

In Re August Public Board Meeting NYC - Civilian Complaint Review
Board
August 9, 2023

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CIVILIAN COMPLAINT REVIEW BOARD

PUBLIC BOARD MEETING

August 9, 2023

4:00 P.M.

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HELD AT 100 CHURCH STREET, 10TH FLOOR

NEW YORK, NEW YORK

AND VIA WEBEX VIDEOCONFERENCE

B E F O R E:

ARVA RICE, INTERIM CHAIR

JONATHAN DARCHE, ESQ., EXECUTIVE DIRECTOR

Transcribed by:

Elbia Brumit

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PUBLIC MEETING AGENDA

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1. Call to Order
2. Adoption of Minutes
3. Remarks from the Chair
4. Remarks from the Executive Director
5. Presentation from the Director of Outreach
about the CCRB
6. Presentation from the Digital Content
Specialist about Updates to the CCRB Website
7. Public Comment
8. Old Business
9. New Business
10. Adjourn to Executive Session

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BOARD MEMBERS PRESENT

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1. Arva Rice - Interim Chair
2. June Northern - Board Member
3. Joe Fox - Board Member
4. John Siegal, Esq. - Board Member
5. Kevin Jemmott - Board Member
6. AU Hogan - Board Member
7. Herman Merritt - Board Member
8. Esmeralda Simmons, Esq. - Board Member
9. Charlane Brown-Wyands, Esq. - Board Member

Presenters:

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

Clare Platt - Digital Communications Specialist

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SPEAKERS

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1. Almira
2. Lloyd Sibert
3. Michael Meyers, President, New York Civil
Rights Coalition
4. Mary Moss

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MS. ALVAREZ: Good evening, everyone. Thank you so much for joining us, for those utilizing ASL interpretation services today's interpreters are Gloria Vargas and Craig Ridgeway. Instructions on how to lock their screen and pin their videos will be in the chat. There are CART services that are also provided and the link will also be in the chat.

CHAIR RICE: Good evening and welcome. My name is Arva Rice. I use she/her pronouns, and I'm the Interim Chair of the Civilian Complaint Review Board. I would like to call the CCRB's August public board meeting to order.

Would the rest of the board members please introduce themselves, starting with those in the room.

MR. FOX: Hi. Joe Fox, I'm a board member since about six months.

MR. HOGAN: AU Hogan, city council appointee out of the Borough of Queens.

MR. JEMMOTT: Good evening. My name is Kevin Jemmott. And I'm a mayoral appointee from Queens.

MR. DARCHE: Good evening. My name is Jon Darche. I use he/him pronouns. I'm the Executive

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Director of the agency. I'm also from Queens.

MR. SIEGAL: Good afternoon. I'm John Siegal. I'm one of the mayoral appointees to the board.

MR. MERRITT: Hi. My name is Herman Merritt. I'm a city council designee from Brooklyn.

CHAIR RICE: Thank you. And can I have those who are joining us virtually, if you can also introduce yourselves.

MS. NORTHERN: Hi. I'm June Northern, and I'm a mayoral appointee from Brooklyn.

MS. BROWN: Afternoon, everyone. My name is Charlane Brown. I'm police commissioner designee, and I'm rounding out with the group of people from Queens.

CHAIR RICE: Thank you. Seeing as we do not have a quorum, we will push the approval of the July minutes to the next board meeting.

This summer, the CCRB has the privilege of hosting ten SYEP, Summer Youth Employment Program interns. This talented group of young New Yorkers have been working closely with our outreach team to improve how the agency connects with young people across the city.

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From designing content for social media, to canvassing communities around the city, they have been amazing additions to the team. Thank you to all the interns for your hard work. And Jahi Rose, our director of outreach, will shortly go into more detail on the incredible projects they have completed.

Working with young New Yorkers is very important to the CCRB, and the fifth class of the Youth Advisory Council is well under way. And they are preparing for this fall's events.

If you know anyone between ages ten and 18 who is interested in working with the CCRB, applications for next year's YAC are open in November.

Next month, we will bring the board meeting back to Staten Island, officially visiting all five boroughs in 2023. I want to thank all community members who have made the effort to come to our meetings and share their experiences. I would also like to thank the CCRB staff, who have gone above and beyond to host those meetings all over the city. We look forward to returning to Staten Island next month.

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I will now pass it off to executive director,
Jonathan Darche.

Jon?

MR. DARCHE: Thank you, Chair Rice.

Six months ago, we hired a digital
communications specialist, Clare Platt, who took
on the challenge of refreshing the agency's
website. Clare added information and reorganized
our website to be more accessible to the public.
Later on during this meeting, Clare will share
some of the highlights of what you can find on our
website.

