

In Re Public Board Meeting NYC - Civilian Complaint Review Board  
April 17, 2024

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CIVILIAN COMPLAINT REVIEW BOARD  
PUBLIC MEETING  
April 17, 2024  
4:12 p.m.

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HELD VIA VIDEOCONFERENCE/  
100 Church Street, 10th Floor  
New York, New York 10007

B E F O R E:  
ARVA RICE - INTERIM CHAIR  
JONATHAN DARCHE, ESQ. - EXECUTIVE DIRECTOR  
  
COURT REPORTER:  
Sabrina Brown Stewart

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

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CCRB BOARD MEMBERS PRESENT:

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

PRESENTERS:

MAROUA RIGHI - Deputy Director of Outreach and Intergovernmental Affairs of the Civilian Complaint Review Board

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S P E A K E R S:  
Royce Russell - NY Civil Rights Attorney  
Chris Dunn - NYCLU, Legal Director  
Michael Meyers - President, NY Civil Rights  
Coalition  
Mari Moss - Civilian  
Ibrahim Ahmed - Civilian  
Asma Abdallah - Civilian

1 MR. ROSE: Good evening, everyone.  
2 Thank you for joining us. For those  
3 utilizing ASL Interpretation Services, our  
4 two interpreters today are Andria Lamberton  
5 and Erika Agramonte. The display names are  
6 on the screen as ASL Interpreter SignNexus  
7 Andria, and ASL Interpreter SignNexus Erika.  
8 For those utilizing -- if you'd like to get  
9 captions for those videos, the instructions  
10 will be in the chat.

11 Thank you all very much.

12 CHAIR RICE: Good evening and welcome.  
13 My name is Arva Rice. I use she/her  
14 pronouns, and I am the Interim Chair of the  
15 Civilian Complaint Review Board. I would  
16 like to call the CCRB's February (sic) Public  
17 Board Meeting to order.

18 Would the Board please introduce  
19 themselves now, and we will start with Pat.

20 MR. SMITH: Pat Smith, mayoral  
21 appointee, Manhattan.

22 MR. HOGAN: AU Hogan, City Council  
23 designee, South Jamaica, Queens.

24 MR. DWYER: Frank Dwyer, Police  
25 Commissioner designee.

1 MR. MERRITT: Herman Merritt, City  
2 Council designee from Brooklyn.

3 MS. BROWN-WYANDS: Good afternoon.  
4 Charlane Brown-Wyands, Police Commissioner  
5 designee.

6 MR. DARCHE: Good evening. My name is  
7 Jon Darche. I use he/him pronouns, and I'm  
8 the Executive Director of the CCRB.

9 MR. SIEGAL: John Siegal, I'm one of the  
10 Mayoral appointees.

11 MS. SIMMONS: Esmeralda Simmons, Public  
12 Advocate appointee from Brooklyn, New York.

13 MR. FOX: Hi. Joe Fox. I'm a Police  
14 Commissioner designee.

15 MR. JEMMOTT: Good afternoon. I'm  
16 Kevin Jemmott, Mayoral appointee from Queens.

17 CHAIR RICE: And we also have somebody  
18 joining us.

19 Mr. Puma, would you introduce yourself,  
20 please.

21 MR. PUMA: Good afternoon. My name is  
22 Joseph Puma. I go by he/him pronouns, and  
23 I'm the City Council designee from the  
24 Borough of Manhattan.

25 CHAIR RICE: Thank you.

1 MS. NORTHERN: Good afternoon. June  
2 Northern, Mayoral appointee from Brooklyn.

3 CHAIR RICE: Thank you, June.

4 I would like to ask for a motion to  
5 approve the February Board Meeting minutes.

6 MS. BROWN-WYANDS: Move for the  
7 approval of the February Board Meeting  
8 minutes.

9 CHAIR RICE: And can I have a second.

10 MR. HOGAN: Second.

11 CHAIR RICE: Thank you.

12 Are there any changes or corrections to  
13 the minutes?

14 (No response).

15 CHAIR RICE: If not, hearing none, all  
16 those in favor of approving the minutes as  
17 presented, say aye.

18 (Chorus of ayes).

19 CHAIR RICE: All those opposed?

20 (No response).

21 CHAIR RICE: The minutes are approved.

22 I would also like to ask for a motion  
23 to approve the March Board Meeting minutes.

24 MS. BROWN-WYANDS: So moved.

25 CHAIR RICE: And can I have a second.

1 MS. SIMMONS: Second.

2 MS. NORTHERN: Second.

3 CHAIR RICE: Are there any changes or  
4 corrections to the minutes?

5 (No response).

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

8 (Chorus of ayes).

9 CHAIR RICE: All those opposed?

10 (No response).

11 CHAIR RICE: The minutes are approved  
12 as presented.

13 This past Sunday marked the five-year  
14 anniversary of Kawaski Trawick's death at the  
15 hand of Officers Thompson and Davis. Five  
16 years ago, Mr. Trawick called 9-1-1 for help  
17 to get back into his apartment. The Fire  
18 Department came, helped him, and left without  
19 incident. Officers Thompson and Davis  
20 arrived minutes later, drove around the  
21 block, took their time to find parking, and  
22 spoke to the staff at the assisted living  
23 facility that Mr. Trawick lived. The  
24 officers knew it was a sensitive location,  
25 and acknowledged that Mr. Trawick might be



1           classified as what NYPD calls an emotionally  
2           disturbed person.

3           Officers Thompson and Davis walked up  
4           to Mr. Trawick's floor, approached his door,  
5           and a hundred and twelve seconds later,  
6           Kawaski was on the floor, shot by  
7           Officer Thompson three times. Officers Davis  
8           and Thompson left Mr. Trawick on the floor,  
9           closed the door and didn't call for help.  
10          After Mr. Trawick was killed, the Bronx DA  
11          determined they did not have enough evidence  
12          to prosecute the officers for criminal  
13          conduct.

14          The NYPD conducted its own internal  
15          investigation, where they interviewed the  
16          officers for less than 30 minutes and did not  
17          ask them any questions about the footage in  
18          question. When the officers made misleading  
19          statements that did not match the footage,  
20          nothing was done. They failed to find any  
21          misconduct by either officer.

22          The CCRB received a complaint and  
23          requested evidence and body-worn camera  
24          footage from NYPD, but did not receive  
25          anything for over 18 months. Despite the

1 interference, the CCRB investigation  
2 established that both officers improperly  
3 entered Kawaski's home, that Officer Thompson  
4 improperly tased Mr. Trawick, that  
5 Officer Thompson improperly shot Mr. Trawick  
6 four times, and that both officers failed to  
7 get Mr. Trawick medical attention, while they  
8 left him dying on the floor of his apartment.  
9 The NYPD's refusal to release the evidence in  
10 this matter meant that when the CCRB's  
11 prosecutors file charges against Mr. Trawick,  
12 they had to use the crime exception to the  
13 statute of limitations. Using the crime  
14 exception imposed added requirements on the  
15 prosecution, which Executive Director, Jon  
16 Darche, will explain in more detail shortly.

17 In addition to having to prove that the  
18 officers violated the NYPD Patrol Guide, we  
19 had to prove that they broke criminal law.  
20 Our talented and dedicated prosecutors rose  
21 to the challenge, and they did just that.  
22 But the NYPD trial commissioner, who presided  
23 over this case, blamed the CCRB for the  
24 delays in this case, and refuse to hold the  
25 officers accountable. She did, however,

1           concede that the NYPD investigation ignored  
2           sections of the Patrol Guide and left her  
3           with disquieting questions about how they  
4           could have cleared the officers' conduct.

5                       This past Friday, just before the fifth  
6           anniversary of Kawaski's death, the NYPD  
7           announced the police commissioner's decision  
8           to endorse the trial commissioner's flawed  
9           recommendation. The Trawick family was not  
10          informed of the decision in advance, and  
11          heard the decision through the media. Had  
12          NYPD conducted a legitimate investigation and  
13          held their officers accountable, Kawaski's  
14          family could have avoided the last five years  
15          of fighting for justice, and would not have  
16          had to sit through a trial, watching their  
17          son being killed over and over again.

18                      To their credit, the NYPD recognized  
19          that their delays in this case were  
20          obstructing the disciplinary process and many  
21          other investigations, and both agencies  
22          agreed to a policy which limited the NYPD to  
23          90 days to respond to the CCRB's request for  
24          evidence. While this MOU is an excellent  
25          start, it is not enough to ensure that we

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have comprehensive police accountability.

