based policing, and is led by

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1
2 Darius Charney, one of the country's
3 leading civil rights lawyers. Mr.
4 Charney has long championed the fight
5 against racial profiling in New York
6 City, and I look forward to seeing him
7 and his new unit continue fighting for
8 justice for marginalized New Yorkers.

9 This expansion of CCRB's
10 jurisdiction happened shortly after
11 the Board voted to adopt new rules to
12 allowing the Agency to investigate
13 sexual misconduct and false official
14 statements made by NYPD officers.
15 While the police unions continue to
16 fight these expanded investigative
17 powers, just two months ago the State
18 Supreme Court of New York upheld the
19 CCRB's right to investigate these
20 types of misconduct.

21 In November, the City Council
22 passed another Bill granting the CCRB
23 the power to self-initiate complaints.
24 Council member, and now Speaker,
25 Adrienne Adams, spearheaded the Bill,

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2 which finally shifts the burden of
3 responsibility away from the victim
4 and back onto the Agency. It also
5 ensures that all misconduct can be
6 addressed, whether or not there is a
7 viable complainant who can be the
8 responsibility of that role.

9 These new powers of
10 investigation are critical
11 developments, and I want to thank our
12 partners and my fellow Board members
13 for their work in making them happen.
14 However, in order for the CCRB to
15 fully investigate these additional
16 forms of misconduct, the Agency needs
17 access to all records of police
18 misconduct, including sealed records.
19 Records are often sealed due to police
20 misconduct, and it is crucial that the
21 CCRB be exempt from sealing statutes
22 in order to properly address all
23 misconduct.

24 In 2019 the City -- the City
25 proved for some New Yorkers, the CCRB

1 PROCEEDINGS

2 is the only form of recourse after
3 experiencing misconduct, even if this
4 misconduct results in death.

5 Daniel Pantaleo, the officer
6 responsible for Eric Garner's death,
7 was not held accountable for his
8 actions until the CCRB took the case
9 to trial, thanks to the hard work of
10 our investigators, the Administrative
11 Prosecution Unit, the NYP -- the
12 Administrative Prosecution Unit, the
13 NYPD finally terminated Mr. Pantaleo,
14 making New York safer for everyone.

15 Strengthening the Agency
16 throughout my tenure included also
17 enhancing services to civilians and
18 expanding personnel. For instance, we
19 created the Civilian Assistance Unit,
20 staffed by victim's advocates,
21 licensed social workers, trauma
22 services professionals to provide free
23 and confidential assistance to victims
24 and complainants.

25 We also started the Youth

PROCEEDINGS

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2 Advisory Council, made up of a group
3 of young New Yorkers who are
4 passionate about improving policing.
5 Given young people are often victims
6 of police misconduct, we wanted to
7 ensure their voice is heard as the
8 CCRB grows.

9 The CCRB also worked to increase
10 transparency for all New Yorkers. In
11 2020, in response to years of
12 organizing by advocates and the
13 protest against police misconduct
14 after the murder of George Floyd, New
15 York State repealed Civil Rights Law
16 50-a. The CCRB immediately began
17 working on a way to make the work
18 we've done for so long available to
19 the public.

20 Immediately after, the U.S.
21 Second Circuit Court of Appeals lifted
22 its order and the Court's stay on the
23 City and the CCRB, the Agency released
24 its officer history in a public
25 database, available on the CCRB

PROCEEDINGS

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2 website. The searchable database
3 includes many details of the case,
4 including Board disposition, the NYPD
5 disposition, and the NYPD penalty
6 imposed.

7 We started 2021 with hopeful
8 signs of cooperation, such as signing
9 the MOU on the Disciplinary Matrix
10 with Commissioner Shea. When I joined
11 the Board, the Board only recommended
12 that ten percent of officers receive
13 the most serious form of discipline;
14 whereas, now the Board recommends that
15 48 percent of the officers against
16 whom it has substantiated misconduct,
17 receive charges, the most serious form
18 of discipline.