CCRB investigators are a core of this agency,
and their workload has steadily been increasing.
With the new budget granted to the CCRB, we are
hiring new class of investigators to start this
September. If you know anyone interested in
working for the CCRB, please encourage them to
apply.

Before we get into the meat of our meeting,
just a quick update on agency operations. Our
office is open for walk-in complaints, but it's
also possible to file complaints online at NYC dot
gov forward slash CCRB complaint, by telephone at

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1-800-341-2272, or just by calling 3-1-1. If anyone wishes to file a complaint here tonight, we have two investigators on hand ready to take complaints. Emma and Kevin Beela (phonetic). I think Kevin is on his way, but is Emma here? Oh, Emma is right behind the pillar. But she's here. And someone from our Civilian Assistant's Unit, Amy O'Sullivan is also here this evening.

Some ground rules for today's meeting. We are going to ask folks to keep their comments to four minutes max. If you want to make a comment and you're joining us through Webex, please use the "raise your hand" feature and we will call on you.

I want to thank the staff for their hard work, and thanks again to the members of the public for their participation in this meeting.

CHAIR RICE: Thank you, Jon, for that presentation.

Do any members of the board have any questions of our executive director?

(No response.)

CHAIR RICE: Does anyone have any questions of Jon?

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(No response.)

CHAIR RICE: Okay. Seeing none, I'm going to ask Jahi, looks like he's already at the podium. So I'm going to ask our director of outreach, Jahi Rose to make his presentation.

MR. ROSE: Good evening, everybody. Thank you chair Rice. My name is Jahi Rose. I'm the director of outreach. I go by he/him pronouns, and I'll provide you with some information about the CCRB and some additional information about the wonderful work we've done with our interns over the summer. Bear with me for one moment while I share my screen.

The Civilian Complaint Review Board is the nation's largest oversight entity over the largest police force in the country. The CCRB investigates, mediates and administratively prosecutes complaints of police misconduct against members of the NYPD.

The agency is governed by a 15-member board. That board consists of five members that are appointed by the mayor, five that are appointed by the New York City council, three designated by the police commissioner and one appointed by the

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2 public advocate. The Chair is jointly appointed
3 by the New York City council and the mayor.

4 The CCRB can investigate allegations of
5 misconduct. Our jurisdiction falls under FADO,
6 force, abuse of authority, discourtesy and
7 offensive language. The agency can also take
8 complaints about untruthful statements made by
9 NYPD members of service.

10 Just a few facts about the Right to Know Act.
11 The Right to Know Act was a law that went into
12 effect in October of 2018. The law impacts ways
13 that police officers engage with members of the
14 public, which includes officers under certain
15 circumstances being required to identify
16 themselves, mainly by providing their names and
17 other identifying information such as rank,
18 command and shield number.

19 With some exceptions, officers should be
20 explaining the purpose of the encounter. They
21 should inform you of your right to say no under
22 certain circumstances when asking for your consent
23 to -- consent for a search of your person,
24 property, vehicle and/or home.

25 Under certain circumstances, officers should

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offer a business card with information explaining how to make a comment and/or complaint about the encounter between that individual and the officer. Civilians can request this business card in all encounters. This is a copy of what the business card looks like.

As previously mentioned, there are various ways to file complaints about police misconduct. The easiest way is by going to the CCRB's website, nyc.gov/complaints, or by calling the CCRB's hotline at 1-800-341-CCRB, or 1-800-341-2272.

Remember, if you see footage of misconduct on social media or on the news, you can file a complaint, even if you were not there in person. The typical hashtag for -- the typical handle for the CCRB is @CCRB_NYC.

Other ways to file complaints to the CCRB include calling 3-1-1. You can also visit the CCRB's headquarters at 100 Church Street on the 10th floor in Lower Manhattan. You can direct message, or DM, the CCRB on our social media. Our platforms are Facebook, Twitter and Instagram. The handle is, once again, @CCRB_NYC. You can also send a letter through the mail to the agency

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2 at 100 Church Street, 10th Floor, New York, New
3 York, zip code 10007.

4 You can also file a complaint at any precinct
5 in the City of New York. The NYPD is required to
6 accept CCRB complaints at any precinct, or you can
7 request a complaint form with a postage-free
8 envelope and forward that letter straight to us.