    Last month, Executive Director Darche and I testified before the City Council, and we asked for a historic 37.7 million budget for the CCRB. The CCRB has been chronically underfunded since its inception. In the last several years, the Board, the City Council, and people of New York have voted to expand the CCRB's jurisdiction and increase its responsibilities. This included investigating racial profiling and bias-based policing, body-worn camera misuse, sexual misconduct, untruthful statements and more. Instead of receiving more funds to hire the investigators and secure the resources we need to complete these cases efficiently in a timely manner, we face budget cuts. For the first time, the CCRB has not had a sufficient budget to investigate allegations within its jurisdiction.

    I would like to thank the City Council, who last week publicly supported the CCRB's request for a \$5 million increase. We hope that the Office of Management and Budget will support the CCRB and the City Council to

1 ensure that all components of public safety  
2 are adequately funded in the City. For  
3 people to trust in the police, they must have  
4 faith that there's a system that holds police  
5 officers responsible for misconduct. The  
6 CCRB is an unbiased, independent civilian  
7 voice in the police disciplinary system, and  
8 failing to adequately fund the CCRB  
9 shortchanges public safety in the City.

10 I will now pass it to Executive  
11 Director, Jonathan Darche, who will explain  
12 the crime exception rule in more detail.

13 Jon.

14 MR. DARCHE: Thank you, Chair.

15 The crime exception to the statute of  
16 limitations is often misunderstood. I'm  
17 going to attempt to explain it to you all  
18 now.

19 New York State Civil Service Law  
20 Section 75 establishes the statute of  
21 limitations for disciplinary actions against  
22 members of the NYPD as 18 months from the  
23 date of the incident. The only exception to  
24 this is also found in Section 75, "Such  
25 limitations shall not apply where the

1 incompetency or misconduct complained of and  
2 described in the charges would, if proved in  
3 a court of appropriate jurisdiction,  
4 constitute a crime." We refer to that  
5 language as the crime exception to the  
6 statute of limitations.

7 When the CCRB brings charges under the  
8 crime exception, it adds to the CCRB's burden  
9 as the Agency must prove the elements of a  
10 crime that constitutes the alleged  
11 misconduct. This also means the CCRB must  
12 disprove the defenses available to that  
13 crime. What doesn't change is the burden of  
14 proof, which is a preponderance of the  
15 evidence, more likely than not. In criminal  
16 court, the burden of proof is beyond a  
17 reasonable doubt.

18 I'm going to focus on a single  
19 specification from the trial against the two  
20 officers who killed Kawaski Trawick.  
21 Specification 6, against Police Officer  
22 Thompson, to illustrate how the crime  
23 exception works, Specification 6 alleges that  
24 Police Officer Brendan Thompson, on or about  
25 April 14, 2019, at approximately 2300 hours,

1 while assigned to the 46th Precinct and on  
2 duty in the vicinity of 1616 Grand Avenue,  
3 Bronx County, wrongfully used force in that  
4 with intent to cause physical injury to  
5 Kawaski Tyrone Trawick, Officer Thompson  
6 caused such injury by intentionally firing a  
7 dart from a conducted electrical weapon into  
8 Kawaski Tyrone Trawick without police  
9 necessity.

10 If you were to have the charges in  
11 front of you, you would note that the CCRB  
12 listed the appropriate Patrol Guide sections  
13 221-08, Use of a Conducted Electrical Weapon,  
14 and 221-02, Use of Force, underneath that  
15 particular specification. The CCRB also  
16 listed Penal Law Section 120.05, assault in  
17 the second degree, subsection two; "A person  
18 is guilty of assault in the second degree  
19 when: With intent to cause physical injury  
20 to another person, they cause such injury to  
21 such person or to a third person by means of  
22 a deadly weapon or a dangerous instrument."

23 The CCRB presented evidence that proved  
24 every element of assault in the second  
25 degree. Article 10 of the New York State

1 Penal Law defines physical injury as  
2 impairment of physical condition or  
3 substantial pain. A Taser, or a conducted  
4 electrical weapon, delivers 50,000 volts of  
5 electricity into a person's body. It  
6 overrides a person's central nervous system  
7 and causes uncontrollable muscle contraction.  
8 The preponderance of the evidence, based upon  
9 our knowledge of what a Taser does, and  
10 Mr. Trawick's reaction to being shot with the  
11 Taser on the body-worn camera footage of  
12 Police Officer Thompson, indicates that this  
13 action caused Mr. Trawick substantial pain.

14 New York State's Penal Law definition  
15 of a deadly weapon does not include Tasers,  
16 but the Penal Law defines a dangerous  
17 instrument as "any instrument, article or  
18 substance, including a vehicle which, under  
19 the circumstances in which it is used, is  
20 attempted to be used, or is threatened to be  
21 used, is readily capable of causing death or  
22 other serious physical injury." We already  
23 determined a Taser can cause physical injury,  
24 but can it cause death or serious physical  
25 injury? New York State Penal Law defines a



1 serious physical injury as one that "creates  
2 a substantial risk of death, or which causes  
3 death, or serious and protracted  
4 disfigurement, protracted impairment of  
5 health, protracted loss or impairment of the  
6 function of any bodily organ."

7 Between 2010 and 2021, more than 500  
8 people in the United States were killed by  
9 police officers using Tasers. The NYPD  
10 Patrol Guide also states the following about  
11 Tasers; "Members should consider that the  
12 exposure to the CEW for longer than 15  
13 seconds, whether due to multiple applications  
14 or continuous cycling, may increase" --  
15 increase -- "the risk of death or serious  
16 injury." If prolonged use of the Taser  
17 increases the risk of death, that implies the  
18 regular use carries with it a risk of death.  
19 Put more plainly, if a vehicle can be a  
20 dangerous instrument, then clearly a Taser is  
21 a dangerous instrument.

22 Finally, Respondents have the  
23 opportunity to use all defenses available to  
24 them under the Penal Law. In the trial  
25 commissioner's decision, they stated that the

1 Respondents could invoke the justification  
2 defense under Penal Law Section 35.15 (1).  
3 The justification defense reads, "A person  
4 may use physical force upon another person  
5 when and to the extent he or she reasonably  
6 believes such to be necessary to defend  
7 himself, herself or a third person from what  
8 he or she reasonably believes to be the use  
9 or imminent use of unlawful physical force by  
10 such other person, unless; the latter's  
11 conduct was provoked by the actor with the  
12 intent to cause physical injury to another  
13 person; or the actor was the initial  
14 aggressor; except in such case the use of  
15 physical force is nevertheless justifiable if  
16 the actor has withdrawn from the encounter  
17 and effectively communicated such withdrawal  
18 to such other person but the latter persists  
19 in continuing the incident by the use or  
20 threatened imminent use of unlawful physical  
21 force."

22 The fact that Police Officer Thompson  
23 is a member of the NYPD does not eliminate  
24 the initial aggressor exception to his  
25 eligibility or the justification defense.

1 Let's examine the evidence presented at  
2 trial; Police Officer Davis and Police  
3 Officer Thompson entered Mr. Trawick's home  
4 in an assisted living facility for  
5 individuals with mental health challenges.  
6 Mr. Trawick was cooking in his studio  
7 apartment and was holding a knife when the  
8 officers entered his apartment. Almost  
9 immediately upon entering the apartment,  
10 Police Officer Thompson drew his Taser.

11 Mr. Trawick made no threats, but Police  
12 Officer Thompson hit him with the Taser.  
13 Mr. Trawick made no motion toward the  
14 officers to suggest he was about to use  
15 physical force, but Police Officer Thompson  
16 hit him with the Taser. Mr. Trawick was not  
17 physically resisting either Police  
18 Officer Thompson or Police Officer Davis, but  
19 Police Officer Thompson decided to put  
20 50,000 volts of electricity into Mr. Trawick.

21 Mr. Trawick genuinely had no idea why  
22 the police were there because the Fire  
23 Department had already resolved the issue  
24 that had caused him to called 9-1-1. And  
25 rather than take the time to explain what had

1           happened, Police Officer Thompson hit him  
2           with the Taser. Police Officer Thompson  
3           completely ignored the de-escalation training  
4           given by the Department and the requirements  
5           of the Patrol Guide when he fired the Taser  
6           at Mr. Trawick. Even the trial commissioner  
7           in her decision referred to police officer's  
8           decision to fire the Taser as tactically  
9           premature. Police Officer Davis testified he  
10          would not have fired his own Taser at  
11          Mr. Trawick. And, in fact, Police  
12          Officer Davis did not fire the Taser. All of  
13          those factors point to the fact that Police  
14          Officer Thompson was the initial aggressor.  
15          It is clear that the preponderance of the  
16          evidence rebuts the Respondents' claim that  
17          the use of the Taser was justified.

