

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

-----X

CIVILIAN COMPLAINT REVIEW BOARD
PUBLIC BOARD MEETING
October 11, 2023
4:00 P.M.

-----X

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

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PUBLIC MEETING AGENDA

=====

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 on the CCRB
6. Public Comment
7. Old Business
8. New Business
9. Adjourn to Executive Session

In Re October Public Meeting NYC - Civilian Complaint Review Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CCRB BOARD MEMBERS PRESENT

=====

1. Arva Rice - Interim Chair
2. Kevin Jemmott - Board Member
3. John Siegal, Esq. - Board Member
4. Frank Dwyer - Board Member
5. AU Hogan - Board Member
6. Joseph A. Puma - Board Member
7. Charlane Brown-Wyands, Esq. - Board Member
8. Herman Merritt - Board Member
9. Joe Fox - Board Member

Presenters:

- Jahi Rose - Director of Outreach
- New York City Civilian Complaint Review Board
- Anisa - Youth Advisory Council

In Re October Public Meeting NYC - Civilian Complaint Review Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SPEAKERS

=====

1. Ellen Trawick, Mother of Kawaski Trawick
2. Michael Meyers, President, New York Civil Rights Coalition
3. Eric Dym, Retired NYPD Lieutenant
4. John D. Macari, Junior, Retired NYPD Lieutenant

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

5

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MS. ALVAREZ: Good evening,
everyone. Thank you so much for
joining us. For those utilizing ASL
interpretation services, our two
interpreters today are Allison Zilg
(phonetic) and Craig Ridgway. There
will be instructions on the chart on
how to pin their video for the duration
of the meeting. For those utilizing
CART Closed Captioning services, that
link will be found in the chat.

Thank you.

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
October Public Board Meeting to order.

Would the rest of the board
members please introduce themselves,
and I'm going to start to my left with
Mr. McDermott.

MR. JEMMOTT: Good evening. My
name is Kevin Jemmott. And I'm

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

6

1

appointed by the Mayor from Queens.

2

3

MR. SIEGAL, ESQ.: Good

4

afternoon. John Siegal. John Siegal,

5

I'm one of the Mayoral appointees.

6

MR. DWYER: Good afternoon. My

7

name is Frank Dwyer, I'm a police

8

Commissioner designee.

9

MR. HOGAN: Good afternoon. I'm

10

AU Hogan. I'm designee from southeast

11

Queens.

12

MR. DARCHE: My name is Jon

13

Darche. I'm the Executive Director of

14

the CCRB.

15

MR. PUMA: Joseph Puma. I go by

16

he/him pronouns. I'm the City Council

17

designee from the borough of Manhattan.

18

MS. BROWN-WYANDS, ESQ.: Good

19

afternoon. I'm Charlane Brown-Wyands,

20

Police Commissioner designee.

21

MR. MERRITT: Good afternoon.

22

Herman Merritt, City Council designee

23

from Brooklyn.

24

MR. FOX: Good afternoon. Joe

25

Fox, Commissioner designee, NYPD.

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

7

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIR RICE: Thank you.
I will ask for a motion to
approve the September board meeting
minutes.

MS. BROWN-WYANDS, ESQ.: Approve
the board meeting minutes.

CHAIR RICE: Are there any -- I'm
sorry, are there any changes or
corrections to the minutes?

(No response.)

CHAIR RICE: Okay. Is there a
second?

(No response.)

CHAIR RICE: Okay. Hearing none,
all those in favor approving the
minutes, say aye.

(Chorus of ayes.)

CHAIR RICE: All those opposed?

(No response.)

CHAIR RICE: The meeting minutes
are approved.

I want to update you all on the
Kawaski Trawick case. Many of you
have followed the CCRB's investigation

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

and prosecution of the officers who killed Kawaski Trawick.

A few weeks ago, it was reported that the Deputy Trial Commissioner who oversaw the trial is recommending not guilty for both officers on all accounts. Today, the CCRB submitted our responses to this decision to the police commissioner. It is clear that misconduct was committed in this case, and we believe the evidence speaks for itself.

The CCRB has proven what it needs to, and we have reargued our case to the police commissioner. We expect him to hold these officers accountable for their actions.

Much of the discussion around this case is the delays that slowed the investigation. Namely, waiting over a year and a half to receive body-worn camera footage and other evidence from the NYPD. This case reemphasizes the need to have direct

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

access to body-worn camera footage and the importance of speaker Adrienne Adams' bill to grant the CCRB that direct access. We thank speaker Adams for her support and hope the rest of the City Council will support this bill as well.

