

In Re June Public Board Meeting NYC - Civilian Complaint Review  
Board  
June 11, 2025

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CIVILIAN COMPLAINT REVIEW BOARD

PUBLIC MEETING

June 11, 2025

4:01 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:

DR. MOHAMMAD KHALID - INTERIM CHAIR

JONATHAN DARCHE, ESQ. - EXECUTIVE DIRECTOR

COURT REPORTER:

Elbia Brumit

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PUBLIC MEETING AGENDA

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1. Call to Order
2. Adoption of Minutes
3. Remarks from Interim Chair
4. Remarks from the Executive Director
5. Presentation from Deputy Chief of  
Investigations
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. DR. MOHAMMAD KHALID - INTERIM CHAIR
2. PATRICK SMITH - BOARD MEMBER
3. ESMERALDA SIMMONS, ESQ. - BOARD MEMBER
4. JOSEPH PUMA - BOARD MEMBER
5. HERMAN MERRITT - BOARD MEMBER
6. SHERENE CRAWFORD, ESQ. - BOARD MEMBER
7. JOHN SIEGAL, ESQ. - BOARD MEMBER
8. JUNE NORTHERN - BOARD MEMBER
9. FRANK DWYER - BOARD MEMBER
10. JOSEPH FOX - BOARD MEMBER
11. AU HOGAN - BOARD MEMBER

PRESENTER:

Suzanne D. O'Hare, Esq.  
Assistant General Counsel & Deputy Chief of  
Investigations, NYC Civilian Complaint Review  
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S P E A K E R S:

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John Macari - Founder - The Finest Unfiltered

Eric Dym -Co-host - The Finest Unfiltered

Michael Meyers - President - New York Civil Rights  
Coalition Inc.

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CHAIR KHALID: Thank you for  
joining us. At this time, I'd like to  
ask the board members to introduce  
themselves, starting from right.

MR. SMITH: Good afternoon, Pat  
Smith, mayoral appointee.

MS. CRAWFORD: Hello, Sherene  
Crawford, mayoral appointee.

MR. DARCHE: Good evening. Jon  
Darche. I use he/him pronouns, and I'm  
the executive director of the CCRB.

MS. SIMMONS: Esmeralda Simmons,  
public advocate appointee from Brooklyn,  
New York.

MR. PUMA: Good afternoon. My  
name is Joseph Puma. I go by he/him. I'm  
the city council designee to the board  
from Manhattan.

MR. MERRITT: Hi, my name is  
Herman Merritt, city council designee  
from Brooklyn.

MR. SIEGEL: John Siegel, Mayoral  
appointee.

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MR. DARCHE: We have folks joining  
us online, Doctor.

CHAIR KHALID: Yes.  
Could you please introduce yourselves.

MR. DWYER: I'm Frank Dwyer. I'm a  
police commissioner designee.

CHAIR KHALID: Unmute. Are they on  
mute?

MS. NORTHERN: June Northern,  
Mayoral appointee.

MR. FOX: And Joe Fox, a police  
commissioner designee.

MR. DARCHE: Ms. Northern and Mr.  
Dwyer, if you could reintroduce yourselves  
because we -- we weren't playing you in  
the -- in the room.

MS. NORTHERN: June Northern,  
mayoral appointee.

MR. DWYER: Frank Dwyer. I'm a  
police commissioner designee.

MR. FOX: You got me right, Jon? Joe  
Fox?

MR. DARCHE: Yes, yes. We got you,  
Mr. Fox.

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MR. FOX: Thank you.

CHAIR KHALID: The next on the agenda is the adoption of the minutes. Since we do not have a quorum, we will push the approval of the May minutes to next month.

As we begin today, meeting, I want to acknowledge that June is the Pride Month. A time to recognize and support the LGBTQ plus community who continues to advocate for the justice and equality, including their interaction with the law enforcement.

May 25th marks the five years since the killing of George Floyd and the widespread protests that followed here in New York City and across the country. These demonstration amplified the national conversation about the police accountability and underscored the importance of organizations like this board. As New Yorkers continue to exercise their rights to protest, it is essential

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that the CCRB, as both resources and the authority necessary to thoroughly investigate allegation of police misconduct, particularly those that arise from protests. This includes funding for additional staff, direct access to body-worn camera footage, exemption from the sealing status and finally, disciplinary authority.

Due to the budget constraint, the agency has closed 2,345 cases today, including 6-1-1 closed in 2025 alone. These are cases in which the alleged misconduct falls clearly under the CCRB jurisdiction. However, we do not currently have the staff or the budget to investigate the allegation. As we reach the end of budget session, I would like to call on the city council and the Adams Administration to provide the CCRB with enough funding to both resume these investigations and improve the system of police oversight in our city.



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Now I will ask the executive director, Jonathan Darche, to give us an agency update. Jon?

MR. DARCHE: Thank you, Dr. Khalid.