18                 The CCRB is committed to making as much  
19                 of the material from the trial as possible  
20                 available on our website, so that the public  
21                 can review the matter, review the evidence  
22                 and determine whether or not Police  
23                 Officer Thompson was guilty of  
24                 Specification 6. The public will be able to  
25                 make their own determination whether Police

1           Officer Davis and Police Officer Thompson  
2           committed misconduct by a preponderance of  
3           the evidence, and the public will be able to  
4           determine whether justice was served.

5           CHAIR RICE: Does the Board have any  
6           questions?

7           Oh, I'm sorry. Did you make your --

8           MR. DARCHE: I can answer questions  
9           about that, and then I'll finish up.

10          CHAIR RICE: Okay. Does the Board have  
11          any questions?

12          MR. SMITH: Is there any further course  
13          of action to be taken here?

14          MR. DARCHE: I don't believe so. I  
15          think the family might have their own civil  
16          case, but there's nothing that the City can  
17          do now.

18          MR. SMITH: Is there anything for this  
19          body to be doing here?

20          MR. DARCHE: No.

21          MR. SMITH: Okay.

22          MR. DARCHE: Well, we'll be making the  
23          materials available on our website.

24          MR. SMITH: And what is the point of  
25          making those materials available if there is

1 no course of action for this body to  
2 undertake?

3 MR. DARCHE: So, I think under our  
4 procedures, we're trying, since Civil Rights  
5 Law 50a has been repealed, to make as much  
6 information about what our investigations  
7 determine public. And so, now that the  
8 matter is closed, that's what we'll do. It's  
9 not -- we're not treating this case special.

10 MR. SMITH: Okay.

11 MR. HOGAN: What does that mean, with  
12 that last thing, that we're not treating this  
13 case special?

14 MR. DARCHE: We're not making an  
15 exception to the -- making the materials  
16 public.

17 MR. HOGAN: Okay.

18 MR. DARCHE: This is what we did.

19 MR. HOGAN: Okay. Was there a  
20 possibility to refile this under racial bias  
21 or prejudicial policing at the time when --  
22 Trawick is/was a young black man, correct?

23 MR. DARCHE: Yes.

24 MR. HOGAN: And when they -- 'cause I  
25 believe that the approach inside the

1 apartment would have been a lot different if  
2 he was not a young black man. And so, if we  
3 can't go forward with what we went forward  
4 with already, could we look at it another  
5 way? Because it seems to be such an  
6 injustice to the family; one, that it's been  
7 five years; and two, the way they found out  
8 about it. And if there's any way that we  
9 could -- I don't know why the federal  
10 government has not looked at this cases, you  
11 know?

12 And so, is there any way that we can  
13 look at charging these police officers from  
14 this Board through bias policing and racial  
15 profiling?

16 MR. DARCHE: The staff and I have  
17 discussed that. We have not seen an angle  
18 where that is possible, but we can revisit  
19 and report back to the Board on that  
20 question.

21 MR. SMITH: Following up on AU.

22 Is it possible that this Board votes to  
23 call on the Justice Department to pursue a  
24 civil rights investigation here, as they have  
25 done in other cases around the country? When

1 the local municipalities have acted  
2 inappropriately or failed to act, the Justice  
3 Department steps in and revisits this as a  
4 civil rights violation. Can this Board go on  
5 the record as calling on the Justice  
6 Department to do that? Something that we are  
7 actually doing something, to express our  
8 obvious disagreement with what the City has  
9 done here --

10 MR. HOGAN: And if not, why not?

11 MR. SMITH: -- I'm not a lawyer. I  
12 don't --

13 MR. HOGAN: Excuse me.

14 MR. DARCHE: The truth is, I would want  
15 to do more research and get the general  
16 counsel's feedback on that, to make sure I'm  
17 giving the Board accurate information. I  
18 don't have an answer right now.

19 MR. HOGAN: 'Cause, Jon, I don't want  
20 it to set a particular precedent that these  
21 things aren't anomalies. I mean, these  
22 things, if they're accepted once, then they  
23 reoccur.

24 And so, how do we make sure that these  
25 things don't reoccur, you know, in this



1                   municipality?

2                   MR. SMITH: Right.

3                   MR. HOGAN: That definitely was  
4                   erroneous and then looking at the case, it  
5                   definitely was lethargic, the time that it  
6                   took for them to even consider because of all  
7                   the things that I was hearing, you know,  
8                   through the case as it was going on, that  
9                   NYPD took as long as they wanted to even look  
10                  at the case. And then, by the time it get to  
11                  the case, we almost can't fight for this  
12                  young man, and his family, who lost his life  
13                  senselessly.

14                  MR. DARCHE: I hear what you're saying,  
15                  AU, and I will talk with the general counsel  
16                  and get a -- actually, informed legal  
17                  opinion, rather than making one up right here  
18                  on the spot.

19                  MR. HOGAN: Thank you.

20                  CHAIR RICE: Jon, would you mind  
21                  restating what we've done with the memo with  
22                  the Police Department?

23                  MR. DARCHE: So, at the end of last  
24                  year, the CCRB entered into a memorandum of  
25                  understanding with the NYPD, so that when we

1 make a request for evidence, that in a matter  
2 that is being investigated by the Force  
3 Investigations Division, or FID, which is  
4 the -- generally investigates the most  
5 serious uses of force by members of the NYPD.  
6 In the past, CCRB would have to wait until  
7 the investigation was completely concluded,  
8 that the police commissioner had signed off  
9 on that investigation, before CCRB could get  
10 the paperwork in that matter. But pursuant  
11 to the MOU, within 90 days of us making a  
12 request now, the Department will provide us  
13 with the evidence that they're in possession  
14 of and that we've requested, and the  
15 Department is treating those requests as  
16 ongoing.

17 And so, if we make a request in an  
18 investigation for evidence and at the time we  
19 request that evidence it's not in the  
20 Department's possession, but it gets into  
21 their possession, they're going to provide it  
22 to us. I should have the exact numbers, but  
23 I believe there were 33 investigations where  
24 we have made requests for evidence pursuant  
25 to the MOU since it was signed, and only two

1 of them are past 90 days, and one of them was  
2 partially responded to, and the other one  
3 on -- the last time I got an update, it was  
4 on day 90, and the Department, the NYPD  
5 Legal, had the materials and were copying  
6 them and preparing them to come to us. So, I  
7 think that the MOU we've entered into is  
8 working. And so, hopefully, things -- there  
9 will not be investigations that are hampered  
10 in the same way that the investigation into  
11 the officers in this matter was hampered.

12 MR. SMITH: Good commendation to you  
13 and whatever staff were involved in achieving  
14 that result.

15 CHAIR RICE: Are there any other  
16 questions or comments from the members of the  
17 Board?

18 MR. HOGAN: Yes, I have one.

19 CHAIR RICE: Uh-huh.

20 MR. HOGAN: It's like this -- it is  
21 great that this happened, but it's like  
22 almost on the back of this young man. And I  
23 think, you know, if the MOU becomes a  
24 particular moral contract, it's not a  
25 contract that is being recognized and being

1 with respected, we're not going to be able to  
2 have any kind of authenticity without  
3 autonomy. And it's very important that we  
4 look at this and say -- 'cause I don't know  
5 how everyone else feels, but I almost feel  
6 like in a vulnerable spot in being a member  
7 of this board, and that atrocious act seems  
8 so regular.

9 And if we don't have the ability to  
10 find some -- I don't want to use "wobble  
11 room," because it sounds too light in this  
12 case, but finds a way to identify what is a  
13 proper way to fight when we know that they're  
14 playing games; that's all.

15 Thank you.

16 CHAIR RICE: Thank you.

17 MR. DARCHE: Can I just give some  
18 ground rules --

19 CHAIR RICE: Sure.

20 MR. DARCHE: -- for the rest of the  
21 meeting?

22 CHAIR RICE: Absolutely.

23 MR. DARCHE: Just a few administrative  
24 reminders. Our office is open for walk-in  
25 complaints. It is also possible to file

1 complaints online at [nyc.gov/ccrbcomplaint](https://nyc.gov/ccrbcomplaint),  
2 by telephone at 1(800)341-2272, or by calling  
3 3-1-1. If anyone online or here wishes to  
4 file a complaint right now, we have three  
5 investigators on hand ready to take  
6 complaints; Julian Bevins, Emma Stydahar, and  
7 Rob Bryan, and also a member of our Civilian  
8 Assistance Unit, Ivonne Torres.

9 And then, just some ground rules for  
10 the rest of the meeting: We're going to  
11 limit comments to four minutes, whether  
12 you're here or online. If you're going to  
13 join online and want to participate, please  
14 use the raise-your-hand feature, and we will  
15 get to you.