I would also like to welcome the Youth Advisory Council members, whom I believe some of them are here today. This exceptional group of young New Yorkers have been working with the CCRB to voice the youth perspective on policing. Each year, the Youth Advisory Council hosts a fall event with panels to bring light to youth and policing. This year, they're hosting an international conversation with youth from around the world on what policing looks like in their country. Jahi will give further details on the Youth Advisory Council and their event shortly.

We will now hear from Executive

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Director, Jonathan Darche.

Jon?

MR. DARCHE: I use he/him pronouns. I also want to give a quick update on the Racial Profiling and Bias Based Policing unit, which turned -- which started investigating cases back in October of 2022.

While the unit faced several hurdles in the investigative process, a few months ago the agency signed a memorandum of understanding with the NYPD, in which the NYPD agreed to provide the CCRB with data, the data we need to effectively analyze the racial profiling complaints.

The NYPD has already provided the CCRB with datasets in 75 complaints and is working on providing data in another 24 complaints. The RPBP unit is currently investigating 257 complaints. During the last year, the racial profiling Unit closed 95 complaints. Of those complaints, it

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

was able to fully investigate 10. And over those 10 fully investigated complaints, the racial profiling units substantiated at least one profiling allegation against two members of service.

We hope the Police Commissioner follows through on holding the subject officers responsible for this misconduct, and these cases are both with the Administrative Prosecution Unit.

I want to thank all the people who worked so hard to create this unit and to all the Racial Profiling and Bias Based Policing team members who are taking on this very complicated work.

Before we move further this afternoon, quick updates on agency operations. Our office is open for walk-in complaints, but it is also possible to file complaints online at nyc.gov/ccrbcomplaint, by telephone at

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

12

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

1-800-341-2272 or by dialing 3-1-1.
If anyone wishes to file a complaint tonight, we have two investigators on here right now, Cloey Romans and Emma Stydahar. They're in the back. I saw them earlier. And Ivonne Torres, from our Civilian Assistance Unit is also here.

Some ground rules for this afternoon. First, we'll be hearing from speakers who are here physically with us, and then we'll hear from people who are joining us online who want to speak.

If you are online and wish to speak, please use the "raise your hand" function. Also, please keep your comments to four minutes.

I want to thank the staff for their hard work and thank the members of the public for participating.

CHAIR RICE: Thank you, Jon.

Does any member of the Board have any questions for the executive

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

director?

MR. PUMA: Thank you, Chair.

I thank you, Director Darche. I wanted to -- you mentioned that, you know, there was some more matters now in our new area of jurisdiction going to the APU. I wanted to ask you about the status of another matter that's at the APU. And that is the -- the prosecution of the officer that killed Delrawn Small.

Is there any status on that that you can provide?

MR. DARCHE: Thank you very much for that question, Mr. Puma.

Delrawn Small was killed by Police Officer Isaacs on July 4th, 2016. He was acquitted by a jury in Brooklyn on November 6, 2017. On May -- May 18th, 2018, Mr. Small's family filed a complaint with the CCRB. That investigation was delayed by some documents and footage not being turned over due to problems with

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

the sealing statutes because Police Officer Isaacs had been acquitted in the jury trial.

The agency was able to put together enough evidence to go to the board, which voted to substantiate allegations against Officer Isaacs, and recommended that he face disciplinary charges for the killing of Delrawn Small.

It wasn't until March 3rd, 2023 that Judge Chun granted the CCRB's motion to unseal that criminal case. Ten days later, the PBA attorneys moved to appeal that decision, and that case has still been pending appeal and is still pending appeal today. So despite the best efforts of this agency, we have been unable to get access to the evidence that we need to move forward with this administrative hearing.

This is just one example of why the CCRB needs an exception to the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

State's sealing statutes. We discussed another good example earlier tonight. The CCRB's racial profiling investigations.

In many general CCRB's investigations, the CCRB knows the people involved. And we can get waivers to sealing statutes from those people. But in many of the profiling investigations, the CCRB will need access to information regarding incidents that may be sealed for a variety of reasons where the CCRB does not know who the complainants are. The CCRB needs the State legislature to act to exempt us from sealing statutes.

MR. PUMA: Thank you.

CHAIR RICE: Thank you, Mr. Puma.

Does any other member of the board have any questions for our executive director?

(No response.)