June is Pride Month. So I'd like to begin by wishing everybody a Happy Pride. The CCRB outreach unit will be at Pride events in all five boroughs. So keep an eye out for our team at your local parade or Pride event.

Last year, elected officials and members of the public again brought up the issue of including civilian criminal histories in CCRB closing reports. As a way of making sure that the agency continues to collect information needed for its investigations, all that potentially inserting bias into our closing reports, I instructed staff to make the following changes to how we draft closing reports.

The section currently titled

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Mediation Civil and Criminal Histories will be retitled Mediation and Civil Histories. The information about civilians' criminal history formerly included in the above-referenced section will continue to be included in an investigative action. An investigative action is how the CCRB keeps track of the work we do on an investigation in our computerized case tracking system. If civilians' criminal histories are directly relevant to the investigation, they will be referenced in the body of the closing report.

Our office is open for walk-in complainants, but it is also possible to file complaints online at [nyc.gov/ccrbcomplaint](https://nyc.gov/ccrbcomplaint). That is N-Y-C dot G-O-V forward slash C-C-R-B C-O-M-P-L-A-I-N-T, by telephone at 800-341-2272, by calling 3-1-1 or tagging the agency on Twitter, Facebook and Instagram.

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Those wishing to speak during the public comment section of today's meeting, we ask that you keep your questions and comments to four minutes. If anyone wishes to file a complaint here tonight, we have two investigators on hand ready to take any new complaints. The investigators on call this afternoon are Rob Ryan and Emma Stydahar. We also have Ruth Villafane from the civilian assistance unit to help out.

I'm here for any questions,  
Dr. Khalid.

CHAIR KHALID: Any board member have any questions?

AU, can you introduce yourself, please?

MR. HOGAN: Yes. I'm AU Hogan.  
I'm board member for city council.

CHAIR KHALID: Thank you. You have a question? You have a question, Frank?

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MR. DWYER: I have a comment. The decision to remove civilian criminal records I think should also be met -- the goal of an investigation is -- as I think we would all agree -- is to do an objective evaluation of the facts of a particular case.

So at the moment, at the end, it would say Mr. Jones, who made the complaint, had no prior criminal record in New York City or he had a disorderly conduct conviction seven years ago. And we are now going to remove that, as I understand it, and we are going to have it in a separate file that's not part of the closing report that -- that a board member would typically read. If a board member wanted to do some sort of computer search, they might find it. But it's not in the closing report.

At the same time, the way the closing reports are written at the moment, and the closing report, for

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those who are not familiar with closing reports, are the documents that investigators prepare as summaries of the case with recommendations on each allegation. Well, at the moment, it has, at the end, a Police Officer Jones had three prior complaints, one for this, one for that, one was substantiated, two weren't, et cetera.

I believe, as happens in legal cases, these things are considered in legal cases when a penalty is being decided. But not the merits of the particular case. So what I want to recommend and open for discussion and perhaps vote on in a subsequent meeting, if a vote is required or there may be just general consent, is that the way, what we are doing now with the civilian criminal record, we do with the allegations that prior -- the police officers had, remove them from the closing report, let the facts

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of the case be evaluated in and of  
themselves and then if there is a  
substantiation, one can look and see  
the pattern or non-pattern or  
relationship of other cases.

MR. DARCHE: Can I respond?

CHAIR KHALID: Yeah, go ahead, Jon.

MR. DARCHE: So that's a very  
interesting point, and I had not  
considered it, so I will take it under  
advisement and report back to the board on  
it.

MR. DWYER: Thank you, Mr. Darche.

CHAIR KHALID: Yeah, certainly we  
will be looking at it, Frank, and see what  
we come up with as a board. Thank you.

MR. SMITH: Mr. Chair, following up  
on what Frank said, we just made a  
decision to withhold information from the  
members of this board who must decide  
whether a case is substantiated or not  
with no consultation with this board, and

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I think it should be subject to some further discussion before it's implemented.

MR. DARCHE: So I just want to clarify. No information is being taken away from the board. It will be in an investigative action that you will have full access to and will make it very clear so that you can find it when you are reviewing a case.

MR. SMITH: Okay. I appreciate that.

CHAIR KHALID: Anybody else have any question? Any board member?

(No response.)

CHAIR KHALID: If not, we will go to presentation from the deputy chief --

Sorry, you said something?

MR. DARCHE: No. No.

CHAIR KHALID: We'll go to a presentation from the deputy chief of investigation, assistant general

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counsel, Suzanne O'Hare.

Suzanne?

MR. DARCHE: Before Suzanne gets started, I just want to say we've asked her to give this presentation in lieu of the normal outreach presentation because I think it's important that the board, but also members of the public, understand what is involved in a CCRB investigation. And I want to thank Suzanne for putting this together so that we can all learn from it.

MS. O'HARE: My pleasure. Good afternoon to everyone here today. Today, I'm going to make a presentation on the life of a case or what we'd like to refer to as CCRB 101.