16 And that's all I got, Madam Chair.

17 CHAIR RICE: Thank you.

18 We're going to hear a presentation from  
19 our Deputy Director of Outreach and  
20 Intergovernmental Affairs, Maroua Righi.

21 MS. RIGHI: Good afternoon. My name is  
22 Maroua, and I'll be giving a brief  
23 presentation.

24 So, the CCRB is the nation's largest  
25 independent oversight entity over the largest

1 police force in the country. The CCRB  
2 investigates, mediates, and prosecutes  
3 complaints of misconduct against members of  
4 the NYPD. The Agency is governed by a  
5 15-member board with five seats appointed by  
6 the Mayor, five appointed by the New York  
7 City Council, three designated by the Police  
8 Commissioner, one appointed by the Public  
9 Advocate, and lastly, the Chair is appointed  
10 jointly by the Mayor and City Council.

11 So, the CCRB investigates abuses of  
12 force, authority, discourtesy, and offensive  
13 language. So, there is an important update  
14 that we want to share with everyone. As of  
15 on September 9, 2023, the Office of  
16 Management and Budget announced citywide  
17 budget cuts. So, as a result, the CCRB is no  
18 longer able to fully investigate certain  
19 cases within its jurisdiction. After careful  
20 consideration, effective January 1, 2024, the  
21 CCRB suspended investigating the following:  
22 Failure to provide the Right to Know Act  
23 cards with no other allegations; refusal to  
24 provide name or shield number with no other  
25 allegations; discourteous words or actions

1 with no other allegations; threats with no  
2 other allegations; refusal to process a  
3 civilian complaint with no other allegations;  
4 property seizures with no other allegations;  
5 forcible removal to hospital with no other  
6 allegations; untruthful statements with no  
7 other allegations; and lastly, any complaints  
8 that has only the above-referenced  
9 allegations.

10 The CCRB will resume investigating  
11 these cases as soon as the City allocates  
12 sufficient funding to do so. If a complaint  
13 contains one of the above allegations, in  
14 addition to other allegations that still fall  
15 within CCRB jurisdiction, every allegation in  
16 the complaint will still be investigated.  
17 So, if a person would like to file a  
18 complaint or report police misconduct, you  
19 can do so by visiting our website  
20 [nyc.gov/ccrbcomplaint](https://nyc.gov/ccrbcomplaint). You can also call the  
21 CCRB at 1(800)341-CCRB. And remember, if you  
22 see footage of misconduct on social media or  
23 in the news, you can still file a complaint,  
24 even if you weren't there in person.

25 There are additional ways to file a

1 complaint, so you can call our hotline, you  
2 can call 3-1-1, you can visit us at our  
3 office. We are located at 100 Church Street,  
4 New York, New York 10007. You can file a  
5 complaint on our website again at  
6 nyc.gov/ccrbcomplaint. You can also DM us on  
7 social media. We have the same username;  
8 CCRB\_NYC on Facebook, Twitter and Instagram.  
9 You can also mail a complaint in to our  
10 office at the same address.

11 You can also file a complaint at your  
12 local precinct. NYPD is required to accept  
13 CCRB complaints at any precinct. And you can  
14 request a complaint form and a postage-free  
15 envelope. If anyone would like to request a  
16 CCRB presentation, you can reach out to us at  
17 outreach@ccrb.nyc.gov, and please be sure to  
18 follow us on social media, again, Instagram,  
19 Twitter, and Facebook, same username,  
20 CCRB\_NYC.

21 Any questions?

22 (No response).

23 CHAIR RICE: Does the Board have any  
24 comments or questions?

25 (No response).



1                   CHAIR RICE: All right. Seeing none,  
2                   thank you so much.

3                   MS. RIGHI: Thank you.

4                   CHAIR RICE: We will now enter the  
5                   public comment portion of the meeting, and we  
6                   will begin with those joining us virtually,  
7                   who would like to make a comment, followed by  
8                   those who are joining us in person. For  
9                   those joining virtually, we please ask that  
10                  you use the raise-the-hand feature, and keep  
11                  your comments to four minutes, as you heard  
12                  before.

13                  Okay. Jahi, would you please call on  
14                  the first person.

15                  MR. ROSE: We'll be hearing from Royce  
16                  Russell.

17                  MR. RUSSELL: Thank you for today's  
18                  meeting. I would say, as the attorney for  
19                  the Trawick family, I can appreciate the  
20                  comments that were made here today. Once I  
21                  heard the make up of what the Board was or  
22                  what the Board is, I would say that mostly I  
23                  was disappointed in that it was appointments  
24                  by the Mayor and the City Council and the  
25                  Public Advocate, and not really anyone from

1 the community, such as members of the Justice  
2 Committee or Until Freedom or Justice NYC.  
3 However, hearing the comments that were made  
4 in reference to this tragedy, I was  
5 encouraged that despite titles and despite  
6 appointments, that this board is trying to  
7 get to the heart of the matter of the lack of  
8 humanity and the lack of justice in this  
9 particular case.

10 I've been doing this for a very long  
11 time, fighting for those that have been  
12 subject to excessive force and wrongful death  
13 in New York City, and at a time where I can  
14 tell you the CCRB really didn't have any  
15 bite, and that has changed. And I can see  
16 the bite and I can see the effort, and I  
17 commend this current staff for doing almost  
18 the impossible, really fighting a fight with  
19 one arm tied behind their back, and that  
20 being their best arm.

21 It is not beyond the community at large  
22 that Internal Affairs would come back with a  
23 decision, or the Use of Firearm Committee or  
24 whatever title you want to give the internal  
25 mechanisms of the Police Department, would

1           come back with no finding against their own.  
2           It's the only organization that I'm aware of  
3           where those who are police officers have to  
4           judge themselves. And how does that work out  
5           when you can see the internal conflict? It  
6           is also a conflict to see the DA's Office  
7           play a role in this. But I think the  
8           community and, in particular, the Trawick  
9           family, has been prepared and has been  
10          climbing up that hill, understanding that  
11          justice may not be in the forefront of this  
12          administration or at least the hearing  
13          officer's tablet, and that something like  
14          this could happen.

15                 What they weren't prepared for, as we  
16          look at MOUs and Memorandums Of Understanding  
17          of what will happen in reference to the  
18          statute of limitations of getting evidence is  
19          that maybe we could look at a humanity MOU,  
20          which clearly states that when a decision is  
21          going to happen, that the family is afforded  
22          some time and space to have an understanding  
23          of what the decision would be, what the  
24          decision may be, and not just have CCRB try  
25          to figure that out and try to be a conduit or

1 a liaison to ease the pain of families that  
2 suffer the death of a loved one by the hands  
3 of the police; that is something that needs  
4 to be looked into.

5 Moreover, when I heard the comments of  
6 what can this board do? How much can this  
7 board play a role in showing its  
8 dissatisfaction with the rubber stamp that we  
9 have seen throughout history and continues  
10 today? Where we know that there was  
11 infractions and there were violations of  
12 Patrol Guide procedures, where we know there  
13 was infractions and violations of just  
14 training concerning the emotionally  
15 disturbed, and just basic training of  
16 de-escalation and safety and isolation and  
17 conversation, rather than barking orders to  
18 an individual when we know that there was  
19 really no threat of violence.

20 Because you wouldn't be laughing as you  
21 take the elevator upstairs to approach the  
22 individual for where there is an issue, and  
23 where we know that there was no exigent  
24 circumstances when you are responding to, at  
25 worse, a misdemeanor, and at the very least,

1 an harassment call. And we know that the  
2 FDNY was present with this individual, and  
3 so, therefore, he was no threat to those  
4 individuals, so why would he be a threat to  
5 you?

6 There is something that is  
7 systematically wrong with the lack of  
8 humanity in this particular case. But what  
9 the Board can do or can think about is making  
10 its own statement and making a statement loud  
11 and clear by way of the press and by way of  
12 print of its dissatisfaction, of its lack of  
13 understanding how someone can come to this  
14 conclusion, given the facts that were  
15 presented. And when, if ever, will the  
16 Police Department, and the internal  
17 mechanisms for which it works, will hold  
18 their own accountability, and speak to the  
19 fact that police officers have the ability to  
20 resign just before a decision is made one way  
21 or the other, and how they get the inside  
22 call before everybody else gets a chance to  
23 have an understanding of what has taken  
24 place, which leads to the lack of  
25 transparency among the folks in the

1 community.