CHAIR RICE: No. Okay. Seeing

In Re October Public Meeting NYC - Civilian Complaint Review Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

none, I'm going to ask our Director of Outreach, Jahi Rose, if he can make a presentation to the board.

MR. ROSE: Good afternoon, everyone. My name is Jahi Rose. I am the Director of Outreach for the Civilian Complaint Review Board. I go by he/him pronouns. Just going to give you a brief overview of the CCRB, a couple of maybe interesting updates about what we have to come.

The CCRB, Civilian Complaint Review Board, is a city agency. We're the nation's largest independent oversight entity over the largest police force in the nation. The CCRB investigates, mediates and in some cases, administratively prosecutes allegations of misconduct alleged against members of the New York City Police Department.

The agency is governed by a 15-member board, many of which you have met on the dais. Five are

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

appointed by the New York City Mayor, five are appointed by the New York City Council, three are appointed by the New York City Police Commissioner, one is appointed by the Public Advocate and the chair is jointly appointed by the City Council and the Mayor.

The CCRB can accept complaints about police misconduct. We have the ability to investigate five very specific types of allegations. They include force, abuse of authority, discourtesy, offensive language, and untruthful statements. FADO & U.

There's some brief information about the Right to Know Act that went into effect in 2018, which impacts police encounters with members of the public. Where it includes officers should be in certain circumstances identifying themselves by providing such information, like officer's name, badge number, rank and command. With

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

some exceptions, officers should be notifying you with the purpose of the encounter or interaction.

With certain exceptions, officers should also be notifying you, informing you that if you -- if they have to ask for your permission to get consent to search, then you have the right to say no to granting that consent on whether it's your vehicle, your person or your property.

With some exceptions, officers are supposed to offer a business card. That business card has identifying information about the officer. Civilians can request these business cards in any encounter. This is a copy of what the business card looks like. (Sharing screen.)

As mentioned before, there are a few different ways to file a complaint about police misconduct. One of the easiest ways is by filing a complaint on our agency's website, which is

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

19

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

nyc.gov/ccrbcomplaint. You can also call the CCRB's hotline at 1-800-341-CCRB, or 1-800-341-2272.

Remember, if you also see footage of misconduct on social media or on the news, you can also file a complaint, even if you were not there in person. You can definitely direct message the Civilian Complaint Review Board on our social media handles, common handle is underscore -- it's @CCRB_NYC.

A couple of other ways to file a complaint about police misconduct include 3-1-1, everyone's favorite number. You can also come to the CCRB's headquarters right here at 100 Church Street in Lower Manhattan on the 10th floor. You can also file a complaint by direct messaging the CCRB on Facebook, X formally known as Twitter, and Instagram. As mentioned before, the common handle is @CCRB_NYC. You can also send a letter

In Re October Public Meeting NYC - Civilian Complaint Review Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

to the Civilian Complaint Review Board at 100 Church Street, New York, New York, zip code 10007. And that's the 10th floor.

You can also file a complaint at any local precinct throughout the five boroughs. Does not have to be the precinct where the encounter may have taken place. Police officers are required to accept those complaints in the precinct. They can also offer you a complaint form and a self-addressed envelope postage free.

A couple of upcoming events that the CCRB will be having is, one, our Week of Awareness. The CCRB is seeking -- we are seeking volunteers to celebrate or in recognition of our one-year anniversary of the 20 -- of October 22nd, 2022 rules changes, which gave the CCRB the ability to be able to investigate bias-based policing and racial profiling. We will be partnering with elected

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

officials, community organizations and every-day New Yorkers to spread that message to all other New Yorkers about the CCRB's jurisdiction.

So we definitely would like members of the public to be able to canvas and spread that message alongside us. More information will be provided in the couple days to come. That week of awareness will take place between October 23rd and October 27th.

The CCRB does have live applications for our Youth Advisory Council. The Youth Advisory Council are our magnificent young people that are here to be our young leaders for their communities, they serve as ambassadors and they help us to be able to better connect with young people and provide guidance regarding police encounters with youth and help us -- and they also engage in team building activities as well.

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Applications are live from now until November 30th. The chat -- the chat will include the link for you to be able to apply. All young people that live within the five boroughs can apply from ages 10 to 18.

We will bring on Anisa (phonetic) to be able to explain the components of one of our annual youth events, our Youth Advisory Council event. And that's our fifth annual Speak Up Speak Out International Youth Summit.