A fine start already. All right. Let's begin with our jurisdiction. CCRB has jurisdiction over what we traditionally refer to as FADO. That would be Force, Abuse of Authority, Discourtesy, and Offensive Language. And then there are two



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further categories. Discourtesy is generally referred to as use of profanity or some kind of curse words. Offensive language is very specific use of words that indicate someone's ethnicity, their race, their age, their religion. And they can go hand in hand. But offensive language is always discourteous, but a discourtesy may not always be offensive language.

Additionally, there are truthful statements. We have jurisdiction over the truthfulness of officers' statements. And also, in March 2021, the city council resolved to enact the Racial Profiling and Bias Based Policing Unit here at the CCRB.

We have a 15-member board. Although at the moment, I believe we have 13 members available to us. Five seats are appointed by the mayor, five seats are appointed by the city council, one seat is appointed by the public advocate and three by the

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police commissioner. And separately, the board chair is appointed by the mayor and the speaker of the New York City Council. As we know our current chair, Dr. Khalid, is the acting chair, so he has been unilaterally appointed by our mayor to be our acting chair.

The board is responsible, as you all are aware, for making disciplinary recommendations, and recommendations only, to the police commissioner. As we all know, our police commissioner is the final arbiter of discipline.

There are certain laws that govern our work here at CCRB. Our foundational documents are in the New York City Charter in Chapter 18. Basically, they state what it is that we can do here at CCRB, and how we can do it. We are additionally governed by FOIL, that is the Freedom of Information Laws, and that designates what it is that we are allowed to

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disclose. For example, we generally do not ever disclose anything of an open investigation, but we are further constrained by those Freedom of Information Laws.

Also, we -- we are -- learn from Civil Service Law Section 50 A, which for a long time, was a very important law that prevented us from revealing any information about the police officers and their prior disciplinary history. And that has repealed by Governor Cuomo, so it's no longer applicable.

We are governed by the Civil Service Law Section 17, that tells us the statute of limitations and disciplinary processes. For example, for police officers and actually many other public servants such as teachers or members of sanitation, the statute of limitations is 18 months from the date of the incident. And it also lays out the disciplinary processes.

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And there is a crime exception found in Section 75, Subdivision 4. It's a crime exception to the statute of limitations if the misconduct alleged makes up the elements of a penal law, a crime that is enumerated in the penal law, then the statute of limitations would not apply.

And finally, we are governed by the memorandum of understanding that is between CCRB and the NYPD. And that is what governs our Administrative Prosecution Unit.

Intake. Our intake unit receives complaints in a variety of ways. You can call us directly. You can go to our website and file a complaint online. Some civilians call 3-1-1, and they will determine that -- that -- who they really want to talk to is us at CCRB. And so they will redirect that call. Sometimes, civilians call the Internal Affairs Bureau directly and Internal Affairs

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recognizes that -- whatever the complaint is, is more appropriately referred to us and we'll get a referral from them.

Additionally, every day that the CCRB is open, we are open for in-person walk-in complaints. You can come in without an appointment, and we will be able to provide you with an investigator to whom you can make your complaint and we will begin the process. And then sometimes we get referrals from other city agencies, sometimes people go to their local assembly persons or perhaps Public Advocate's Office, and we get it from them.

So for case screening, when we get a complaint, our intake staff talks to the complainant, tries to make a little determination as to whether there is in fact a FADO present that would give CCRB jurisdiction. Or they may determine

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that -- that the case does not  
appropriately belong here. And so it  
could be referred out to the Chief of  
Department back at NYPD, it might be  
referred to IAB or other agencies.

Sometimes a civilian will call  
us and say, you know, I had an  
unfortunate incident with a police  
officer and I want to file a  
complaint. And intake may say, well,  
where did this occur? And they might  
say, well, it happened on the Staten  
Island Ferry. Well, that might not be  
NYPD. That could be Port Authority  
Police. Or if it happened on the PATH  
train, that is likely not under NYPD  
jurisdiction. And so we would refer  
those cases out. However, if intake  
does determine that there has been a  
FADO, then they will submit that case  
to our investigations unit.

The case will be assigned to an  
investigator, will be reviewed by their  
manager and assigned to an

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investigator and they will begin the investigation. It always begins by interviewing the complainant, trying to ascertain what facts are important and relevant, and to gather as much information as they can about what happened, where it happened, who might have been there, other witnesses. And we can sometimes employ the use of our field team, that's a separate unit that is comprised of level three investigators who can go out into the community and find witnesses whom might have been privy to information about that particular incident.

They'll also try to obtain any video evidence. They will order body-worn camera video. Sometimes we will use the field team to go out and determine if there's any surveillance cameras about from local businesses, or sometimes VIPER cameras, which are NYPD controlled.