2 I'm going to do my part. The people in  
3 the community, the Bronx community, is going  
4 to hear about this case by way of litigation,  
5 and they'll make the determination how much  
6 the City will have to pay one way or the  
7 other in reference to this man losing his  
8 life for no apparent reason. And they'll be  
9 the judge of how incestuous the protocol and  
10 the procedures within the Police Department  
11 can yield the result where we now change the  
12 standards to a criminal standard as to  
13 whether or not these police officers should  
14 be punished, versus an administrative  
15 standard, which is whether or not this young  
16 man would still be alive had they followed  
17 the police Patrol Guide.

18 Once again, I commend Jon and his  
19 staff, Attorney Applewhite for fighting a  
20 good fight and his staff. There is faith in  
21 the CCRB, from my perspective, that there is  
22 bite with the bark. But there's a hill to be  
23 climbed, and if the Board could make this  
24 statement and make this statement loud and  
25 clear, that will be helpful. And we all

1 know, as board members, we have networks and  
2 we have insight to those that are within the  
3 power structure, that can try to make this  
4 family whole in some shape, form or fashion,  
5 and we ask that you use all your power to do  
6 that, given the lack of respect and the  
7 disrespect and the lack of humanity shown to  
8 this family.

9 So, thank you for my time, and I  
10 appreciate the opportunity to speak on behalf  
11 of the Trawick family, on behalf as the  
12 family attorney to this tragedy.

13 CHAIR RICE: Thank you, Mr. Russell,  
14 for your comments. Once again, our  
15 condolences to the Trawick family. Thank you  
16 for the strong recommendation for us to make  
17 a statement, which we made the initial  
18 statement when the decision was made on  
19 Friday evening, but we will revisit that as  
20 well. And I also wanted to also thank the  
21 incredible staff at the CCRB for their work  
22 on this case and the continued work that they  
23 do, the hours that they spend and dedicate.

24 And to this board, we all introduced  
25 ourselves by saying who our confirmation is

1 from, but this group also represents folks  
2 who are leadership coaches, who are  
3 educators, who are attorneys, who are social  
4 justice advocates, and so that is who also  
5 makes up this grouping of people.

6 So, I wanted to say that before I ask  
7 Jon if he wanted to add anything in the  
8 comments?

9 MR. DARCHE: No.

10 CHAIR RICE: Okay. Thank you.

11 Any other members of the Board?

12 (No response).

13 CHAIR RICE: All right. Jahi.

14 MR. ROSE: Next, we will be hearing  
15 from Chris Dunn.

16 MR. DUNN: Arva, can you hear me? I'm  
17 sorry. Can you hear me?

18 CHAIR RICE: Yes, we can hear you.

19 MR. DUNN: Good afternoon, everyone.  
20 For those who don't know me, I'm Chris Dunn.  
21 I'm the legal director of the NYCLU. I also  
22 want to speak to the Trawick conversation and  
23 start by expressing my appreciation that the  
24 Board is discussing it. There have been too  
25 many meetings, in my view, recently where



1           there has not been much substantive  
2           discussion, so I'm very pleased to hear this  
3           discussion, as tragic as the topic is. And I  
4           think the question of what more the Board can  
5           do is an important question. I think the  
6           Agency gets enormous credit for what you have  
7           done so far in this case, but there is more  
8           to be done, starting with today.

9                     And Arva, I think that your comments  
10           are an important starting point. I also  
11           think the notion about the CCRB making a  
12           request of the Department of Justice is a  
13           terrific suggestion. It's a bold suggestion.

14                    Jon, I'm not quite sure what you meant  
15           by asking Matt about his legal opinion about  
16           this, but I certainly want to encourage the  
17           Board of that. I think there are two things  
18           that are going on here; the first is the  
19           question about the Department choosing not to  
20           discipline these officers, that raises  
21           obvious and serious questions; and the  
22           Department has a terrible track record in  
23           cases like this. Daniel Pantaleo having been  
24           Exhibit A, and this is now a close second.  
25           But beyond that, there's the question about

1           this took five years, and on a Friday night,  
2           they announced their decision.

3                   And whatever one may think about the  
4           merits of a particular prosecution or  
5           disciplinary action, the way the Department  
6           approaches these things is very important.  
7           The very fact that the process is flawed and  
8           completely undermine the legitimacy of the  
9           decision, whatever the decision is. And I  
10          know the police representatives on the Board,  
11          I can guess what your views are about the  
12          substantive decision. I think it was Frank  
13          who was asking the question. I'm sorry. I  
14          couldn't quite tell.

15                   But I would like to hear what the  
16          police representatives think about the  
17          process here, and I would like to hear what  
18          the police representatives have to say about  
19          why it's defensible or appropriate for the  
20          Department to have taken five years to decide  
21          this. Because I think that while there are  
22          many people who are upset, and rightly upset,  
23          about the ultimate decision, I think almost  
24          everybody will be asking questions about the  
25          process and how in the world it could have

1 taken five years. What does that mean about  
2 the Department's approach to this? And what  
3 does this mean about the Department's actual  
4 interest in accountability?

5 So, I would like to hear from the  
6 police representatives about their views  
7 about why it would have taken five years to  
8 come to this decision. And I want to urge,  
9 again, the suggestion that the Board make a  
10 request to the Department of Justice to have  
11 a look at this case.

12 Thank you.

13 CHAIR RICE: Thank you, Mr. Dunn. I  
14 appreciate that, and I wanted to see if the  
15 police representatives did want to make a  
16 comment, or if you all wanted to -- go ahead,  
17 Frank, please.

18 MR. DWYER: Am I on? Yeah.

19 The only comment I can make without  
20 having a chance to go back and go through the  
21 record -- I don't remember.

22 Jon, maybe you remember. When did we  
23 look at this case? Was it a year and a half  
24 ago? I just -- I remember going through the  
25 case, but I just can't remember the time and

1 date. The one thing I will say from  
2 experience is that it's long been the policy  
3 to wait for the prosecutors in the individual  
4 boroughs or the federal prosecutors to finish  
5 their work before proceeding. And Mr. Dunn,  
6 you're certainly, as a member, you know, as  
7 an attorney, understand why that is. Without  
8 having the chance to go through the record  
9 and -- I can't speak to the specific, but  
10 certainly in a lot of these cases, they wait  
11 until the prosecutors say, "We have completed  
12 our review. We have no objection to the  
13 Police Department proceeding."

14 CHAIR RICE: Charlane, did you want to?

15 MS. BROWN-WYANDS: Yeah. I think I can  
16 echo what Mr. Dwyer said, and again with not  
17 having been a member of the Board during the  
18 time this case was investigated, and also not  
19 knowing all of the reasons why there were  
20 delays. Some of the delays do relate to  
21 referrals to other agencies. That does not  
22 excuse other delays, but again, until there's  
23 a complete review of the record, I can't  
24 really speak to the delays. But I think the  
25 Board has spoken when it relates to this

1 Board's position about delays that are  
2 unnecessary.

3 MR. DARCHE: So, just to answer  
4 Mr. Dwyer's question, Mr. Trawick was killed  
5 on April 14, 2019. The Board voted in June  
6 of 2021, but our investigation only lasted  
7 five months, so we probably were finally  
8 given the evidence we needed to conduct our  
9 investigation in January of 2021.

10 CHAIR RICE: Unless anyone has any  
11 other questions, I'm going to go ahead and  
12 ask Jahi to call on the next person.

13 MR. ROSE: There are no more hands  
14 raised for the public comment section online,  
15 so that will conclude public comment online.

16 CHAIR RICE: Thank you.

17 For those joining us in person and  
18 interested in making a public comment, if you  
19 could please line up behind the podium, and  
20 we're going to ask you to please keep your  
21 comments to four minutes.

22 MR. MEYERS: I'm Michael Meyers,  
23 president, New York Civil Rights Coalition.  
24 I am -- first of all, I want to say that a  
25 month or so ago, I was with the mayor. I'm

1 very rarely with the mayor. I don't like  
2 him, for the record. But this was an  
3 anti-Semitism rally, he showed up to speak.  
4 He spoke for more than three or four minutes,  
5 I could tell you that. So, in the short time  
6 that I have, I didn't have the time or the  
7 inclination to speak to him then about the  
8 acting Chair.

9 What is the delay in getting a  
10 permanent Chair of the CCRB? I think -- you  
11 know, I shouldn't say this because I'm  
12 nonpartisan. I shouldn't say this, but I  
13 think your acting Chair has been doing a  
14 terrific job. So, if you're going to be  
15 doing anything today, how about sending a  
16 letter to the mayor, saying "What's the delay  
17 in appointing a permanent Chair to the CCRB?"  
18 This is important to the public, not just to  
19 this committee, and not just to the Chair.  
20 So, I want to briefly say in my passing time  
21 that I recommend excellence as a rating for  
22 our Chair, acting Chair, as well as for the  
23 executive director.