MS. ANISA: Good afternoon, everyone. My name is Anisa, and I'm a senior at UAI Math and Science, and I'm a member of the CCRB's Youth Advisory Council. The Youth Advisory Council serves to -- okay. Thank you. Sorry.

Okay. Thank you. The Youth Advisory Council serves as ambassadors of our community, and we also advise the CCRB on how to improve NYPD relations with youth. We have our

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

upcoming international event called
the -- sorry -- on November 2nd,
November -- on November 2nd, 3:00 p.m.
to 5:00 p.m. Eastern Time. We have an
event where -- I'm sorry, guys. On
November 2nd, 3:00 p.m. to 5:00 p.m.,
we will be having international event
hosted on Webex where youth are --
where youth can voice their opinions on
their policing internationally and what
they think should be done and their
advice on policing.

With us will be many
organizations that also want to hear
our voice, and I strongly urge youth
to join because change only happens
when more voices are heard.

MR. ROSE: Thank you so much. If
you would like an outreach presentation
by the Civilian Complaint Review
Board's outreach team, feel free to
e-mail our CCRB at
outreach@CCRB.nyc.gov. You can also
follow the CCRB at our social media,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

which is Twitter, X, formally known as
Twitter, Instagram and Facebook.

Thank you very much, Chair.

MR. HOGAN: Jahi, you said that
there's some exceptions when you go to
the Right to Know Act, that there's some
exceptions that officers don't have to
give cards, you said? Did you --

MR. ROSE: Depends on the level
of interaction that the officer is
required to provide the -- required to
offer the business card. So in those
interactions, if the officer is
accusing someone of engaging in a
criminal activity or they're asking --
they're directly accusing someone or
asking accusatory questions, under
those circumstances, the officer should
be offering those business cards.

In the event the officer is
asking a level of questioning that
would include just common every-day
inquiry, then the officer may not have
to offer that business card. But the

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

civilian can still request it despite that.

MR. HOGAN: Okay. Thank you.

CHAIR RICE: Thank you so much, Mr. Rose. And thank you so much Anisa for pushing through that presentation. It's not easy speaking in public. Even though I have to do it every day.

We will now enter the public comment portion of the meeting. We will begin with those joining us in person who would like to make a comment, followed by those who are joining us virtually.

We will begin with Ms. Ellen Trawick. Can you please step up to the platform, if that's okay for you.

MS. TRAWICK: Good afternoon.

CHAIR RICE: Good afternoon.

MS. TRAWICK: My name is Ellen Trawick, and I am the mother of Kawaski Trawick.

Kawaski was killed April 14, 2019 by NYPD Officer Brendan Thompson

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

26

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

and Herbert Davis. It's been kind of rough for my family and I because we live in Georgia. And we have been having to travel back and forth to demand justice for Brendan Thompson and Herbert Davis taking Kawaski's life.

A couple of weeks ago, we learned that Deputy Maldonado had signed a recommendation that the charges be dismissed, misconduct and illegal entry. And I just -- it's hard for me to accept that because it's not right. Brendan Thompson and Herbert Davis took Kawaski's life, and they should be held accountable for that.

In her report, she's saying that the statute of limitation had passed, the reason why the charges were being dismissed, knowing that the NYPD held the evidence for 21 months. And that's not right.

So my family and I are asking

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

that the mayor and the commissioner meet with us, the Trawick family and our team that has been supporting us, the justice committee, before a final decision is made. He had made a comment that he will meet with us after a decision is made, but what good would that do for my family?

These officers need to be held accountable, and we are asking the CCRB to continue to fight for us, continue to fight that these officers are fired. Because if not, this will continue to happen and will continue to hold evidence in police killing and that's not right.

So that's what my family and I are asking, that CCRB continue to fight for us to have these officers fired. And that Mayor Adams, the Commissioner Caban meet with us before a decision is made. And that is my request.

Thank you.

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIR RICE: Thank you. Thank you so much, Ms. Trawick, for coming and speaking to the board today. Thank you so much for your sister-in-law for joining us as well. And I wanted to ask any -- first of all, my condolences again in the loss of your son. And I wanted to see if there are any members of the board who wanted to make any comments.

MR. HOGAN: I spoke to you before on the phone. I'm AU Hogan. I want to offer my condolences again. And whatever I can do in part to help with this board to make sure that justice is served, I will. And again, I want to marinate, sorry for your loss. And if we don't pay attention to these things, they will continue. So thank you for being strong and brave enough to come here and say what you said.