The investigator will also order

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any necessary NYPD documents. There is a whole host of different documents, depending on any given situation, and they will begin that process of ordering that. Once they have a basic understanding of the incident, they will set up interviews with the officers who were present, both subject officers and witness officers. And they will also consult with an agency attorney. The general counsel's office has four attorneys working within it who have legal consult with all of the investigators. We have very specific consults for mandatory meetings where we need to -- to do a little bit more of an in-depth dive, but we are also available all along the way if they need a little assistance.

Here is a list of some -- of examples of different documents that might be requested from NYPD. Memo books where officers are required to



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log any activity and particularly law enforcement action that they take during the course of a tour. UF250s, used to be called Stop, Question and Frisk forms. Body-worn camera, command logs, which are kept at the precinct which would list arrests made, any strip searches that are done at the precinct, tactical plans where, for example, there is a mandatory kind of checkpoint that the precinct does. For example, driving while intoxicated. They will stop a certain number of -- of cars and the tactical plans lay out exactly what is expected of the officers in that unit.

Officer photos are gathered sometimes to identify different officers. We get motor vehicle pool information. Find out who was assigned what sector car and at what times. There is AVL information, Automated Vehicle Locater devices that are -- that every sector car and RMP

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are equipped with, and that can tell us where any individual NYPD car is at any given time on any given date. And also the speed at which they were driving their car.

Internal Affairs documents. Aided reports, which are reports of civilians who have been injured or medical treatment of prisoners where the suspect has been arrested and needs medical treatment. Threat, resistance or injury reports. Every officer is required to fill those out wherever there is any kind of physical altercation. And then, of course, 9-1-1 and SPRINT reports are available as well.

So once the investigation has gathered all of this information and interviewed all of the people that they need to talk to, then the investigator drafts the closing report. And they do so in consultation with their manager or

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their supervising investigator. The manager reviews drafts, makes changes, makes edits. And then once the manager signs off on that closing report, it's sent to an assistant general counsel for a review of its legal sufficiency. And as soon as that review has been satisfied, then that case is ready to be sent to a board panel for your review and your vote.

Board panels meet in panels of three. There is always a diversity of board panels. There is always one Mayoral appointee, one police department appointee and one city council appointee. Now, the public advocate appointee and the chair get to sit on those panels in either a Mayoral capacity or a city council capacity. And for each panel, as you will know only too well, the board members review approximately 30 to 50 cases per panel.

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Those three members of the panel review and vote on those cases, and if for any reason they are unable to come to a majority vote or it is a case that is a notable case that results in a death or an officer shooting, then those cases go to the full board and are heard by whatever members -- a quorum of which we have reviewing the full board case.

So we have five different types of dispositions. The first, substantiated. And of course, our burden of proof is always a preponderance of the evidence. That means, it is more likely than not to have occurred the way the investigation has determined, 51 percent. And a substantiated would be a vote where the investigation found by a preponderance that the misconduct actually occurred.

The next type is unable to determine. And that is where the

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investigation was unable to determine, based upon the evidence that they collected, whether the misconduct occurred or did not. Unfounded means that they determined, by a preponderance of the evidence, that the alleged misconduct never occurred within guidelines. It's a determination that the officer did in fact engage in the conduct that is alleged by the civilian, but that that conduct was justified, was appropriate, given the situation.

And finally, there's other possible misconduct noted. These are situations where the investigation does not investigate that allegation. They look at -- they will determine from whatever evidence they're reviewing, most often video evidence. They will see something that they realize is very likely police misconduct, but is not within our jurisdiction. And so in those cases,

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we present that to the board to say we believe that this is other possible misconduct, and we recommend that this be referred back to NYPD. And the board votes on whether that is an appropriate disposition.

NYPD established a disciplinary Matrix in January of 2021, and CCRB and NYPD signed a memorandum of understanding the following month, in which we agreed to follow the Matrix exactly to the letter for one year. And this Matrix includes presumptive penalties, as well as aggravating and mitigating penalties. An example of aggravating and mitigating is the rank and length of tenure of the officer. If an officer was only on the force for one year and had no prior CCRB allegations, that might be a mitigating penalty, a mitigating factor to consider.

Whereas, if that officer were, for example, a lieutenant and had

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15 years on the job, we might expect a better understanding of the patrol guide and the rules, and therefore we might consider that to be an aggravating factor. And the Matrix also employs progressive discipline. That means that the officer's prior NYPD disciplinary history as well as their CCRB history will be a factor in any board recommendation.

So to our administrative prosecution unit. Any case where the board recommends charges and specifications will go to the APU. The police commissioner does have a carve-out for charges and specifications, and it is sometimes referred to colloquially as a P2. And that is where the police commissioner determines that the officer has had no prior CCRB allegations and they -- and the police commissioner determines that NYPD will keep that case and make its own determinations.