24 What you continue to do here is beyond  
25 me. I don't understand the courage, and I

1 don't know courage, but your courage, given  
2 the political situation in this City, and  
3 given the power of the Police Department to  
4 stand up for themselves. But nobody is  
5 speaking up for us, for the public, other than  
6 this Board. And this Board is already at  
7 least partially divided. I mean, how can  
8 Chris Dunn call upon the Police  
9 representatives? You're not the police  
10 representatives on this body. Yeah, you're  
11 appointed to the body by the Police  
12 Commissioner, but you're the representative of  
13 the People. This is the Civilian Complaint  
14 Review Board, "civilian complaint." So, you  
15 know, we don't care about the Police  
16 Department's viewpoint, and I'm disgusted that  
17 the Legal Director of the NYCLU should think  
18 that you have a different point of view in  
19 terms of your public responsibility as a  
20 member of this committee, this board.

21 CCRB, I recommend again that the CCRB  
22 understand what's going on in the streets. I  
23 don't ever hear anything about what's going on  
24 on the subways, the streets, the marches, the  
25 rallies. There's nobody in the CCRB

1           there. There used to be. CCRB used to  
2           represent, like the NYCLU representatives,  
3           used to come to the rallies and marches and  
4           wear their bands, so there would not be  
5           disgraceful, disrespectful conduct on the  
6           part of the Police Department towards the  
7           protesters and demonstrators.

8                         So, I suggest that CCRB reintroduce  
9           going to these rallies, going to these  
10          marches, so there can be control on the  
11          street corners, and on the sidewalks, and in  
12          the subways, there should be some control,  
13          some monitoring, some surveillance of the  
14          Police Department by you guys, not just the  
15          civil rights community, because nobody listen  
16          to us anymore. The CCRB has many ways of  
17          serving as a watchdog, so I suggest you be a  
18          little more resourceful in terms of how to be  
19          a watchdog, directly observe the police  
20          officers, so it's not just my word against  
21          them or the persons in the streets word  
22          against them, you're going to be there  
23          providing your own testimony. Not you,  
24          personally, but your representatives will be  
25          a presence as the watchdogs.



1           I have to say, also, that the police on  
2           the subways, all I see them -- not monitoring  
3           the subways, not walking the cars in the  
4           subways, they're talking. They're yacking,  
5           playing around. They're not supervising  
6           themselves, and I don't see anybody  
7           monitoring the bad behavior in the subways,  
8           at least in terms of the Police Department.  
9           And I watch. Every day, I'm on the subways,  
10          and they're standing there congregating with  
11          each other on the platform, talking, not even  
12          looking in the subway cars when the train  
13          comes in the station. Ridiculous. It's  
14          ridiculous.

15                As far as the MOU is concerned, yeah,  
16                you know, with all respect, Mr. Executive  
17                Director and Madam Acting Chair, we don't  
18                need another MOU. Those things are paper  
19                thin. Paper thin. The Police Department,  
20                the police commissioner knows what they're  
21                supposed to do, and they just don't do the  
22                right thing. I am so upset with the case  
23                that you have brought to our attention,  
24                Mr. Executive Director. I am so upset by  
25                that because they knew what they should have

1 done. The administrative law judge should  
2 have done better, but nobody is criticizing  
3 her. What the hell is going on here? People  
4 know the facts, they have the evidence, and  
5 they still delay. And they delay and delay  
6 and delay until time is up, and we got the  
7 head of the Chair of the CCRB, or the Acting  
8 Chair of the CCRB, the Executive Director of  
9 the CCRB who serves at the pleasure of, you  
10 know who, we gotta remind them, and goad  
11 them, and criticize them. Nobody can  
12 criticize the Mayor. Nobody can criticize  
13 the Police Department, like the people who  
14 are in charge of the Mayor and the Police  
15 Department. The people are in charge of the  
16 mayor, and the Mayor in charge of the Police  
17 Department. Do something or resign.

18 CHAIR RICE: Thank you for your  
19 comments.

20 MS. MOSS: Wow. It's hard to follow  
21 that, but yeah. Prevention is far better  
22 than the cure. Oh, thank you.

23 My name is Mari Moss, and I want to  
24 talk to you about how our police are doing  
25 with -- the last time I was here, the police

1           dealing with domestic violence in our city.  
2           And this is for Catherine Kassenoff and all  
3           women mothers who have stood up for  
4           themselves in time of injustice and paid  
5           dearly for it. And like I said, the last  
6           time I was here, I was talking about how  
7           police had handled a domestic violence  
8           situation.

9                        When I think about our police, we, the  
10           People, we expect our police to protect and  
11           serve and to do that honorably. The word  
12           "honorable" means to have some morals, to  
13           have some values, and to have some integrity.  
14           And sometimes our police seem to be lacking  
15           that. And what I have seen, though, since  
16           the last time I was here, is an improvement  
17           in some of our police who are trying to do  
18           what's right and have some humanity and have  
19           some morals and some values.

20                       But if police had done the right things  
21           from the very beginning -- and I'm talking  
22           about a personal situation in 2017 -- there  
23           are so many things that could have been  
24           prevented today. We put a lot of our faith  
25           and trust in our police, and this body is the

1 watchdog body that is supposed to make sure  
2 that our police are acting in the proper  
3 ways, and this is about saving lives, this is  
4 about our future generations, and this is  
5 about making sure that our young people, and  
6 especially mothers, women who are dealing  
7 with domestic violence, anybody who's dealing  
8 with domestic violence has their rights  
9 protected now into the future, and this is  
10 important for our society.

11 So, I'm just asking that you all please  
12 do everything that you can to ensure the  
13 safety of our people, and especially in  
14 domestic violence situations. And I did --  
15 and I'm just going to end this with this: I  
16 sent a letter to the Mayor's Office, and I  
17 said they need to make Arva Rice the Chair of  
18 the CCRB. No more delays. We need action.

19 Thank you.

20 CHAIR RICE: Thank you.

21 MR. DARCHE: I'll just respond real  
22 quick.

23 Victims of domestic violence are one of  
24 the number of groups who are very vulnerable  
25 when they encounter police. And so, our

1 Agency makes a real effort to understand the  
2 trauma they are facing when they come to us,  
3 and to make sure that we are treating them in  
4 a way that does not re-traumatize them, while  
5 still taking their complaint seriously and  
6 moving forward with our investigation of  
7 their complaint.

8 So, you mentioned that you had a  
9 personal situation, and if there's someone  
10 you would like to speak to here, we have a  
11 staff here that would be happy to do so. So,  
12 just if you tell us, we'll be right there.

13 CHAIR RICE: Thank you, Jon.

14 Is there anyone else who would like to  
15 make a comment, you want to step to the  
16 podium?

17 MR. AHMED: Good afternoon. I'm here  
18 just for -- actually, for a point. I have to  
19 start with NYPD. The problem is not --

20 MR. DARCHE: Your name.

21 MR. AHMED: Oh. I'm sorry. My name is  
22 Ibrahim Ahmed. And I have, by the way, a  
23 case in CCRB. It was actually more than one,  
24 but the real one is this happened in, I  
25 believe, January -- no, sorry. November 26,

1 '23. The problem we have is not starting  
2 from CCRB. The problem starts from NYPD.  
3 NYPD follow every single one, if they have.  
4 And every single one making complaint for the  
5 CCRB, two things we have; close the case, or  
6 no action. And even if the case have  
7 something, there's no action. That's what  
8 they give the power to NYPD in the street to  
9 do whatever they want to do for the public.

10 I'm personally got hurt inside my  
11 apartment. I got hurt and I have a problem  
12 with my kidney. I can't even find a lawyer  
13 to take my case to the Court because every  
14 single way I go --

15 MR. SMITH: This person has a case  
16 before the CCRB, that ultimately it's going  
17 to be judged by three people on this panel  
18 now.

19 So, should we be discussing this?

20 MR. AHMED: No, I'm just saying this.  
21 I'm just saying general. I'm not saying  
22 about my case. I'm saying general. The  
23 problem start with NYPD because if we have an  
24 action for every single case, go to CCRB and  
25 they find out that this person or this police

1 officer is guilty, and we have an action, the  
2 other will never do this. I won't have no  
3 action. A lot of people got hurt, complain,  
4 make a -- I just want to let you know, most  
5 of the people, when they get hurt, not all of  
6 them they go to CCRB to make a complaint,  
7 some of them. And some of them, most of  
8 these people when they make a complaint to  
9 CCRB, two things; sometimes you ask, case is  
10 closed or no action. What you expect for  
11 NYPD to do with the public in the street? Am  
12 I right or wrong? So, the problem start with  
13 NYPD.