19 While this is a great success,
20 the NYPD decisions this year have not
21 always lived up to the MOU. The CCRB
22 substantiated misconduct against 80
23 officers while investigating Black
24 Lives Matter protest. Of the 12 cases
25 the NYPD closed, 9 received no

PROCEEDINGS

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2 discipline. In the last year, we saw
3 non-APU concurrence rates fall from 73
4 percent to 68 percent, while APU cases
5 only saw a concurrence rate of
6 27 percent in 2021. And these numbers
7 don't account for several CCRB cases
8 where the Department Advocate's
9 Office, the DAO, is refusing to serve
10 charges. The DAO stated in -- it is
11 stated in the 2012 memorandum that
12 established that Administrative
13 Prosecution Unit between CCRB and the
14 NYPD that charges and specifications
15 shall properly be drafted by CCRB and
16 thereafter be served up on the subject
17 officer by the DAO, the Department
18 Advocate's Office, on behalf of the
19 CCRB. Recently, the DAO has refused
20 to continue its duty to serve officers
21 with CCRB charges in some cases. This
22 recent development is extremely
23 concerning and undermines the 2012
24 MOU, under which we have operated over
25 these last nine years. The CCRB hopes

PROCEEDINGS

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2 to work with Mayor Adams and the new
3 administration to rectify this
4 situation.

5 This recent development only
6 reaffirms my belief that the only
7 pathway to true and fair
8 accountability of police misconduct is
9 by granting the CCRB final
10 disciplinary authority for CCRB cases.
11 Until then, I am hopeful the new
12 administration will support the CCRB
13 and be partners in holding the NYPD
14 accountable in increasing and
15 strengthening civilian oversight of
16 NYPD discipline.

17 Mayor Adams has said that we
18 must stand for a commitment to justice
19 that is fair and safe, and I believe
20 that includes a commitment to holding
21 officers accountable for misconduct.

22 I also want to thank the Mayor,
23 thank Mayor Adams for including me on
24 the Transition Committee for Public
25 Safety and Justice, which ensured the

1 PROCEEDINGS

2 CCRB successes and goals were heard at
3 the start of this new administration.

4 I look forward to seeing the
5 great strides the CCRB will continue
6 to make, and I hope to continue to
7 support this Agency and the
8 advancement of civilian oversight in
9 any way deemed effective and
10 appropriate going forward.

11 My sincere gratitude to Mayor
12 Bill de Blasio and his team, my fellow
13 Board members, CCRB staff, especially
14 Jon and Matt, with whom I have worked
15 closely over these years, the Youth
16 Advisory Council, elected and public
17 officials, key police officials,
18 members of service, the advocates, and
19 especially the complainants and
20 victims for insisting on
21 accountability in policing in this
22 City.

23 With that and my sincere thanks,
24 I will pass it on to our CCRB
25 Executive Director Jonathan Darche.

PROCEEDINGS

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2 Jon.

3 MR. DARCHE: Thank you, Chair
4 Davie.

5 Your leadership and service over
6 the years have been instrumental in
7 the Agency's many accomplishments. On
8 a personal note, your wisdom, counsel,
9 and guidance provided me with great
10 comfort and wise choices, often in
11 extremely difficult circumstances, and
12 I want to publicly thank you for that.

13 The staff here at the Agency
14 will continue your legacy and keep
15 fighting for accountability for all
16 New Yorkers.

17 While Chair Davie outlined
18 numerous successes over the years,
19 there are still many challenges we
20 face. In order to properly address
21 misconduct, we look to the Mayor, the
22 City Council, and the State
23 Legislature to support us in our
24 upcoming goals.

25 The Agency needs to be exempt

PROCEEDINGS

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2 from sealing statutes. Currently the
3 CCRB must request sealed records,
4 which NYPD has to deny. Many of these
5 records are sealed due to police
6 misconduct. Not having these records
7 keeps us from getting key evidence and
8 delays investigations. This is a
9 particularly key problem for the new
10 unit investigating racial profiling
11 and biased-based policing. We hope
12 this needed exemption will pass
13 through the State Legislature this
14 year.