MS. TRAWICK: Thank you.

MR. SIEGAL, ESQ.: I think this is on. Can you hear me?

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MS. TRAWICK: Yes, I can.

MR. SIEGAL, ESQ.: Let me just say this. Those of us who are on this board, when we reviewed your son's case, looked very carefully and the whole record of the investigation that was provided to us. And in particular, the videotapes of the incident. And it was a difficult, very troubling meeting and review. And seeing you here today and hearing you brings me back to the feelings that I think a lot of us had looking at that evidence.

And having looked at it and having studied it, I can only hope that others in a position of official responsibility in this city do the same. And then have the -- the responsibility and decency to explain their views on it. Because we -- we took the action we took based on the evidence that we all looked at. And we just call on anyone else involved in this case to do that and to give a

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

30

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

reason and explanation for their
actions. Whatever the outcome is.

So thank you for coming.

MS. TRAWICK: Thank you.

MR. SIEGAL, ESQ.: We appreciate
it.

CHAIR RICE: Thank you, again,
Ms. Trawick. And we will continue to
push forward, as I mentioned to you
earlier, the staff has written a formal
response to the police commissioner.
So we will continue to fight for you
and your family.

MS. TRAWICK: Thank you.

CHAIR RICE: Thank you.

For those joining us in person
and are interested in making a public
comment, please line up behind the
podium, and we are going to ask you to
please keep your comments to
four minutes.

MR. MEYERS: I'm Michael Meyers.
I'm the President of the New York City
Rights Coalition. Ms. Trawick has

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

31

1
2 already left. I wanted to give her my
3 personal condolences. However, I do not
4 think that the Mayor's response to Ms.
5 Trawick is a decent one. He can meet
6 with a victim's family without
7 jeopardizing or prejudicing a case. He
8 meets with police officers. He meets
9 with lots of people in the communities
10 all the time. Especially when he wants
11 to profile and posture. This is just
12 not a case he wants to posture. I'm
13 sick of him. I'm sick of people
14 apologizing for him, and I'm sick of
15 police commissioners who do not know
16 how to treat people.

17 And we -- this is the recent
18 police commissioner. I'm not talking
19 about the other one we got rid of. I
20 wrote three different e-mails to this
21 police commissioner, Caban. Whatever
22 his name is. Did I get a response? No.
23 Did I get an acknowledgment?
24 No. What kind of indecency is this?
25 Treating people who are citizens of

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

this city. Disrespectful. I say it's indecent. And I say people who don't care. They don't care about the B community, they don't care about victims or police abuse, they don't care about you. Now you ought to be upset for this absurd behavior on the part of our public officials. And that includes the so-called mayor.

I have to ask the police commissioner and the mayor who work together now, where are you? How come we can't get a response to our e-mails? How come we cannot hear from you? How come this -- this -- this committee cannot have a meeting with the police commissioner? I keep asking every time I come to this board meeting, when are you going to get a meeting, a public meeting with the police commissioner? How many commissioners do we have to have before we get an answer to that question? I want you to meet with

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

this guy before he is forced to leave, get out. Because he has to get out, as far as I'm concerned. His time is up.

Now, the CCRB -- CCRB complaints -- I have filed a complaint about a police officer. In front of the Roosevelt hotel. Now I'm not going to comment about it because it's still under investigation. I don't know how long it's going to be under investigation because you have video of it. I'm sick of this. I really am sick of this.

Now, I also asked the last time I was here about the website. Transportation. I looked -- maybe it's my eyes. I admit, I have a difficulty in sometimes seeing things. And I looked all over that website for the information about transportation, how to get here by subway. And I still couldn't find it. Maybe somebody can help me out later on.

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Now, finally, because I know my time is running out, I wanted to say that as far as the interim chair is concerned, the interim chair knows I respect her and I love her, in a non-romantic way. How long are you going to be interim chair? How long does it take for the mayor to make you a permanent appointee, a chair? How long? What is he doing? He has to run off to South America or Central America or Mexico and any place else. Profiling, posturing. Putting his face on the TV. But he can't make a permanent appointment of the chair of the CCRB? This is ridiculous.

And why am I the only one upset? You ought to be upset. This is an act of disrespect to you, each, each of you, and to this board. That he can't even appoint a permanent chair. Which will not be permanent, of course. But he can at least take interim from your title.