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And the other recommendations, which are general command discipline, we have command discipline A, which is the least serious, the least penalty available. Our command discipline B, those are handled through the Department Advocate's Office. We file charges through the Department Advocate's Office. The APU fills out a charging document and presents it, and DAO has -- notifies the officer, has them come in and they are served with those charges. And that service stops the statute of limitations clock. And so then APU can proceed with its trial and trial preparations.

And also, it's important to note that we can, in APU, make plea offers and we should also note that most cases are resolved with a penalty of a loss of vacation days.

There are historical databases where a person -- civilians are allowed to look up the police



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officers. As I indicated before, the Section 50 A that prevented that, that law has since been repealed. So there are a number of databases where civilians can look up police officers. One of them is the CCRB database. And you can find that at [www.1.nyc.gov/site/ccrb/policy/mos-records.page](http://www.1.nyc.gov/site/ccrb/policy/mos-records.page).

Also, the New York Civil Liberties Union has a database and that can be found at [www.nyclu.org/en/campaigns/nypd-misconduct-database](http://www.nyclu.org/en/campaigns/nypd-misconduct-database).

NYPD maintains its own database, and that is available to the public. And you can find that at [NYPDonline.org/link/2](http://NYPDonline.org/link/2). And finally, the Legal Aid Society has a cop accountability project, and that also has a database which can be found at [www.capstat -- C-A-P, S-T-A-T -- .nyc/officers](http://www.capstat.nyc/officers).

And that concludes CCRB 101.

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I'm happy to take the applause, but  
I'm also happy to take any questions  
that you have.

CHAIR KHALID: Going back to filing  
the complaints, I think the complainants  
can go to a police station as well, file  
there as well.

MS. O'HARE: You are absolutely  
correct, Dr. Khalid. Any civilian who  
wishes to file a complaint can go to any  
police precinct, any station house. It  
does not have to be the precinct in which  
the misconduct has alleged to have  
occurred. And the police officers at the  
desk are required to assist you in filing  
that claim. They can also provide you,  
if you wish, they can provide you just  
with the form and you can take that away  
and fill that out. So, excellent points,  
Dr. Khalid.

CHAIR KHALID: Any  
board member have any questions?

MS. SIMMONS: Could you just  
specify where sexual misconduct by police

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officers fall within the FADO?

MS. O'HARE: Sure. That is considered an abuse of authority for certain sexual misconduct. Something of a very great magnitude such as an allegation of a forcible rape might come under the F of FADO for force. But in general, it is abuse of authority. It is where an officer, under color of his or her authority, exercises control over another person. And in this case, it would be sexual abuse.

Mr. Smith?

MR. SMITH: Outstanding presentation. I have been blessed over the past few years to learn from you. I can't stop being an editor, though. You mentioned that Governor Cuomo revoked the civil service.

MS. O'HARE: I think I said repealed. But, okay.

MR. SMITH: Okay. He did that by executive order or he signed legislation -- passed legislation?

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MS. O'HARE: It was in fact -- to my understanding, it was in fact legislation. It had -- it was -- it was -- went through a lot of conversation, and it was quite a contentious debate. But it's my understanding that through legislation, which he signed, it was repealed.

Thank you for bringing that up.

MR. SMITH: Well, it's a sensitive time right now. Don't want to be on the bad side of -- you know --

MR. DARCHE: So I just wanted to clarify one thing, in that there are currently four vacancies where we do not have a permanent chair, and we are also missing the city council appointee from the Bronx, one of the police commissioner designees and a Mayoral appointee.

MS. O'HARE: Thank you for that clarification. I'll update my presentation.

CHAIR KHALID: Anybody else has any questions? Board members?

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(No response.)

MS. O'HARE: Thank you so much for  
your attention.

CHAIR KHALID: Thank you very  
much.

Now we will go back to the  
public comment. And now the public  
comment portion of the meeting will  
begin with those joining us virtually  
and who would like to make a comment,  
followed by those who are joining us  
in person. So for those joining  
virtually, please use the "Raise Your  
Hand" feature. Please keep your  
comment to four minutes.

Yojaira?

MS. ALVAREZ: Yes. Thank you,  
Chair. First, we'll be hearing from Eric  
Dym, followed by John Macari.

MR. DYM: Good afternoon,  
everyone. Can you hear me?

CHAIR KHALID: Yes.

MR. DYM: I'd like to say hello to  
Jonathan Darche and of course Joseph Fox.

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Happy Pride Month to everyone, if you do celebrate or not. Other than that, let's get back to -- let's get down to tax brass and let's talk about Civilian Complaint business.

I did hear -- I overheard in this discussion about criminal records being relevant to a civilian complaint case. Now, it's my argument that that is polarizing, and it's my opinion, based on anecdotal experience, that all criminal records are applicable in arrest case situation, especially for police officers that conduct and perform intrusive police work, and especially those that take part in specialized units.

Now, what I'm curious, hopefully you can respond after this, Jonathan Darche, when you talk about criminal records being relevant, are we talking about convictions or arrests? What's important to note is that when a specialized unit makes a potential

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apprehension or approaches a potential perpetrator, person of interest or a subject, those officers make their tactical plans based on the arrest record of a perpetrator and not the conviction rate.