15 While there have been huge
16 improvements in fulfilling requests
17 for NYPD records, particularly
18 body-worn camera footage, it is
19 important that the CCRB should have
20 direct access to the body-worn camera
21 footage and other necessary records in
22 order to more efficiently complete our
23 investigations.

24 As Chair Davie discussed in his
25 remarks, resting final authority over

PROCEEDINGS

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2 discipline in the CCRB for cases where
3 the Board substantiates misconduct is
4 another priority for the Agency.

5 On Monday night, Mayor Adams and
6 Director Jiha of the Office of
7 Management and Budget informed senior
8 members of the Administration of a
9 budget cap in the current fiscal year,
10 next fiscal year, and out years.

11 The CCRB will be one of the
12 agencies asked to cut spending by
13 three percent in this fiscal and the
14 next fiscal year. I want to stress
15 that the Mayor spoke strongly of the
16 need to avoid layoffs in meeting this
17 challenge and also stated that the
18 services offered to residents of the
19 City cannot be compromised.

20 There is going to be a hold
21 placed on promotions and new hires
22 until the new plan is submitted to the
23 Office of Management and Budget and
24 worked out. The executive staff and
25 budget director of the Agency will be

PROCEEDINGS

1
2 working closely with OMB over the next
3 few weeks to produce the plan that
4 will allow the Agency to continue to
5 provide New Yorkers with the civilian
6 oversight of the NYPD that they
7 demand. While meeting these goals
8 will be a challenge, the Agency is
9 better able to meet this challenge
10 because of steps taken during the last
11 two years to restructure the Agency.

12 Some ground rules for this
13 afternoon. Please, during the public
14 session, use the raise hand feature to
15 make a comment and please keep your
16 comments to two minutes.

17 And I want to thank staff for
18 all their hard work, and thanks again
19 to the members of the public
20 participating in today's meeting.

21 Thank you, Chair.

22 CHAIR DAVIE: Thank you, Mr.
23 Darche.

24 We have had a couple of Board
25 members to join us. I'm gonna have

1 PROCEEDINGS

2 them introduce themselves and then I'm
3 gonna see if there are any questions
4 from Board members on your report,
5 Jon.

6 So, I see Mr. Dwyer has joined
7 us.

8 MR. DWYER: Frank Dwyer, Police
9 Department Representative.

10 CHAIR DAVIE: Ms. Rice has
11 joined us.

12 MS. RICE: Good evening, Arva
13 Rice, Mayoral Representative. I'm
14 calling in from Harlem.

15 CHAIR DAVIE: Okay. Thank you.
16 And Ms. Irish has joined us.

17 MS. IRISH: Corrine Irish, Mayor
18 Appointee, also from Harlem.

19 CHAIR DAVIE: Did I miss anyone?

20 (No response.)

21 Are there any questions or
22 comments on Jon's remarks?

23 (No response.)

24 Jon, are there any immediate
25 implications of the of, of the issues

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related to the Peg and I won't call it a freeze, but the considerations that have to be given around the hiring?

MR. DARCHE: So, it is, it is going to be a challenging process to make sure that we make choices that allow the Agency to continue to function in a way that serves the people we are charged by the Charter to serve, and we have proven that we can do that, and Jeanine and David, the Deputy Executive Director for Administration and our Budget Director and Director of Operations, are very good at coming up with a plan that will allow us to do that.

We're still in the very early stages. Again, this first came down Monday night, so when we, when we meet again next month, I'll have a better sense of how we're going to do it.

On the one hand, three percent for this fiscal year is a challenge because we're already halfway done

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2 with our fiscal year, but we should
3 have -- I actually think, because we
4 haven't fully implemented the Racial
5 Profiling and Biased-Based Policing
6 Unit, we should be okay for this
7 fiscal year. It is in the out years,
8 especially next fiscal year, where the
9 challenge will be, and so there is no
10 dire immediate emergency.

11 CHAIR DAVIE: Great. Thank you
12 for that, Jon. And I'm sure that the
13 Board members and others can continue
14 to work with the new administration
15 and the City Council, you know, to try
16 to ensure that, as we always have,
17 that we got the resources due to us,
18 and short of that, make the best case
19 we can for getting as many resources
20 as we possibly can. So thank you.