14 If we have an action for every single  
15 person, make -- actually, making serious  
16 things to person, to any person, we don't see  
17 nothing. The only thing show up in the  
18 public, two things; when you come in the  
19 newspaper or somebody got death or killed.  
20 You see anyone, one, from the public gets  
21 hurt or got beat up from NYPD and something  
22 happened or any action come to this person?  
23 No. Only thing comes and show up, and they  
24 show on the case for the people get death,  
25 get killed, get shot. That's what you guys

1 talk about, but you don't talk about the  
2 others. What happened to the people get hurt  
3 and nobody knows about them? Nobody knows  
4 about them. Even if you make a complaint,  
5 the complaint has already been closed.

6 Thank you.

7 CHAIR RICE: I'm not sure if we have  
8 any comments based on this.

9 MR. DARCHE: I do.

10 Mr. Ahmed -- so, if you want to speak,  
11 ma'am, you can, but can I just say one thing  
12 first?

13 So, the CCRB investigates all the cases  
14 in its jurisdiction, except until recently.  
15 As Maroua described, there are certain types  
16 of complaints that we just don't have the  
17 resources to investigate now. But until  
18 January of this year, if you came to us with  
19 a complaint, we would look at the  
20 allegations, and if they're in our  
21 jurisdiction, which is governed by the  
22 Charter and the CCRB's rules, then we will  
23 investigate it. And sometimes we will  
24 substantiate misconduct, and sometimes we  
25 won't. But we look at every complaint that



1 we get that's within our jurisdiction, except  
2 now because of the budget situation, there  
3 are certain complaints that we just can't  
4 look at.

5 The complaints we get that are not  
6 within our jurisdiction, we refer to the  
7 appropriate investigatory body. Sometimes we  
8 get complaints that are not about the NYPD,  
9 sometimes they're about the Marshal Service,  
10 or ICE, or the different -- like CUNY has its  
11 own police, or court officers. And so, we  
12 will refer those complaints to the right body  
13 to do an investigation. But when we get  
14 complaints about the NYPD that aren't within  
15 our jurisdiction, we refer them to the NYPD.

16 And so, one of the things -- because  
17 someone else had recently brought to my  
18 attention, the difficulties that folks have  
19 when they make a complaint to us that we then  
20 refer to the Department because they're  
21 outside our jurisdiction, how they can follow  
22 up with the Department. So, internally, our  
23 staff is looking at a way to streamline the  
24 process, so that folks could better able  
25 follow up with the Department on complaints

1           that have been made to us, that are outside  
2           our jurisdiction.

3           Ma'am, if you -- you wanted to speak.  
4           (Indiscernible - away from  
5           microphone).

6           MR. DARCHE: So, just to be clear, if  
7           you're just speaking about the general topic,  
8           that's one thing.

9           MS. ABDALLAH: Good afternoon, first.  
10          And my name is Asma Abdallah, but I'm not  
11          sure if this one it will be like I supposed  
12          to speak or not, but if we can make it as a  
13          general, that is fine. But because I don't  
14          understand, so I am here just this first  
15          time. I have no idea about anything. The  
16          only thing I needed, if really, if  
17          somebody -- so, again, I state it as general,  
18          so I'm going to try. But first, I can't  
19          speak English very well, so I'm going to try  
20          my best to speak better.

21          I have so many issues with the NYPD  
22          still. Until this moment, it's not solved,  
23          even I already contacted the CCRB. Seems  
24          like, as he said before, whatever they have a  
25          serious, serious situation, they always

1 transfer to the IAB, and IAB relate it to  
2 NYPD, so we still keep continue on like that  
3 in the circles. And after that, they close  
4 it. Even I never heard anyone from the IAB  
5 told me what's going on, what is the  
6 investigation, what's going on, why they  
7 close it. Even sometimes I have so many  
8 proof, they never listen to us. They listen  
9 to themselves, and they never get any help  
10 from them.

11 But let's just say I'll be here, even  
12 when I have something and when I try to say I  
13 came here before, they said, "Anything  
14 related to the misconduct, NYPD is relate it  
15 to us." I said, "That is fine." And after I  
16 did this one with them, the complaint, they  
17 never told me what's going on. They said,  
18 "We're going to transfer it to the other  
19 section, and after that we can send it like  
20 lotto," but I didn't understand anything,  
21 it's just like that, and I have more than  
22 like three cases or maybe from so many years  
23 I didn't get any solution.

24 Plus, please, if you allowed me to  
25 speak for one minute for something so

1           serious, please just allow to me, even if  
2           it's not supposed to be I speak, they should  
3           treat me like just as person. I am like a  
4           terrorist or I am criminal or I am crazy, or  
5           I'm taking my clothing off, like I am really  
6           crazy, just like question. If you see  
7           something like that, you can let me go outside  
8           because I don't want to feel bad. Because  
9           every single time I'm trying to speak with the  
10          NYPD for something happen to me, they told me,  
11          "If you don't like NY -- if you like to live  
12          here in New York, go back your country." Even  
13          the neighbor, they keep continuing to scare  
14          me, and they say, "Okay. Go back your  
15          country," that is already discrimination.

16                 This country is for everybody, not for  
17          anyone just like -- if you like me, you're  
18          going to leave me like that. If you don't  
19          like me even I did something wrong or I did  
20          something right, you're going to hurt me every  
21          single time. And the other thing that I  
22          wanted to speak with you, and please try to  
23          make it as serious. I have here so many cases  
24          in the CCRB, I didn't feel that they're

25

1 going to do anything. They're not going to  
2 make any action. Trust me, I leave here  
3 right now, if I'm going to call them, they  
4 said, "Okay. We'll transfer you to the IAB,"  
5 then they're going to close it, like every  
6 single time.

7 I'm going to speak for something  
8 private. I don't have to speak it, but  
9 please just -- you can see that I am like  
10 anyone from your neighbor and they're going  
11 to feel sorry for me. We got arrest for  
12 nothing. The people broke in my apartment.  
13 I tried to call 9-1-1. Do you know what  
14 happened? The police came, more than ten,  
15 like ten peoples. I don't know why for only  
16 woman. They came arresting me. They cut  
17 already my shoulder, and when I tried to  
18 prove this one, even they took my  
19 information, they canceled the appointment  
20 for the MRI. Them, not me.

21 And after that, I still have like pain  
22 in all my body. I still have like cut. I  
23 have hurt. No one helping me. Still, until  
24 this moment, the NYPD hurting us. Nothing.  
25 I want to know what's going on because until

1           this moment, why is a woman can be arrested  
2           for nothing? And until this moment, no one  
3           take action.

4           The NYPD is living on me till everyone  
5           in my apartment and my neighbor, they keep  
6           continuing hurting me. And after that said,  
7           "Go back to your country." They heard that  
8           in the proof. I have video. The police  
9           came, they hurt my husband for nothing.  
10          Nothing. Just as he said, "Why you broke in  
11          our apartment?" Why you are entering our  
12          apartment?" They arrested him, too. Is that  
13          make sense? Is that make sense? And after  
14          that, the neighbor now, they're trying to  
15          scare me, they said -- okay. "We are going  
16          to call your police for us," for us, for  
17          nothing. They have the personal numbers. Is  
18          that what's supposed to be happening in  
19          New York? Supposed to be no one here above  
20          the law. Supposed to be no one here above  
21          the law. The law is the law. But why is the  
22          NYPD always doing something like that?  
23          Because no one try to charge them, until we  
24          get killed.

25                   MR. DARCHE: Ms. Ahmed, so I hear what

1           you're saying. I understand how upset you  
2           are, and it pains me that you made a  
3           complaint like that to this agency, and you  
4           feel that we did not treat you properly. So,  
5           I apologize to you that you feel we did not  
6           take your complaint seriously. We have  
7           investigators here today who will -- if you  
8           want to speak in the language that you're  
9           more comfortable in than English, although I  
10          have to say, you seem pretty comfortable in  
11          English, we will get an interpreter, so that  
12          we can make sure we understand exactly what  
13          you're saying.

14                   MS. ABDALLAH: That is fine. If you  
15                   don't understand me right now, we can.

16                   MR. DARCHE: No, I understood you. And  
17                   we're going to get to the bottom of it, but  
18                   to do the investigation, we need to take a  
19                   recorded statement with an investigator. And  
20                   they're here, and they're going to do that  
21                   right now.

22                   Right? Excellent.

23                   So, if you could stand up, those are  
24                   the investigators who are going to talk to  
25                   you right now, and they're going to take your

1 complaints. And if it's about something that  
2 we already have, they're still going to take  
3 full statements.