9 The CCRB hosted ten summer youth interns,
10 summer youth employment interns, ranging from ages
11 16 all the way up to 19. They came from the
12 Manhattan Transition and College Access Centers,
13 the Brooklyn Transition and College Access Centers
14 and PENCIL, Incorporated. The CCRB took our
15 interns through a rigorous ambassador training,
16 where they learned about the history of the
17 agency. They learned about the CCRB's mission and
18 jurisdiction. They also were provided some
19 guidance regarding social media outreach by our
20 Comms team. They also learned how to do outreach
21 planning, and they also learned how to conduct
22 outreach presentations for youth, which we call
23 youth outreach training. So each of our youth
24 went through a process of conducting a virtual
25 presentation where they came into groups and they

1
2 exercised their knowledge of the agency.

3 The interns were divided into five different
4 committees. And those committees were responsible
5 for various things. So the data collection and
6 data entry team was responsible for expanding the
7 CCRB's outreach efforts by increasing our
8 database. So they engaged in outreach to various
9 community groups, notifying them that the CCRB
10 will be interested in working with them. And we
11 were able to collect over 300 new organizations
12 that we would like to start working with towards
13 the tail end of the summer.

14 The CCRB had -- one of the committees that
15 was also created was a social media presence unit.
16 The social media presence unit gave us direct
17 guidance regarding things that we could do to make
18 our social media more appealing to young people.
19 And our social media team was able to design some
20 social media content that was actually used by the
21 Comms unit to promote CCRB's court side. One side
22 you will see CCRB at the Rucker, which is an
23 annual initiative to meet more young people at the
24 Rucker street ball basketball tournament in
25 Harlem.

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We also did CCRB court side in the Borough of Queens as well. We were connecting with young people in the south side Jamaica, Queens.

The CCRB -- our interns also engaged in -- engaged with the Youth Advisory Council, helping to plan out our 2023 Youth Speak Up Speak Out. Our young people have more vast knowledge regarding what young people like to do during these specific types of events. So we seek their input. They were able to give us a vast body of knowledge regarding different types of activities that we could do that would be up to date that will keep our young people engaged during the 2023 Speak Up Speak Out.

Our summer outreach activities club. So all of the young people had an opportunity in their committees to rename the committees. Only one committee actually decided to do so. So I'm going to call them by the name that they chose, which was The Outsiders. The Outsiders was a committee that was responsible for going with us to community events, giving us more knowledge regarding how we can connect with young people and places that we can go to to connect with young

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people.

The photos you can see here would be our Outsiders at an event in Brooklyn at El Puente, conducting a youth presentation for our young people that was part of the El Puente SYEP students. In addition to our students going out with us to a National Night Out Against Crime, and doing tabling with us in various communities. We did at least one National Night Out in each borough.

The CCRB had a -- one of the committees that was created was the Outreach Innovations Crew. Their responsibility was to create some type of different way for us to be able to connect with people regarding different ways to notify them of what the information the agency does. And that way was through creating a game. The game that was suggested was CCRB UNO. I'm going to just give you a little taste of what CCRB UNO looks like. Thank you very much -- of what CCRB UNO looks like and what folks of the City of New York could plan to expect from the CCRB going into September.

CCRB UNO is equipped with power cards such as

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Skip Your Turn. So we are going to play with our executive director. So Executive Director Jon Darche, what is the first step in the life of a CCRB case?

MR. DARCHE: We get a complaint into intake.

MR. ROSE: That is correct.

So to our SYEP interns, we had a wonderful time doing what we do with you. And their last day, for most of them, will be on this coming Friday. So we just want to say to you all, thank you very much.

CHAIR RICE: Thank you so much.

MR. ROSE: Now, if you would like an outreach presentation by the Civilian Complaint Review Board's outreach team, feel free to connect with us on an e-mail at outreach@ccrb.nyc.gov, and/or follow us on social media, Instagram, Twitter and Facebook.

Thank you very much, Chair Rice.

CHAIR RICE: Thank you so much, Jahi, for that presentation. Thank you, again, to the Summer Youth Employment workers. I love UNO, so that was fantastic. And I look forward to us being able to utilize that in our outreach

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efforts.

Do any members of the board have any questions for Jahi?

(No response.)

CHAIR RICE: Does anyone have a question?

(No response.)

CHAIR RICE: Okay. If not, thank you so much, Jahi, for that presentation. And once again, thank you to the Summer Youth Employment workers and all those who are -- who work so hard to make sure that they had a meaningful summer.

I also wanted to acknowledge another board member who has joined us. Esmeralda, if you can introduce yourself.

MS. SIMMONS: I am Esmeralda Simmons. I'm the public advocate designee from Brooklyn, New York.

CHAIR RICE: Thank you so much.