There's a complete dichotomy. Many perpetrators, especially in New York City, with a criminal -- pro-criminal legislation, are arrested numerous times for resisting arrest and also assaulting police officers. And those cases never meet conviction.

In some cases, there are robberies, alleged violent crimes that never meet actual conviction and some are put out as disorderly conduct or lower cases. And those police officers make their tactical plans based on the arrest record, not a conviction. A conviction rate would not be a correct mirror and a reflection of the actual approach that police officers need to make to keep

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the residents of New York City safe,  
along with themselves.

Second thing I'd like to discuss  
is bias-based policing. That's  
something that's been servicing myself  
and John Macari, who will speak next.  
We are the cohosts of New York's  
Finest Retired and Unfiltered  
podcast -- New York's Finest and  
Unfiltered Podcast, where we talk  
about perspective of policing,  
politics, anything centric about  
public safety, especially in New York  
and the entire nation.

And what we notice with this  
bias-based policing, that it's bias in  
itself. And that it's lacking the  
ability to prove or disprove an actual  
case. Now, we hear of a particular  
case with three police officers being  
found guilty of the 113 Precinct.  
Those three police officers happened  
to be White male police officers doing  
intrusive police work, very active in



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comparison to their other police officers in that particular precinct, making arrests of violent perpetrators in that particular precinct.

Now, the only fault of those police officers is engaging intrusive police work, and being more active than other police officers. Now, based on evidence and anecdotal experience, it is pretty much impossible to prove or disprove unless someone says, I stopped this person because I'm Black. Other than that, this is based on thoughts and complete emotion. I find it pretty impossible to prove or disprove an actual bias complaint. And the problem with the allegation alone of those type of complaints, especially with the public record, is the allegation is just as damaging as finding a substantiation. Because with those allegations, it's a misrepresentation of character and the reputation of a police officer. That

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police officer can be painted as a  
bigot, a racist and a prejudice. Not  
only in their careers, but in their  
entire life. And that's a major  
problem.

Have we, I'd like to ask also,  
Jonathan Darche, have we found any  
cases of bias-based policing for Black  
or Brown police officers towards  
potential White persons of interests  
or subjects?

I want to thank everyone for  
their time. I appreciate it. We need  
to have more conversations just as  
this. Opposition meets opportunity.  
I'm Eric Dym, formal lieutenant of the  
NYPD, coined as the most complained  
cop. Thank you, everyone. Have a  
great day.

MR. DARCHE: So with regard to the  
conviction histories, when a conviction  
history is relevant, it will be included  
in the closing report. Even when a  
conviction history is not relevant to an

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incident, it will be collected and kept in the case tracking system in an investigative action that will be easily accessible to the board members.

With regard to the comments of racial profiling, the CCRB does not substantiate every allegation of racial profiling it receives. If you look at the statistics that we put out, there are many times where the CCRB investigates profiling and does not substantiate misconduct.

For example, in one incident that happened early in our -- in the racial profiling bias-based policing unit's tenure, there was a civilian who felt that she was targeted because of her race, disability or age. We were able to determine that the police became involved in the situation because they were called by a sanitation worker who was engaged with the civilian and was concerned about the civilian's behavior.

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So the CCRB takes these allegations very seriously. We investigate them thoroughly and we make our presentations to the board. And the board is the one that makes the determination about whether the CCRB believes racial profiling or bias-based policing occurred. We then present that work to the NYPD and in all the cases that I've seen so far where we have substantiated either profiling or bias-based policing, we will bring those complaints to the Administrative Prosecution Unit, which will bring them to the Deputy Commissioner of Trials. Either the Deputy Commissioner of Trials herself, or an Assistant Deputy Commissioner of Trials who will then make a recommendation to the Police Commissioner.

So this is not some kangaroo court designed to impugn the reputation of members of service.

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This is a very new area for the CCRB,  
and I understand why it is so  
sensitive for members of service.  
Accusations of this type are extremely  
sensitive in nature and can impact  
someone's reputation.

So as we move forward and we  
interact with the police department on  
these issues, I'm sure there will be  
changes in how we conduct our  
investigations. But in the end, we  
are not here to wantonly attack police  
officers. We get complaints, and we  
investigate complaints. And the staff  
makes recommendations to the board,  
and then the board gets to decide what  
to do with the staff recommendations.

While I do know that the CCRB  
has substantiated allegations of  
bias-based policing against Black and  
Latino members of service, I do not  
know the category of civilian that  
they were accused of bias against.  
Whether it was people who were

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similarly situated to themselves or if  
it was by religion or disability or  
gender expression. There are a wide  
variety of protected classes that the  
racial profiling unit investigates  
complaints of prejudice against.

Yojaira, if you want to go to  
Lieutenant Macari.