21 Any other questions?

22 Ms. Bond.

23 MS. BOND: I just have one
24 comment and one question.

25 Can you hear me now, by the way?

PROCEEDINGS

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2 Is it working?

3 CHAIR DAVIE: Yes.

4 MS. BOND: Okay. Great. Sorry
5 for the technical difficulties
6 earlier.

7 So, first, I just want to say
8 thank you to Chair Davie, who I think
9 has done just an incredible job of
10 leading this Agency through what has
11 been a very difficult and turbulent
12 time for everybody involved with CCRB
13 and in this City, including the
14 protests of 2020, the COVID-19
15 pandemic. So those have all been
16 challenges that you have led us
17 through with grace, and all the while
18 really working to expand the impact
19 that the CCRB has and our ability to
20 really provide oversight on behalf of
21 New Yorkers, so I just really want to
22 thank you for that. It has been an
23 incredible pleasure working with you.
24 So that was one, one comment I wanted
25 to make.

1 PROCEEDINGS

2 CHAIR DAVIE: Thank you. Let me
3 just say thank you, I really
4 appreciate it. Thank you so much.

5 MS. BOND: Thank you Chair
6 Davie.

7 And then the second comment is
8 really a question related to the
9 budget. So, as I understand, in New
10 York, we voted to PEG CCRB's budget to
11 that of the police department, and I
12 believe that that was put on hold
13 because of some of the budgetary
14 constraints related to the pandemic,
15 but I would love to just get an update
16 from the Executive Director on where
17 that stands, and how that intersects
18 with the recent three percent budget
19 cap.

20 MR. DARCHE: So, the CCRB's
21 headcount was linked by the Charter to
22 be .65 percent of the NYPD's uniformed
23 headcount. When the CCRB was given
24 additional headcount to create the
25 Racial Profiling and Biased Based

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2 Policing Unit, we went significantly
3 above the .65 percent. And so, it's
4 unclear to me exactly how -- exactly
5 where we'll end up in relation to that
6 goal, and as far as I've -- I have not
7 been informed that that, that the
8 emergency that was declared when the
9 link was suspended is going to be --
10 if they're going to need to suspend it
11 or not, or if we'll actually still be
12 within the .65 percent. I just don't
13 know yet.

14 MS. BOND: Thank you.

15 CHAIR DAVIE: Thank you, Jon.

16 Mr. Rivadenera.

17 MR. RIVADENEYRA: I do also want
18 to echo what Ms. Bond shared, it has
19 been an honor and a pleasure to serve
20 on this Board with you, Chair Davie,
21 you know, I've learned a lot under
22 your leadership.

23 I have a question, and it's also
24 raising -- actually, it's not a
25 question, but it's raising sort of the

PROCEEDINGS

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2 same advocacy that another Board
3 member who has left us. Nathan Joseph
4 would always talk about outreach and
5 the fact that we have been growing and
6 have taken on new mandates for the
7 Charter. I want to make sure that we,
8 in restructuring and in considering
9 where our PEGs are gonna come, like, I
10 feel all our units are important, and
11 as we grow out our Racial Profiling
12 Unit, I think really important is
13 outreach. We cannot you know, neglect
14 outreach and reaching out to the
15 community and having them better
16 educated on all of the services that
17 we have, and I just wanted to make
18 that point as one of the units that
19 really still needs to be grown, and
20 hopefully, we're able to sort of go in
21 that direction, just by these
22 particular PEGs.

23 CHAIR DAVIE: Thank you,
24 Mr. Rivadenera.

25 Jon, do you want to respond at

PROCEEDINGS

1
2 all?

3 MR. DARCHE: I think
4 Mr. Rivadenera is absolutely correct.
5 Outreach is one of the more vital
6 units that we have. If people don't
7 know we're here, they can't utilize
8 our services.