We are now going to have our next presentation. It is from our digital content specialist, Clare Platt, and she's going to provide us with an update on the CCRB website.

Clare?

MS. PLATT: Hi, everyone. My name is Clare

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Platt. I'm the CCRB's digital media specialist. My role includes running the agency's social media, as well as maintaining the website.

I just finished a pretty substantial revamp of the website. I'll be taking everyone through some of those updates, as well as just a brief tour of the entire web page, just to show everyone what the website has to offer. So I'll just share my screen now.

Okay. Can everyone see the website? Can everyone see my screen?

MR. DARCHE: Yes.

MS. PLATT: All righty. So to begin with, here's our index page. Here we have our agency hero. This displays useful items such as graphics like this, to featured agency reports. And then if you scroll down, there are quick links that will take you to some of our most accessed pages on the website.

Moving right along. We have our About section. So here you can find information on the agency such as CCRB history, the mission statement, CCRB careers. You can also find information about board meetings such as the one

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we are having right now.

Okay. And then moving along, we have our complaint section. So this section definitely saw the most change, both on a structure and content level. We know the process of filing a complaint can feel complicated and perhaps even a little daunting. So we just wanted to lay out the process as intuitively and as user-friendly as possible. So now this part of the website is structured to reflect the complaint process more linearly with "File a Complaint", "Complaint Process" and then "Complaint Status". So we'll begin with "File a Complaint".

So this section has information that is useful if you are thinking about filing a complaint with the agency and just beginning the complaint process. In general, an overall goal of the website revamp was to streamline information and then overall improve user experience. So an example of that can be found on our agency jurisdiction web page.

So we know that it can be perhaps confusing sometimes to keep all the different areas of CCRB jurisdictions straight. So here, we have our

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2 acronym and then you can always scroll down to see
3 more in depth details of all the different areas
4 that the agency investigates. So if someone is
5 unsure whether or not the alleged misconduct that
6 they may have witnessed would fall under a
7 jurisdiction, they can refer to this page. And
8 then you'll see on the left side, navigation tab,
9 all the other pages in this section.

10 All righty. Moving along to "Complaint
11 Process". So this contains information on, as the
12 title might suggest, the complaint process and
13 just the investigation process on a whole. We now
14 have this handy flow chart on the homepage of this
15 section. So users can actually now see the entire
16 life cycle of a complaint, laid out from intake to
17 closing reports. And then if you scroll down,
18 there's a more in depth description of each step
19 in this process.

20 And then of course if you have filed a
21 complaint and you have a case with the agency, you
22 can always contact your investigator with any
23 questions. But hopefully this page will be able
24 to troubleshoot any questions a civilian may have.

25 And then we have other sections in this --

1
2 rather other pages in this section, our
3 investigation results, the administrative
4 prosecution unit and mediation.

5 And then the next section is complaint
6 status. So this section houses the search engines
7 that civilians can use to find the statuses of
8 their complaints, as well as closing reports and
9 departure letters. So closing reports are
10 detailed summaries of cases that are prepared by
11 the assigned investigator, then reviewed by the
12 board. The board will then decide on the outcome
13 of the case. For example, if the allegations are
14 substantiated or not. And then so here, civilians
15 can have a look at their own complaint statuses,
16 or statuses of other complaints they might be
17 curious about.

18 And then departure letters. These are
19 letters written to the CCRB by the NYPD when NYPD
20 decides to impose a different discipline than the
21 one recommended by the board.

22 So both closing reports and departure letters
23 are newly available to the public as a result of
24 the repeal of 50-a. 50-a was a city law that
25 basically concealed the disciplinary records of

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2 NYPD members of service. So since that law has
3 been repealed, the CCRB has been working on
4 publishing redacted closing reports and departure
5 letters. So this has been a huge effort, and we
6 are all still working towards getting a critical
7 mass up there. But I just wanted to acknowledge
8 the effort that has gone into this project in
9 particular, as it's a great step towards
10 transparency and oversight in general. And yeah,
11 so that's where you all can find the research
12 tools.

13 The next section of our website is outreach.
14 So this section of the website showcases the
15 amazing work of the outreach unit. Here, you can
16 request a presentation just like the one Jahi
17 made. And that presentation can be given at your
18 local community center, school. As well as we
19 have our outreach calendar, outreach data and more
20 information on the left side navigation.

21 Moving along. We have our policy and data
22 section. So here, you can find reports, data,
23 member of service record look-up and then
24 foundational documents and city mandates.

25 So just briefly, I want to take everyone to

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the data section. So our data transparency initiative right here is an excellent tool that users can use to access data about agency operation. So it's categorized into Complaints, Allegations, victims/alleged victims, NYPD officers. I'll just click into one.