MS. ALVAREZ: Go ahead.

MR. MACARI: You guys hear me?

MR. DARCHE: Yup.

CHAIR KHALID: Yes.

MR. MACARI: How is everybody  
doing? I'm John Macari. So, you know,  
we've been working on something, and we  
are going to lobby not only city council,  
but the state assembly as well as the  
governor's office to kind of give a clean  
slate to members of the NYPD as it  
concerns CCRB, whether they're  
substantiated, unfounded. With the  
repeal of 50 A and the creation of a  
private website, 50 A dot org, you know,  
the things that happen at work, whether

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warranted or not, the substantiations aren't -- when they are substantiated or they're not, these are -- remain public record on officers' records in retirement. And even in death, for eternity.

Now, I don't know what could be done to rectify a public website, but we will be lobbying for legislation to have the -- the public record portion of it closed when officers retire. Similar to a Clean Slate Act, similar to what Chairman Dwyer was talking about as it was relating to the case closings.

We have a Clean Slate Act for criminals in New York City, and I think although officers can make mistakes at work too, it shouldn't -- it shouldn't carry them their entire lives. So -- and we can speak about that at a later date, and I would hope to -- you know, and I would love to run that piece of legislation by the

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board and hopefully get you guys to --  
to agree and to sign off on it.

As well as, we can have an  
officer who has a complaint in his  
first year of service and winds up  
serving 30 years and never receives  
another complaint. You know, that  
complaint will carry them their entire  
career. So it's just something I just  
wanted to comment on.

But I really came to ask two  
questions about bias-based policing.  
Obviously, I share the same sentiments  
as Eric. I feel like we are  
labeling -- this is very knew, Jon, not  
only for the CCRB, but I think in  
general for society. We are basically  
labeling people bigots. And I think  
the data is very concerning, that we  
are grabbing to -- to say this. These  
are far-reaching accusations. And  
they're scary accusations. And it's  
something I brought up with the  
Internal Affairs Administration while



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I was still serving, working with you as the CCRB liaison. I was very concerned that -- at how you would -- how you would prove the allegation. Like how could you prove.

So my two questions are this: One, going back to the case that Eric Dym was talking about, the CCRB was using a chief data scientist to see that the amount of people of color were similar -- the amount of people of color that were stopped of those officers were similar to similarly-situated officers, and they were drawing that based upon census data.

So my one question is, are you still using this -- this data scientist to prove bias-based allegations?

And my other question is, does the CCRB self-initiate any bias-based policing allegations against the members of the NYPD?

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Thank you, guys, for your time.

MR. DARCHE: Doctor, do you mind  
if I answer?

CHAIR KHALID: Yes, yes. Go ahead.

MR. DARCHE: CCRB still employs Dr.  
Winter. She is accredited by the New York  
City Police Department as an expert when  
she testified at that trial. And I think  
her work is very professional. And if you  
look at the work that the administrative  
prosecution has done as a whole -- not --  
I'm sorry. If you look at the work that  
the racial profiling and bias-based  
policing unit has done as a whole and the  
work that Dr. Winter has done, she is not  
always substantiating or recommending  
substantiating misconduct in bias  
policing cases against police officers.  
And in fact, the substantiation rate is  
very similar for general investigations  
and racial profiling.

The -- when the CCRB uses data

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in its analysis of a profiling complaint, the first thing to note is before we even request data, we review it to see if on its face, we can eliminate the possibility of profiling. For example, in that situation that I referred to in Lieutenant Dym's -- my response to Lieutenant Dym's question, we did not need data to know that the members of service who responded to that sanitation worker's request for assistance were profiling the civilian because she was Asian. We were able to look at the evidence that we found from the communications between the sanitation worker and 9-1-1. And that was able to -- for us to recommend to the board not to substantiate the allegations against the members of service involved in that complaint.

Even when we use data, data is just one factor in six categories of data -- six categories of information

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that we weigh, six factors when  
looking at whether or not there is  
circumstantial evidence of profiling.  
And I will confess to you all that I  
should know those six factors and I  
wrote several e-mails about them  
yesterday, now that I need to call  
them back at the top of my head,  
they're escaping me. So I would like  
to apologize to everyone. I should  
know that and don't know it. And if  
someone is going to text me from our  
staff with those six factors --

So I will come back to that. I  
will come back because I think someone  
is texting it to me -- oh, no. That  
was not the response I want.

So with regards to the Clean  
Slate For Police Act, I was lucky to  
have Assembly Member Berger reach out  
to our office, and I met with him and  
reviewed the legislation. I don't  
know that the board is familiar with  
it, so I cannot speak for the board.

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I know that I am sympathetic to the intent of the bill. But I have real concerns about the impact of the bill as it is currently written.