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I'm -- I'm so disgusted. I really am. Of course nobody other than me, not even anyone in the civil rights community will say, hey, Mr. Mayor, this is unacceptable. You ought to resign, Mr. Mayor. Nobody will say that. Because he wants to run for reelection, and he's running for reelection. With all the parades and stuff. I'm sick of these people. I'm sick of them parading on our children's backs. I'm sick of them not having responses to complaints, legitimate, compelling complaints. I'm sick of time running out. I'm sick of the excuses and the alibis. I really am. You ought to be sick of the excuses too. Not just me.

The Executive Director used the word "hope". I jotted that down. He hopes that the police commissioner will do this and do that and follow up. You shouldn't hope, Mr. Executive Director, that the police commissioner

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

does something. You ought to expect him to do something. And your board should back you up. Your chair, your interim chair and everybody should back you up. And expect, not hope, that he follows through on your procedures and your processes and your findings. Because as long as you hope, he ain't going to respond. He ain't going to do anything. It's going to be another month, I'm going to come here again and say this guy got to resign, too. He's got to get the hell out of here.

Now, finally, you used the word APAU acronyms. I hope that you will not use acronyms anymore. Because there are people who watch the program who don't know what these things mean, APU. Use words. People understand words. They understand activities and actions and policies and difference between policy and practice and hopes and expectations. They understand

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

37

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

that. I understand English. I don't hope for anything. I expect this police commissioner to respect your recommendations. And if he -- he can't -- he can't have respect for your recommendations, at least he has to have an explanation for it, differing with your recommendations. He has to have -- he has to put this in writing so the public can understand where this police commissioner is coming from.

We want to know where is he coming from? What does he believe in? I know what the former police commissioner believed in. She believed in police officers. She told us, point-blank. She doesn't support us, the people, the public. So out with her. So she went out of here. It's time for him to get out, too.

CHAIR RICE: Thank you, Mr. Meyers. Did you have any other comment --

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

38

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. MEYERS: I would like to put a chair -- because I'm not clear about when we have a quorum or we don't have a quorum. But in the beginning of the meeting would be nice if the chair acknowledged or accept we have a quorum. And we have a quorum because there are enough members present. And if we don't have a quorum at meetings, I want to know why and I want attendance records for everybody taken. We want to know when they're here and more importantly, when they're not here. Because they have to get the hell out of here, too.

CHAIR RICE: Thank you so much, Mr. Meyers, for that. I will let you know we are a quorum today. And I will let you know a secret; when I ask people to approve the minutes, it means we are a quorum. Just so you know that. Yeah, just so you know that.

You've raised a couple of different things. In terms of meeting

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

with the police commissioner, we are in the process of making that happen. We will -- the idea/notion of doing a public forum is something that I'll have to take up and continue to take with the full board.

You asked about my role as interim chair. I will continue to serve in this role at the bequest of the Mayor and the Speaker, until they decide to make a final decision on that.

And in terms of hope, we have a long history with the police commissioner and his level and rate of concurrence with the recommendations that we -- that we put forward. So we have an expectation that they will -- those cases that we find that are substantiated, we know at the level that they agree with them. But we also know that there's a distance. And so we will continue to push and fight for the CCRB to be the final

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

arbiter of justice when it comes to
policing.

But at this time, you know just
as well as the rest of us, that we do
not have that at this current point in
time. So that is where we are in
that.

Jon, did you want to add
anything?

MR. DARCHE: I apologize for
using the acronyms when I was speaking
to folks. It is sometimes confusing
for people who aren't in the know.

So the APU is the Administrative
Prosecution Unit, which is really a
unique, unique unit in the nation here
at the CCRB. And when the board
recommends charges, which is the most
serious form of discipline against a
member of service, it's actually the
attorneys at prosecutors at the
Administrative Prosecution Unit who go
to One PP and represent CCRB and
represent the civilian fighting for

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

41

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

justice and getting, hopefully, the members of service who are accused of misconduct to be held responsible for their actions and be made accountable for their actions.

CHAIR RICE: And you mentioned One PP, which is One Police Plaza, which is police headquarters. Good enough.

Any other comments? Any other comments?

(No response.)

CHAIR RICE: All right. Is there anyone else in the room who would like to make a public comment? If so, they can come to the microphone. And we ask that you limit your comments to four minutes.

Anyone else in the room?

(No response.)

CHAIR RICE: Okay. Seeing none, Yojaira. For those joining virtually, we want them to please use the "raise your hand" feature and also to keep

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

42

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

their comments to four minutes or else less.

Yojaira, will you please call on the first person.