Here, you can scroll through, learn a little bit more about the data offered here. You can use one of these quick links. And yeah, this is an amazing resource prepared by our policy unit, and I just wanted to make sure everybody knew this existed on the website. Because again, it's just, you know, another step towards more transparency and oversight in general. And yeah, and you can also -- it links back to our closing reports and departure letters here as well. And then we do have a page for feedback.

All righty. So -- and then, going back to foundational documents and city mandates. That just houses important documents such as the City Charter, rules of the CCRB. You can find NYPD documents such as like the disciplinary matrix, patrol guidelines.

And yeah. So all righty. We'll finish up

1
2 with resources. So in the redesign, I definitely
3 wanted to create a dedicated space on the website
4 to highlight the many resources that the CCRB is
5 able to connect civilians to, keeping in mind that
6 some civilians who might be accessing our website
7 may potentially experience trauma as related to
8 potential misconduct that they may have witnessed.
9 So I just wanted to make sure that this page is
10 prominently a feature on the website and people
11 don't have to sort through other information in
12 order to access it. Here, we have our Civilian
13 Assistance Unit right on the first page. The
14 Civilian Assistance Unit is a dedicated unit
15 within the agency that connects civilians to all
16 these services that are listed on the left. And
17 yeah, so -- and then our language accessibility
18 plan is also housed in this part of the website.

19 So that concludes my presentation. I want to
20 thank you, guys, so much for your time. I'm
21 totally happy to field any feedback or questions.
22 And yeah, I'll stop sharing now. I already
23 stopped sharing. I think I'm good.

24 CHAIR RICE: Thank you so much, Clare, for
25 that really terrific and comprehensive

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presentation. We appreciate you and your team and all the work that you put into revamping the website and making it more user friendly for our community.

May I ask if there's any members of the board who have any questions of Clare?

MR. DARCHE: Madam Chair, I had one question.

Clare, where -- if you wanted to find a memorandum of understanding that the agency has with another city agency, such as the NYPD, is that on our website?

MS. PLATT: Certainly. You'd find that in the foundational documents and city mandates. Which is under our policy and data section. So all of our MOUs with NYPD are stored there.

MR. DARCHE: Thanks, Clare.

CHAIR RICE: Terrific. Do we have any other questions?

(No response.)

CHAIR RICE: I did have one quick question for you, Clare, and that is now that the process is finished, how will you let people know to come to the website for this information?

MS. PLATT: Yeah, so first of all, the

1
2 process -- the -- the revamp is finished, but also
3 the website, I'm going to keep updating it as the
4 agency changes. So if anybody has feedback, like
5 I said, I'm happy to take it. And I think to
6 answer your question, we do encourage the public
7 to visit our website through social media. It's a
8 great -- it's the tool to file complaints, really,
9 through our website. And then yeah, to access
10 reports and stuff like that whenever those come
11 out, we'll publicize them on social media or --
12 yeah. I would -- for now, I'll say social media
13 is probably the most -- the way that we get people
14 to come to the website.

15 CHAIR RICE: Excellent. Any other questions
16 from our board?

17 (No response.)

18 CHAIR RICE: Okay. Thank you again, Clare,
19 for the presentation.

20 We will now enter the public comment portion
21 of the meeting. We will begin with those joining
22 us virtually who would like to make a comment,
23 followed by those who are joining us in person.
24 For those joining virtually, please use the raise
25 your hand feature. Please keep your comments to

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four minutes. Yojaira, would you please call on the first person.

MS. ALVAREZ: Thank you, Chair.

The first person joining us virtually has raised their hand is Almira (phonetic).

Omaira, are you there?

ALMIRA: Hi, can you hear me?

MS. ALVAREZ: Yes, we can.

ALMIRA: Thank you so much. Thank you.

Yes, I have 20 complaints about a captain of the NYPD helping a drug dealer. And apparently, I find out that Mr. Mahadeo, director of case management, and Rosemary, deputy director, are friends with this captain. And then apparently, are erasing my complaints. I did went the other seminar. You guys told me that somebody was going to help.

I don't know why these people are still working with the CCRB, as these people are helping this drug dealer and this captain. And I wanted to know what can be done with the director of case manager and the deputy director if they're helping this captain who is helping this drug dealer who apparently is handing guns to teenagers who join

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his gang. And he's doing child trafficking in Bronx apartment. And apparently, this captain is giving him city vouchers so he can obtain these apartments in the Bronx.

CHAIR RICE: Thank you for your comment. And I'm going to ask our executive director, Jon, if you can respond.