9 So we'll keep in mind the need
10 to balance all of the units, they're
11 all important. Even some of the units
12 that sometimes don't get a lot of the
13 face time and attention because they
14 are support units. But especially
15 during the pandemic, those support
16 units, none of the other work could
17 have gotten done without those units,
18 so I think making sure that we
19 structure the Agency in a way that all
20 of its component parts have enough
21 strength that the Agency as a whole is
22 strong is important. And that's what
23 we're gonna be doing over these next
24 two weeks while we prepare the plan,
25 is make sure that we don't weaken one

1 PROCEEDINGS

2 link so much that it brings down the
3 other parts of the chain.

4 CHAIR DAVIE: Thank you.

5 Any other questions, comments?

6 I see that Mr. Freeman has
7 joined us.

8 Would you like to introduce
9 yourself? You are on mute,
10 Mr. Freeman. There you go. There you
11 go.

12 MR. FREEMAN: Can you hear me?

13 CHAIR DAVIE: Yes.

14 MR. FREEMAN: Okay. I'm Willie
15 Freeman, I'm with the Police
16 Commissioner.

17 CHAIR DAVIE: Thank you.

18 We'll now move to the next item
19 on our agenda, and that is to hear a
20 report from our Director of Outreach,
21 Jahi Rose.

22 Jahi.

23 MR. ROSE: Good evening. Thank
24 you all very much for attending.

25 Thank you very much Chair Davie, one,

1 PROCEEDINGS

2 for all that you do, for all that you
3 have done, and I want to say this
4 before the end of my presentation, it
5 has definitely been an honor.

6 CHAIR DAVIE: Thank you.

7 MR. ROSE: You're welcome.

8 Can everyone see my screen?

9 CHAIR DAVIE: Yes, we can.

10 MR. ROSE: As I mentioned, thank
11 you all very much for joining. The
12 CCRB is the City's largest -- the
13 country's, really, the largest
14 independent oversight entity over the
15 largest police force in the country.

16 The CCRB investigates, mediates,
17 and administratively prosecutes
18 complaints of misconduct made against
19 members of the New York City Police
20 Department.

21 You have met many members of our
22 Board today. Our Agency is governed
23 by a 15-member Board, of which five
24 seats are appointed by the New York
25 City Mayor, five appointed by the New

1 PROCEEDINGS

2 York City Council, three designated by
3 the Police Commissioner, and one
4 appointed by the New York City Public
5 Advocate. The Chair is jointly
6 appointed by the Mayor and the City
7 Council.

8 The CCRB has the ability to
9 investigate four categories of
10 complaints or allegations, a helpful
11 acronym is FADO, it's an easy reminder
12 for what that category -- for what
13 those categories are.

14 First of FADO is force. The
15 second is abuse of authority. I'm
16 going to elaborate a little bit on
17 abuse of authority.

18 As previously mentioned by Chair
19 Davie, abuse of authority, the CCRB
20 includes in abuse of authority sexual
21 misconduct, which the Agency has the
22 ability to investigate if those
23 allegations are made against New York
24 City police officers.

25 The CCRB's Outreach Unit, in

PROCEEDINGS

1
2 addition to the Senior Advisor -- the
3 Senior Advisor and Director of
4 Intergovernmental met with Biana, the
5 Director for the Civilian Assistance
6 Unit to develop a plan for this year
7 to be able to reach out to Family
8 Justice Centers, in addition to New
9 York City public hospitals that have
10 trauma units and domestic violence
11 units to be able to ensure that the
12 word is spread about the services that
13 the CCRB provides and definitely those
14 would feel more comfortable filing
15 complaints in the event that they
16 could utilize the services of the
17 Civilian Assistance Unit, which treats
18 the civilian that files the complaint
19 like a whole person, allowing them to
20 have additional resources in addition
21 to the complaint that's filed with our
22 agency, additional things that may
23 come in their way from participating
24 in our complaint process, the
25 investigation process could be

PROCEEDINGS

1
2 addressed by referrals that are made
3 by the Civilian Assistance Unit.

4 So, we are meetings -- we have
5 meetings that are being set up and
6 scheduled with those organizations to
7 ensure that we maximize visibility for
8 the services of the Civilian
9 Assistance Unit and notify as many
10 people as possible that the CCRB can,
11 in fact, can investigate complaints of
12 sexual misconduct made against New
13 York police officers.