MR. DARCHE: Thank you, Chair. First we'll be hearing from Eric Dym.

MR. DYM: Am I ready to speak?

MS. ALVAREZ: Yes. We can hear you.

MR. DYM: Okay. Thank you so much.

I'm Eric Dym, retired Lieutenant from the NYPD. I have been coined as the most complained cop due to the city and overzealous Civilian Complaint Review Board.

I retired one year ago. During this time, myself and a fellow lieutenant, John Macari, we both have pioneered New York's Finest: Retired & Unfiltered Podcast. And what we learned at the last CCRB meeting through a gentleman there who is from Africa, he had made a great statement.

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

And he said that a police officer is once a law enforcement officer and two times a citizen. And I, myself, I fit that bar.

I attended the last meeting with all good intentions and goodwill to give police perspective of a retired lieutenant who's been coined as the most complained cop. I've been an advocate extremely expressive for intrusive police work. Since the last meeting, I was denied my first amendment right to speak. I was contacted by the Civilian Complaint Review Board where it was told to me that there was potentially a glitch or that I -- I am either an idiot or a moron and I did not know how to use the Webex icon of "raise hand".

I'm very forgiving and understanding. However, as a citizen, a retired police officer, I believe that my perspective and my analysis of the police department and the

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

correlation with the Civilian
Complaint Review Board is extremely
important and imperative.

I've watched video and I did my
own analysis of this particular
incident involving Kawaski Trawick.
Tragic and unfortunate. The death of
anyone or the loss of any life is
extremely problematic and sad.
However, police officers have seconds
to make the most extreme decisions.
While the Civilian Complaint Review
Board has admitted themselves that
these investigations take months,
sometimes years and they're not
actually investigated completely
throughout its entirety. Yet police
officers have seconds.

And on this particular incident,
on the day of his death, police
officers were provided with limited
amount of information as they went to
the scene of the 9-1-1 call. Trawick
was in possession of a knife. He was

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

in disarray. The police officers entered the apartment under case law of the emergency exception, with limited information that they had. It was an unfortunate encounter. Now I don't want to go too much into this encounter. It's too tragic. I don't want to relive it for the family.

However, these police officers are getting the blame. And this is what I find extremely problematic why the NYPD is not present here. This institution always blames the cops. It's easy just to blame the cops. They've already passed a layer from the district attorney's office, they passed a layer from the NYPD that they operated within the department guidelines. However, if the Civilian Complaint Review Board finds the optics of this problematic, there should be a convene with the New York City Police Department leadership and determine how to go forward if the

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

training you feel does not apply to this particular case because cops are trained when someone is in possession of a knife, that you need at least 21 feet distance to create safety. And the tests have been shown that if someone has less than 21 feet, they can get to that police officer before the police officer is able to retract their firearm. And in addition to that, the taser has been proven by the FBI to only be effective 49 percent of the time, which is a flip of the coin.

I understand that my four minutes are up. Thank you for your time. I appreciate you listening. I will attend the next meeting. It's important that we speak from police perspective and analysis, from retired members, active. It's unfortunate the NYPD is not there, but we need more discussions. I do say this quite often, opposition meets opportunity. Communications break barriers.

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

47

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Thank you.

CHAIR RICE: Thank you, Mr. Dym, for joining our conversation today and being diligent. I know that the Webex system can sometimes be frustrating. But I'm happy that you were able to log in today. And I do appreciate your perspective. On whether we agree or disagree, I think it's important for us to be able to hear from different perspectives. So thank you so much for calling today. And I'm going to ask our Executive Director to respond to some of the things that were raised.

MR. DARCHE: Thank you, Madam Chair.

I think it's important to have a few other facts that Lieutenant Dym left out of his description of what happened on that day with Mr. Trawick.

Mr. Trawick lived in a supporting housing unit. So the people who respond to a unit like that know that there is sometimes people

1
2 who are engaging in mental health
3 issues or substance abuse issues, they
4 should know that they need to take
5 care when they're going to a situation
6 like that.