MR. DARCHE: Thank you, miss, for calling here tonight and for filing the complaint that you did with the CCRB.

The CCRB received your complaint and looked at it and determined that you were complaining about corruption. And so corruption is not in the CCRB's jurisdiction. As was described earlier, we have jurisdiction over excessive force, abuses of authority such as improper stop and frisk or improper entries of the home or place of business. Offensive language and discourtesy.

We don't have jurisdiction over corruption. And so when Esha and Rose, the director and deputy director of the case management unit sent you the letter informing you that we had referred the case to the police department, they -- they were acting to -- in their capacity as head of the case

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management unit. They didn't make the actual decision to not investigate your case.

One of the things we've done recently is, we now have a formalized process for investigating these types of cases where someone makes a complaint about members of the CCRB so that we can address them in a formal way. But I'm glad you were able to call so we can explain to you the reason for the agency's action, and hopefully that will clear up any misconceptions.

CHAIR RICE: Thank you, Jon, for that clarification. And once again, thank you for the call.

I'm going to ask Yojaira, who is next on the list?

MS. ALVAREZ: Next, we'll be hearing from Lloyd Sibert.

MR. SIBERT: My comment is, I filed a complaint with you guys about a police misconduct against myself. They came into my apartment and arrested me without any proper cause. And when I filed a complaint about one of the officers, because I got their name, because I filed a civil lawsuit against them, you guys came back and told

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me that statute of limitations had ran out on the officer when I filed the complaint. I basically didn't know what to do.

And then you guys told me that you gave the numbers to Internal Affairs. Internal Affairs gave me a phone call. But I didn't answer. I don't like dealing with Internal Affairs. But then I got a phone call from the Detective Bureau. He began to ask me questions about the case, and I didn't feel good talking to him either. He tried to get me to make some statements.

My comment is, how come I wasn't given ability to get to pick to have you guys contact Internal Affairs in order for me to even talk to them or talk -- or them to talk to me. That's my comment.

CHAIR RICE: Mr. Sibert, thank you for calling in today. Can you just let us know when this incident occurred, and then I'll have our executive director respond.

MR. SIBERT: About the police misconduct?

CHAIR RICE: Yes. When did the police misconduct occur?

MR. SIBERT: It occurred on September 1st,

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2020.

CHAIR RICE: Okay. Thank you.

Jon, can you respond?

MR. DARCHE: So Mr. Sibert, thank you very much for your call. And with your particular case, I will take a look at the facts of the case later today and I will personally reach out to you and explain the decision that was made. But generally speaking, the statute of limitations expires 18 months from the date of incident.

So we have a policy of any complaint that we receive more than a year after the date of incident where we look at it to see if we are -- first of all, if we are going to be able to complete the investigation before the expiration of the statute of limitations. Second, whether that investigation is likely to be able to make a determination on the merits, whether there was misconduct or not. And finally, whether the crime exception to the statute of limitations might apply. The crime exception is, if the conduct alleged in a complaint could be charged as a crime, then the statute of limitations does not apply.

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So I will take a look, Mr. Sibert, and see if it is likely that we could have investigated your case. But it sounds like, from what you were describing to me, that the reason we closed it was because of the -- the age of the -- the incident when the complaint was received.

MR. SIBERT: Yes. Correct. My issue isn't about the statute of limitations. My issue is really about getting a phone call from Internal Affairs. And then I turn around and got a phone call from the detective. And my own complaint basically is, how come when I -- how come wasn't I informed that you were going to give the Internal Affairs that -- my phone number or the information to contact me. Because I really didn't want to talk to neither one of them. And I want to know if that's a policy that y'all do, that when you -- you close the case, but you then turn the case over to Internal Affairs? That's it.

MR. DARCHE: There are certain cases that we refer to Internal Affairs. Sometimes it's because the case that we have received a complaint about is not within our jurisdiction. For example, the caller earlier who was complaining about

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corruption by a police captain, we don't investigate those cases. So we refer them to Internal Affairs.

You should have been sent a letter or an e-mail, depending on how you contacted us, that told you what we were going to do with your case. So if you -- if you did not receive that correspondence, I apologize on behalf of the agency and I will reach out to you and explain exactly what happened with your case and what went wrong with the system.

CHAIR RICE: Thank you, Jon. And thank you, Mr. Sibert, for calling in today. We appreciate it.

Can I ask Yojaira for the next caller.

MS. ALVAREZ: Thank you, Chair. There are no more virtual attendees with their hands raised. So that concludes the virtual portion of the public session.

CHAIR RICE: Okay.