14 The D in FADO stands for
15 discourtesy, and the O stands for
16 offensive language.

17 I wanted to provide you with
18 some additional information regarding
19 the Right-to-Know Act. The
20 Right-to-Know Act is a law that went
21 into effect in October of 2018. It
22 impacts how police officers interact
23 with members of the public during
24 searches, sobriety checkpoints and
25 other encounters. Under certain

1 PROCEEDINGS

2 circumstances, officers are required
3 to identify themselves by name and
4 other information, such as rank,
5 command, shield number. In addition
6 to that, officers, with some
7 exceptions, should explain the purpose
8 of the interaction.

9 Next, police officers should
10 inform a civilian of their right to
11 say no when requesting a consent
12 search of their person, property,
13 vehicle, or home.

14 And lastly, an officer should,
15 should offer a business card in
16 certain circumstances that has the
17 information about how to identify the
18 officer, in addition to how to file a
19 comment and/or complaint about
20 interactions with a civilian and a
21 police officer.

22 Civilians can request a business
23 card in all encounters. This is what
24 the business card looks like.

25 There are a few ways to file a

PROCEEDINGS

1
2 complaint about police misconduct to
3 the CCRB. One of the easiest ways is
4 by filing online at
5 nyc.gov/ccrbcomplaint. You can also
6 call our hotline 1(800)341-CCRB or
7 1(800)341-2272.

8 Also, if you see footage of
9 misconduct on social media or in the
10 news, you can file a complaint, even
11 if you weren't there in person. Feel
12 free to tag the CCRB in the, in the
13 post so we can be notified of that
14 complaint of the misconduct that you
15 viewed online.

16 The other ways to file a
17 complaint about police misconduct
18 include contacting 311. You can also
19 go to a local police precinct. It
20 does not have to be the precinct where
21 the encounter took place, so any
22 precinct in the City of New York will
23 allow you to make a complaint about
24 police misconduct against any other
25 precinct in the City of New York.

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2 You can also send a letter to
3 our office. That's at 100 Church on
4 the 10th floor, Manhattan, New York.
5 You can also visit our office in
6 person at 100 Church Street on the
7 10th floor in Lower Manhattan.

8 If you would like an Outreach
9 presentation, feel free to contact the
10 Outreach Unit at
11 outreach@CCRB.nyc.gov. Also, feel
12 free to join the CCRB on social media,
13 follow us on social media on
14 Instagram, Twitter and Facebook.

15 Thank you all once again, very
16 much for attending. Thank you, Chair
17 Davie.

18 CHAIR DAVIE: Thank you, Jahi.

19 Any questions or comments from
20 Board members for Jahi?

21 (No response.)

22 Alright. So, hearing none, we
23 are going to go to the public comment
24 section of the meeting. We are going
25 to ask people who want to speak to

PROCEEDINGS

1
2 raise -- to use the raise-the-hand
3 feature, and we will go down the list.

4 We want you to, please, keep
5 your comments to two minutes.

6 And Yojaira, if we are ready,
7 would you please call the first person
8 who has raised their hand for public
9 comment.

10 MS. ALVAREZ: Thank you so much,
11 Chair.

12 Again, I echo everyone's
13 sentiment, it has been a sincere
14 pleasure and we, are -- have been so
15 excited to have you as Chair and
16 leading the Agency.

17 Before we go into the public
18 session, we want to recognize that we
19 have the Queens, Brooklyn, and
20 Manhattan District Attorney's Offices
21 in attendance, as well as
22 representatives from Council Member
23 Carlina Rivera, Shekhar Krishnan,
24 Athena, Althea Stevens, and Assembly
25 Member Salazar.

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Before we go into that, we'd like to pass it over to newly-elected Council Member Brewer in case she wants to say anything.

MS. BREWER: Just like everybody else, I am a big fan of Fred Davie, and I, obviously, have known him for a long time, since he was in the Borough President's Office, an office that I know a little something about.

And after being there for eight years, watching the CCRB and seeing the amazing both activities and agendas that you have promoted and dealing with all the press at the same time, I'm a huge fan.