4 MS. ABDALLAH: Even, I have proof. I  
5 still have the proof and this keep continuing  
6 make something report to fake report for us.  
7 I want to see what I have done, if they said I  
8 am terrorist or criminal or crazy, why they  
9 don't want to show to us what I have done? Is  
10 this supposed to be happen right, but like  
11 that --

12 MR. DARCHE: So, ma'am?

13 MS. ABDALLAH: Okay.

14 MR. DARCHE: So, one of the things that  
15 we do is if we have evidence that you would  
16 like us to give to you, then at the  
17 conclusion of your case, of our investigation  
18 into your complaint, we will provide that  
19 material to you. If you provide us with  
20 material, we'll provide it to you regardless  
21 of what state our investigation is in. But  
22 if there is information that we've gathered  
23 from the Department while we're pursuing your  
24 investigation, then we will release it to  
25 you, if you just e-mail me, frankly, and I



1 will make sure it's taken care of.

2 There is often a delay, just because we  
3 have one person in our whole agency, for the  
4 whole City, who's in charge of making those  
5 FOIL requests, of responding to those FOIL  
6 requests. So, it takes some time, but we'll  
7 make sure you get the information that you're  
8 entitled to from us.

9 MS. ABDALLAH: Thank you, but if you  
10 don't mind, please try to take it as much as  
11 you can, like for, to self with this issue.  
12 Because until this month, I wanted to  
13 understand why is it doing this stuff for me,  
14 and even I get sometimes help from people  
15 working with the mayor. Do you know what  
16 they told them? They threatened them and  
17 they said, "That is bigger than you." So,  
18 how it's bigger? Who is -- I don't  
19 understand how it's bigger.

20 Is that the NYPD scared everyone and  
21 they said, don't get touch with this lady  
22 because there's suspicion. Why I'm  
23 suspicion? Why? I want to understand why.

24 MR. DARCHE: So, I hear what you're  
25 saying, but we have to do an investigation.

1 We can't just make up hearing you --

2 MS. ABDALLAH: But I have proof. I can  
3 show it to you right now in front of  
4 everybody.

5 MR. DARCHE: But we have a process, and  
6 it's important that you give the information  
7 to the investigators and we'll conduct an  
8 investigation.

9 MS. ABDALLAH: Thank you. Thank you so  
10 much.

11 MR. DARCHE: You guys should go with  
12 them right now because they're going to start  
13 right now, the statements.

14 Oh, you want to still -- can you guys  
15 hold on? They want to finish the --

16 CHAIR RICE: The meeting.

17 MR. AHMED: Sure.

18 MR. DARCHE: You can wait?

19 CHAIR RICE: Thank you. Thank you for  
20 your comments.

21 Do we have any other public comments  
22 this evening?

23 (No response).

24 CHAIR RICE: Any other public comments  
25 this evening?

1 (No response).

2 CHAIR RICE: All right. Do we have any  
3 old business to come before the Board this  
4 evening, any old business?

5 (No response).

6 CHAIR RICE: Okay. Do we have any new  
7 business to come before the Board?

8 Yes, Esmeralda.

9 MS. SIMMONS: I wanted to bring up the  
10 fact that I've raised before, I have not seen  
11 any change. Our jurisdiction has been  
12 increased over the last three years  
13 dramatically. Yet, when we talk to the  
14 public, we are continuing to use the acronym,  
15 FADO, which does not include some of the new  
16 jurisdictions that we have, some of the  
17 newest jurisdictional basis for complaints;  
18 sexual misconduct by police officers, patent  
19 and practice, and profiling by police  
20 officers, untruthful statements by police  
21 officers, and we also have, you know,  
22 refusing to provide an ID card. But I know  
23 what's happened with the budget, so we don't  
24 have to advertise something we're not going  
25 to investigate. All right?

1           I hate to say that publicly, but it's  
2           real. I would like for our public  
3           announcements to let people know that our  
4           enlarged jurisdiction -- about our enlarged  
5           jurisdiction, and make sure that they know  
6           that they can file complaints against police  
7           officers that violate them on any of these  
8           grounds, as well as force and the other FADO,  
9           you know? I understand that cost money,  
10          everything cost money. So, that means that  
11          we have to change the video, change some of  
12          our handout statements, et cetera. But I  
13          would rather it be accurate and let people  
14          know it exists, than for us to continue to go  
15          by what we had and continue to have, but only  
16          limited to what we used to have.

17                 So, that's what I would like, all of  
18                 our communications to the public to iterate  
19                 the fact that we now have an enlarged  
20                 jurisdictional area on which people could  
21                 file complaints.

22                         CHAIR RICE: Good enough.

23                         MS. SIMMONS: And that's no complaint  
24                         against the wonderful outreach team who are  
25                         doing everything they can. I want them to be

1           able to, as well -- not to be able to. I  
2           want them to explicitly make those comments  
3           when they're talking to the public.

4           CHAIR RICE: Thank you, Esmeralda, for  
5           that. It is true. We very much have  
6           expanded our jurisdiction over the course of  
7           the last couple of years, and FADO may not be  
8           as inclusive as it has been in the past. So,  
9           I think that that's something that we should  
10          be taking up and having more conversation  
11          about.

12          MR. DARCHE: So, if I would quibble  
13          like a lawyer, as I still am, our  
14          jurisdiction, except for the expansion by the  
15          City Council to allow the CCRB to investigate  
16          untruthful statements made to the CCRB, is  
17          still abuse of authority. What has changed  
18          is that both the CCRB and the City Council  
19          have expanded what is considered abuse of  
20          authority. And so, I think while I did have  
21          a small quibble, the idea that we need to  
22          change how we communicate with folks, so that  
23          the extent of abuse of authority is more  
24          broadly understood, no question about that,  
25          Ms. Simmons.

1                   And it's something that the Chair has  
2                   brought to my attention recently, and I've  
3                   been speaking to the outreach team and the  
4                   comms team about it, but it's going to take  
5                   us some time on our public messaging to pivot  
6                   and because it's not -- it's important to  
7                   change in a constructive way that actually  
8                   makes it better, rather than change that  
9                   doesn't actually effectively communicate what  
10                  we want to communicate.

11                  MS. SIMMONS: Well, I am dealing with  
12                  communication issues on the other -- on other  
13                  projects, so I understand that completely,  
14                  but I do not believe that the public when  
15                  they hear abuse of authority naturally go to  
16                  patent and practice, sexual misconduct. And  
17                  since we had that acronym, since we had abuse  
18                  of authority jurisdiction before, once it's  
19                  been expanded, I think we have to be explicit  
20                  about expanding. We can say, "And our abuse  
21                  of authority has been expanded to include" --

22                  MR. DARCHE: A hundred percent.

23                  MS. SIMMONS: -- but it has to be said  
24                  because people are thinking we don't have the  
25                  jurisdiction. If we don't tell them, they

1 won't know.

2 MR. DARCHE: And I think when I was  
3 speaking with Jahi about this, and when we  
4 are doing presentations that are longer, not  
5 what's here being done for the board  
6 meetings, they more fully go into how -- I  
7 can see one of our outreach people nodding at  
8 me. They do more fully explain how the abuse  
9 of authority encompasses more than it used  
10 to. But from a legal point of view, which is  
11 important, from when you're thinking about  
12 whether the Agency is acting within its legal  
13 jurisdiction, while the abuse of authority  
14 has -- it's definition has changed and grown,  
15 it's still abuse of authority.

16 CHAIR RICE: Okay. Thank you.

17 Does anyone else have any thoughts or  
18 questions on that?

19 (No response).

20 CHAIR RICE: Okay. Interesting.

21 Any other new business?

22 (No response).

23 CHAIR RICE: Any other new business  
24 this evening?

25 (No response).

1 CHAIR RICE: Okay. Hearing none, I'm  
2 going to move now that we're going to break  
3 into Executive Session. The agenda for the  
4 Executive Session is the Board will hear from  
5 the executive director about pending  
6 personnel actions, and the general counsel  
7 provide updates regarding pending litigation.

8 I'd like to accept a motion.

9 MS. BROWN-WYANDS: Motion to move.

10 CHAIR RICE: Okay. Do I have a second?

11 MR. HOGAN: Second.

12 CHAIR RICE: All right. So moves.

13 I'm going to conclude that the public  
14 session for the board meeting for April is at  
15 conclusion. Thank you.

16 (TIME ADJOURNED: 5:35 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK)

:SS

COUNTY OF QUEENS)

I, Sabrina Brown Stewart, a Notary Public within and for the State of New York, do hereby certify:

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

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

IN WITNESS WHEREOF, I have hereunto set my hand on this 1st day of May, 2024.

*Sabrina Brown Stewart*  
Sabrina Brown Stewart