7 The fire department had
8 responded to the 9-1-1 call to get
9 Mr. Trawick into his apartment, and
10 the emergency was over. Mr. Trawick
11 was back in his apartment. The
12 officers who responded knew that the
13 emergency was over. They drove around
14 the block looking for a place to park.
15 They sauntered into the building.
16 They walked upstairs. They banged
17 open the door. And Mr. Trawick is in
18 his studio apartment, cooking and
19 holding a knife. Mr. Trawick goes to
20 turn down his music, is so
21 confrontational, is so dangerous, he
22 goes to turn down his music so he can
23 speak to the officers. And in less
24 than a hundred and twelve seconds,
25 Officer Thompson, despite Officer

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

49

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Davis physically trying to keep him from shooting Mr. Trawick, Officer Thompson tasers him and shoots him four times. Not once, not twice, not three times, four times. Then they close the door and let him bleed to death while he's inside on the floor after they shot him.

So I think when you look at all of the facts and all of the circumstances around that case, you will see that they should not be police officers any more. God forbid you are in trouble, that you call 9-1-1 to get help and Officer Thompson comes to your door.

CHAIR RICE: Thank you for that, Jon. I'm going to ask Yojaira, if there's anyone else on the line who would like to present.

MS. ALVAREZ: Thank you, Madam Chair. Next, we'll be hearing from John D. Macari Junior.

MR. MACARI: Good evening,

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

50

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

everybody. Does everybody hear me?

CHAIR RICE: We can.

MR. MACARI: How you doing? This is retired NYPD Lieutenant John Macari. I am the former CCRB liaison. I served in that role from 2015 to 2016. Very familiar with the CCRB process.

I just actually came here, I have a few questions. But before I ask the question, I just want to say to the last statement that Jon made, he left out a very vital point in the whole thing. The body camera video is available for anyone that wants to see it. And what he left out is that unfortunately, Mr. Trawick charges a police officer with a knife in his hand.

Now, I understand there could be questions leading up to that encounter. But that is regardless if it's Officer Thompson, if it's myself, if it's any other officer, the fact remains, if you charge a police

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

officer with a knife in your hand,
they will discharge the firearm. That
is part of their training. It will
not be a taser.

Now, I don't want to relive this
for the family. It's terrible for
them. It's a terrible, terrible loss
of life, and I will never, ever
diminish that, ever, for one second.
I just think that needed to be stated.

And my other -- my other
question really is in regards to the
profiling unit. I believe since 2017,
the police department has been
investigating profiling cases. Very
little of those cases have been
substantiated. And my question is
that the CCRB is now going to take
over those investigations, and they
will have a profiling unit.

What is the reasoning that the
NYPD was unable to substantiate the
majority of these cases, and what will
the CCRB be doing differently if any

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

investigative steps to ensure that those cases are being fully investigated? What will the difference be between the investigation of the NYPD and the CCRB?

And my second follow-up question is, how will you ensure that this is not going to be used disproportionately against male, White officers?

And that's all I have.

MR. DARCHE: So I believe that out of 3,000 complaints that the NYPD investigated involving accusations of profiling, they substantiated four over a four-year period. In the year -- sorry, over an eight-year period. Thank you, Cleo.

In the year that the CCRB has been conducting investigations, we have fully investigated 10 cases that the board has voted on and we substantiated one complaint involving

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

two members of service for profiling.

I think it is possible for officers of all races and all genders to profile, and it does not matter if -- if you are an officer of color or female officer, it does not give you the -- a free pass to profile. So the CCRB will take profiling allegations seriously regardless of the race or gender or gender identity of a member of service.

CHAIR RICE: Thank you.

Yojaira, will you call on the next person on the line?

MS. ALVAREZ: Seeing no other hand raised, this concludes our public session.

CHAIR RICE: Thank you so much. Do we have any old business to come before the board?

(No response.)

CHAIR RICE: Any old business?

(No response.)

CHAIR RICE: Okay. Do we have

In Re October Public Meeting NYC - Civilian Complaint Review
Board
October 11, 2023

54

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

any new business to go before the
board?

(No response.)

CHAIR RICE: No new business.
Okay. Hearing none, I'm going to move
now that we break into executive
session. The agenda for the executive
session is, the board will receive an
update from the executive director on
pending personnel actions and an update
from the general counsel on litigation.
I'd like to call this meeting to a
close.

Do I have a motion?

(Response.)

CHAIR RICE: Do I have a second?

MS. BROWN-WYANDS, ESQ.: Second.

CHAIR RICE: All those in favor?

(Chorus of ayes.)

CHAIR RICE: So moved. The
October meeting of the CCRB is
concluded. Thank you.

(TIME NOTED: 5:04 p.m.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T E

STATE OF NEW YORK)

:SS

COUNTY OF NASSAU)

I, Elbia Brumit, 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 19th day of October, 2023.


ELBIA BRUMIT