Now, as a member of the City Council, I look forward to hearings and having, actually, more say about your future, both on the budget front, which is incredibly important, and of course on the policy front.

And I think that this administration cares about what you

PROCEEDINGS

1
2 care about, but I'm a big believer in
3 oversight and watchdogs, no matter who
4 is Mayor, no matter who is in the City
5 Council, you need to have the back and
6 forth. You got two sides of the City
7 Hall and they need to balance each
8 other, but we certainly need to be an
9 oversight. Now, I look forward to
10 doing that, and I certainly look
11 forward to figuring out how we can be
12 helpful.

13 So, I'm here on Fred Davie's
14 last meeting, but more importantly, as
15 the Council Member to be as supportive
16 of CCRB. I was there in '89, so I
17 know exactly what happened, I was at
18 all those meetings. I'm the longest
19 person around, in terms of City
20 government I think, and I look forward
21 to working with you.

22 Congratulations to the
23 excellent, excellent staff, and to the
24 Board. Thank you very much.

25 CHAIR DAVIE: Thank you, Council

PROCEEDINGS

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2 Member, and just let me say, it's been
3 a real pleasure to work with you over
4 the decades, particularly over these
5 last five years, while on the CCRB.
6 I'm much appreciative for your wise
7 counsel and support for the Agency and
8 its work, and it heartens me that you
9 will be in the Council in the coming
10 years, and I think it bodes well for,
11 not only CCRB's future and the future
12 of the civilian oversight for the
13 NYPD, but, as you said, for ongoing
14 accountability in government in New
15 York City and efficient and effective
16 delivery of government for the people
17 of the City.

18 So thank you for all you do and
19 personally thank you for being a
20 friend and a colleague over these
21 years. Thank you so much.

22 MS. BREWER: Thank you.

23 MS. ALVAREZ: Thank you, Council
24 Member.

25 Next we'll be hearing from Chris

PROCEEDINGS

1
2 Dunn followed by Mike Na.

3 MR. DUNN: Good evening, Fred
4 and Jon and the rest of the CCRB.

5 Fred, I'm here to, not talk
6 about policies tonight, but talk about
7 you. During your time as the Chair of
8 the CCRB, it has been a unique era of
9 CCRB leadership, and I know because I
10 have been at this for over 20 years
11 now, and I have seen a lot of CCRB
12 Chairs.

13 You have, during your time,
14 embodied what is the best in CCRB
15 leadership, and you have shown a deep
16 commitment to truly independent
17 oversight, and you have done that,
18 even when City Hall has not been on
19 your side, and there have been times
20 in the last eight years where City
21 Hall has very much not been on your
22 side. And I particularly note your
23 speaking out about the repeal of 50-a
24 and that was the right thing to do, it
25 was the courageous thing to do, and

PROCEEDINGS

1
2 history is on your side on that.

3 We now, I fear, are facing a
4 much darker period when it comes to
5 police oversight, but that can be for
6 a discussion for another night.

7 What I want to do for now is to
8 just thank you for the integrity and
9 the dignity that you were brought to
10 the CCRB and to police oversight. And
11 I just want to say that your departure
12 is going to be a loss for all of us,
13 and for me, and thank you for
14 everything you have done.

15 CHAIR DAVIE: Chris, thank you.
16 And that was very generous and very
17 gracious, and I sincerely appreciate
18 it, and particularly coming from
19 NYCLU, who has always tried to make
20 sure that we, and others in this City,
21 this Agency and others, does what it's
22 supposed to do on behalf of the people
23 of the City of New York. So I really
24 appreciate your comments. I
25 appreciate the opportunity to work

1 PROCEEDINGS

2 with you and members of your team
3 there at NYCLU and the other advocates
4 who have, who have insisted on, you
5 know, that we carry out this mission
6 that we have been given.

7 So thank you. Thank you for all
8 you do for the City, and I hope to be
9 able to continue to collaborate on
10 police oversight in some way post
11 this, post this tenure, but thank you.