MR. DARCHE: If people are interested in making a public comment, if they can line up behind the podium. Mr. Meyers anticipated what I was going to say and has staked out position to be

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2 the first person speaking to us in person tonight.

3 MR. MEYERS: Thank you, sir. I'm Michael
4 Meyers, president of New York Civil Rights
5 Coalition. First of all, I want to express my
6 deep appreciation for the breeze that -- the cool
7 breeze that I got coming into the building today.
8 Not because of your air conditioning. But because
9 gone, finally, is our police commissioner. I'm
10 not going to mix any words. I'm glad she's gone.
11 The CCRB should have demanded her resignation
12 because of the way she mistreated you and ignored
13 your recommendations.

14 So I want to make a record that I find it a
15 cool breeze to come into your building today. And
16 I hope that you will invite the new police
17 commissioner to meet with you in a public session
18 so we can eyeball him immediately. Not
19 three months from now or three years from now, but
20 immediately. Because he cannot be in a position
21 to repeat the mistakes of his predecessor. She
22 was ridiculous. Inane.

23 Secondly, I want to say that the resignation
24 of this agency is next on the agenda. I cannot
25 believe this is my second public meeting where you

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2 didn't even have a quorum to do business or
3 transact business. So what are you here for?
4 This is -- this is not a public relations gimmick.
5 You are supposed to be in a quorum to transact
6 business, to take action. You can't even pass on
7 the minutes of your meetings because you don't
8 have a quorum. If you cannot come to meetings to
9 meet with the public, then you ought to have the
10 decency to resign and let somebody else take your
11 place. Because there's plenty of people from the
12 public, from the civil rights community, from the
13 legal community, from the broad section of the
14 public who want to be in your seats. And who will
15 do the obligations of CCRB, Civilian Complaint
16 Review. If you don't want to do it, if you don't
17 have the time to do it, if you can't come to
18 meetings, then resign.

19 Finally, I want to say that I -- I -- I
20 respect the interim chair. I don't want her -- my
21 comments to offend her in any way. But I don't
22 know why she is interim chair. Not because she's
23 not qualified to be chair. Why is she, after all
24 these months, still interim chair? Where is the
25 mayor? Besides going out there with the homeless,

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where is the mayor? Why doesn't he act on making a regular chair for this commission? How can you act without having a leader, a paid leader and a volunteer leader?

So what I suggest of the things you should do, you should write a letter to the Mayor. Whatever his name is, because I forget it. He's very forgettable. You should send a letter to the Mayor and say how come you cannot appoint a permanent chair for our commission? This is a very important commission. As important as the homeless in front of the roads of the hotel.

So I -- oh yes, on the website. I'm glad you got a new person in charge of the website. But where is the directions and travel directions for the meeting? I couldn't find it. So if she's still on there, I want you to tell me, where on the website -- there should be train information, bus information, how to get here. I had to go to MTA to find out, to remind myself how to get here by subway.

So as you have a -- a new website, let's have some basic information on there. Let's have videos of these meetings. So we don't have to

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2 have -- you know, I don't want to disrespect your
3 staff, they were good in terms of reports. But
4 those same reports should be on the website. It's
5 a video world. People can't come to meetings
6 every month. They should be able to go to the
7 website and see his presentation. They should go
8 to the website and see the public information
9 person's presentation. And know how to do things,
10 how to get here, how to file a complaint.

11 What's the difference, Mr. Executive
12 Director, between the DA and the CCRB? What's
13 the -- what's the jurisdiction of the CCRB? The
14 time limits and all that, should be on the
15 website.

16 So every time I come here, the same thing
17 over and over and over again. And I just say
18 we're in the 21st century. I came here because
19 the website doesn't work for me. Not the website,
20 the Webex. It doesn't work for me. Every time I
21 try to see the meeting from my office, I can't get
22 it. And I've talked to your people in charge of
23 it, and they still haven't fixed it. So I come
24 here.

25 But I'm tired of coming here and hearing the

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2 same thing over and over again about people not
3 doing the right thing. That's why you are here,
4 to do the right thing. To get after these police
5 officers who don't know their responsibility is to
6 be civilized, decent, responsible and not
7 criminal.

8 MR. DARCHE: Thank you, Mr. Meyers.

9 With regards to the website, I think Clare
10 showed us where the recordings of the board
11 meetings are so that people can see, not just this
12 month's board meeting, but all the board meetings
13 since we've been videotaping them. And you can
14 get to them through the website, they're on
15 YouTube. Where, you are right, they should be on
16 the web, and they are on the web.

17 The issue about the statute of limitations
18 and other basic information about the agency and
19 our process, I think when Clare was showing us the
20 portion of the website that -- that dealt with the
21 agency process and the complaint process, that
22 information is there. And so I apologize if -- if
23 we went through it too quickly during the
24 presentation. Because the point of the
25 presentation was to just show folks where to find

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the information, not necessarily give out the information.

And your point about the travel directions, if -- if it's not there, it will be there very quickly. So I thank you for that constructive criticism. That's actually a very good point.

Is there anyone else who would like to speak in-house after Mr. Meyers was done?

MS. MOSS: Hi. My name is Mary Moss. I wasn't planning to speak at all. But I do think it is important to denote a few things, since I'm here at the CCRB for the first time.

I would like to say that I agree with the public that obviously, our police have taken an oath to protect and serve the people. And in some situations where there are sensitive matters, and especially sensitive matters that involve domestic violence, I think that there -- my suggestion is that there is a special training and/or unit of the CCRB that handles how police are dealing with domestic violence situations.

And we don't want them to compound them. This is already a traumatic situation that people are enduring or experiencing. So when the police

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are handling those matters, it is very important that they handle it with decorum, respect, compassion, understanding and sensitivity. And so that is my recommendation and my humble submission to this meeting today. Thank you.

MR. DARCHE: Yes, Joe.

MR. FOX: Mary, that's some great suggestions. I forgot to mention, I was the first to go, so I'm still new to the -- getting the protocol. I'm the NYPD rep, one of the three NYPD reps on the board. And just about domestic violence responses, in every command, there's two to four dedicated domestic violence officers. This is not going to answer your question, by the way, but I just want to give you the background. And they are the best people in the NYPD to deal with these really challenging and sad and sometimes desperate situations.

But as you are probably thinking as I'm saying this is, they're not working 24/7. And when somebody calls at 2:00 in the morning and they finally find that courage to call, which is a big deal, they're not going to get those -- those cops responding first.

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2 So to the extent, whatever contact I have
3 with the NYPD, I'll certainly pass that along to
4 emphasize the idea of training. I mean, there's
5 training for officers in basics in domestic
6 violence. But you are right, it's a specialized
7 type of event. And it's something that the -- the
8 more training you have in it, the better you'll be
9 able to handle those -- those situations the way
10 they're supposed to be handled. Thank you.

11 MR. DARCHE: Ms. Moss, one of the things that
12 the agency has tried to do since we first started
13 investigating allegations of sexual misconduct by
14 members of the NYPD is teach our investigators how
15 to use trauma-informed interview techniques.

16 So -- and as we've had more and more people
17 get experience and get the trauma-informed
18 interview techniques, we've actually integrated
19 into our own training that we give our
20 investigators in-house. Because it is -- I agree
21 with Mr. Fox and you, that domestic violence
22 situations are very -- have a large potential for
23 having to aggravate and re-traumatize folks when
24 you tell what happened again and again. And so
25 it's something that we've -- but that's something

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that's true of many of the incidents that we investigate.

A lot of allegations of excessive force or situations involving discourtesy and offensive language are also traumatizing. And so we've worked very hard to train our investigators to conduct interviews in ways that are sensitive to the needs of civilians so that folks are not re-traumatized. But we are still able to get the information we need to assess what happened in an investigation -- what happened in an incident and make informed recommendations to the board so that they know what -- they can make determinations.

Did anyone else have a comment for Ms. Moss?

(No response.)

MR. DARCHE: Are there any other folks who want to speak here today?

(No response.)

MR. DARCHE: Madam Chair, I think that concludes the public comment portion of our meeting tonight.

CHAIR RICE: Thank you.

Do we have any old business to come before the board this evening? Any old business?

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(No response.)

CHAIR RICE: Okay. Seeing none, do we have any new business to come before the board this evening?

(No response.)

CHAIR RICE: Hearing none, I now move that we move towards executive session. The agenda for executive session is the board will deliberate on one full board case and receive an update from the executive director on pending personnel actions, and an update from the general counsel on litigation.

Do I have a motion to conclude the public meeting?

MS. SIMMONS: So moved.

CHAIR RICE: Do I have a second?

MS. NORTHERN: Second.

CHAIR RICE: So moved. We have now concluded our public August meeting of the CCRB.

Thank you, everyone, for joining us.

(TIME NOTED: 5:04 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, Elbia Brunit, a Notary Public within and
for the State of New York, do hereby certify:

I reported the proceedings in the
within-entitled matter, and that the within transcript
is a true record of such proceedings to the best of my
ability.

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 17th day of August, 2023.


ELBIA BRUNIT