12 Next speaker, Yojaira.

13 MS. ALVAREZ: Thank you, Chris.

14 Next we'll be hearing from Mike
15 Na, as we are upgrading them, I also
16 want to acknowledge the presence of
17 Council Member Julie Won and Council
18 Member Mercedes Narcisse staff as
19 well.

20 Mike.

21 MR. NA: Good evening Chair
22 members and leaders. Thank you for
23 having me here tonight.

24 So I just had, kind of, concerns
25 and questions. I actually have a

1 PROCEEDINGS

2 current CCRB case being viewed at the
3 moment, which is dating back to April
4 of last year. And I just had, like,
5 concerns regarding, you know, when you
6 had mentioned, you know, police
7 misconduct, what authority do they
8 have when it comes to somebody
9 refusing, like, you know, medical
10 treatment and them, you know, not
11 complying by that request?

12 CHAIR DAVIE: So let me just say
13 that I think, Mike, it's probably
14 better, since you have an active case
15 with the CCRB, that we not have a
16 public discussion about this now.

17 MR. NA: Okay.

18 CHAIR DAVIE: Okay. Let's let
19 your case work its way through the
20 process, and then if you want to come
21 back and talk to us at the end, we can
22 do that.

23 MR. NA: Got it.

24 And how long does it usually
25 take, I guess --

1 PROCEEDINGS

2 CHAIR DAVIE: Let me have a
3 staff member reach out and talk to
4 you.

5 MR. NA: Okay.

6 CHAIR DAVIE: Somebody will get
7 to you now, and then we welcome you
8 back.

9 MR. NA: Alright. Thank you.

10 CHAIR DAVIE: Then we welcome
11 you back, obviously any time, but
12 certainly at the conclusion of your
13 case we welcome you back.

14 MR. NA: Thank you.

15 CHAIR DAVIE: Alrighty. Thank
16 you.

17 Next speaker.

18 MS. ALVAREZ: I'm just going to
19 give folks a second in case they want
20 to use the raise-the-hand function.
21 And as of now, it appears that, that
22 was the last member from the public
23 that would like to speak.

24 CHAIR DAVIE: Alright. Thank
25 you.

1 PROCEEDINGS

2 So with that, is there any old
3 business to come before the Board?

4 (No response.)

5 Hearing none, is there any new
6 business to come before the Board.

7 (No response.)

8 Hearing none, I will ask if we
9 are ready to have a motion that we
10 move into Executive Session, and that
11 the agenda for Executive Session of
12 the Board is that we deliberate on two
13 full-Board cases and receive an update
14 from Executive District and the
15 General Counsel. The Executive
16 Director's, the Executive Director
17 will discuss the following three
18 items: Scheduling issue for panels
19 and full boards cases, updates on
20 pending personal actions; and the
21 General Counsel will discuss updates
22 on current litigation.

23 That is the motion, would
24 somebody please move it?

25 MR. DWYER: So moved.

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2 CHAIR DAVIE: Is there a second?

3 MS. IRISH: Second.

4 MR. RIVADENEYRA: Second.

5 CHAIR DAVIE: So the motion is
6 to adjourn to Executive Session with
7 the agenda as read, all those in favor
8 of adjourning to Executive Session
9 with that agenda, please say aye.

10 (Chorus of "ayes")

11 CHAIR DAVIE: Any opposed? No.

12 (No response.)

13 The ayes have it. We are
14 adjourned to Executive Session.

15 Again, I want to thank the
16 public, public officials, staff, CCRB
17 fellow Board members, and all
18 stakeholders for this opportunity.
19 And I'm sure there will be, there is
20 much great work ahead for this Agency
21 to do. So thank you all, and we are
22 adjourned to Executive Session.

23 (Time noted: 7:21 p.m.)

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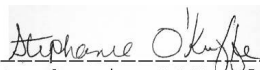
C E R T I F I C A T E

STATE OF NEW YORK)
) ss:
COUNTY OF SUFFOLK)

I, STEPHANIE O'KEEFFE, a Reporter and Notary Public within and for the State of New York, do hereby certify that the within is a true and accurate transcript of the proceedings taken on January 12, 2022 .

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.

IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of January, 2022.


Stephanie O'Keefe