Number one, it says it's going to seal claims of misconduct against police officers. And I think that is because it is a bill aimed at the state, and they don't want to limit themselves to -- to New York City. But it is -- it is extremely concerning to me, as the executive director of the New York City Civilian Complaint Review Board, because we do not have claims, we have complaints and we have allegations. And then when an allegation has been substantiated, there's a disciplinary case. So unless the bill goes further to explain and define what is meant by a claim, I think -- I think I would be reluctant to support the bill.

The second issue is, it uses the language sealed, which is problematic

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because it would mean that we could not explain to the civilians in the -- who brought the complaint, who were involved in the complaint, that we did not substantiate what happened in their complaint. And many times, the CCRB determines that the conduct of the member of service who was complained about is within guidelines, that the police officer acted in a way that upset the civilian, but was not doing so in a way that was contrary to the law or NYPD procedure.

But if you cannot explain that to the civilian and explain why that happens, instead of improving police community relations, you are making people feel that coming to the CCRB is of no merit, it does not help, and they feel the need to take matters into their own hands, perhaps. And so I think that one provision is very problematic.

The other problem I saw with the

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bill is -- because it is so broad, it does not contemplate that sometimes CCRB complaints have allegations that result in substantiations against one member of service, and then all of the other allegations against a member of service are -- are not substantiated. So in those complaints where you have a substantiated allegations and unsubstantiated allegations against the same member of service, are those sealed or are those not sealed? That is unclear from this proposed legislation.

The other thing the legislation does not contemplate is, there may be multiple members of service involved in a complaint. What happens when one member of service has a substantiated allegation and then the other members of service who are subjects in the investigation do not have substantiated allegations? Is that complaint sealed? Should we be able

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to tell the public what happened in  
the substantiated case?

So that is -- I just want to go  
back on my answer because our very  
helpful general counsel sent me what  
the six factors are. They're the  
sequence of events in which the  
encounter occurred, any departures  
from customary practice of the  
Department or the member of service or  
their unit, a violation of law that  
may have been committed by the member  
of service, falsity of explanation for  
the conduct of the police officer  
involved, the data that I described  
earlier, and then a history of prior  
similar misconduct.

And all of those factors should  
be considered and weighed when  
determining whether or not there are  
circumstantial evidence about whether  
an officer engaged in profiling or  
bias-based policing.

CHAIR KHALID: Yojaira



1 PROCEEDINGS

2 , anybody next?

3 MS. ALVAREZ: No, Chair. That  
4 concludes the virtual portion.

5 CHAIR KHALID: For those joining us  
6 in person, are here interested in making a  
7 public comment, please line up behind the  
8 podium. Please keep your comments to four  
9 minutes.

10 Mr. Michael Meyers, welcome.

11 MR. MEYERS: Thank you,  
12 Mr. Chairman.

13 Four minutes. I don't have the  
14 time to reply to that nonsense. I  
15 don't have the time.

16 CHAIR KHALID: We'll give you one  
17 minute.

18 MR. MEYERS: I don't have the  
19 interest -- you know, to abuse the public,  
20 that's what this is. An abuse of the  
21 public. You have a public comment. We  
22 don't -- we are wasting our time here  
23 listening to a board meeting in public  
24 session, we have to hear from police  
25 officers, their complaints. Come on.

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They don't want to sit around and hear from us. Some of them don't even come to the -- to the sessions. Please. I'm so angry when I hear this nonsense.

Anyway, going to the agenda, I want to say openly that I commend the staff of the CCRB for their courtesy. They always are very courteous to me. And I'm not always in a disposition to be courteous to. So I want to commend them. I don't know if they're here or not. But please, please express my commendation to them.

However, I still cannot get up to this room. The people downstairs, those two -- I'm not going to describe them. But that -- especially that one person who I've already complained about, she has to call upstairs to see if I can come into a public meeting. What the hell is this? Is this a public meeting? Why does she have to call up to clear me to come upstairs and take 10 to 15 minutes while I'm

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waiting to come a public meeting?  
This is ridiculous. And I've already  
complained to her supervisors. The  
wimpy, wimpy souls. You were supposed  
to follow-up. Apparently, they're  
ignoring you, too.

Where is the police  
commissioner? What's her name again?  
Oh yeah, Tisch. I see her on TV, I  
see her running her mouth on the TV.  
But has she been invited to a CCRB  
meeting yet? How many years has it  
been? I've been coming to this board  
meeting so many years, asking let's  
have a conversation with the police  
commissioner in public. Let the  
police commissioner eyeball every  
member of this commission, and you  
eyeball the police commissioner. I  
keep asking, have we asked for a  
meeting, a public meeting with the  
police commissioner, including this  
last one?

Tisch, I see her on TV running

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her mouth all the time about her police and her policies that don't make any sense. But if she's going to not make sense, let her not make sense here so we can respond to her with our growls. Although we won't have time to respond to all her nonsense. So I don't understand why we still haven't gotten a public meeting with the police commissioner, any police commissioner.

Acting chair. Why are you still acting chair? Why can't people -- whoever you were appointed by, I assume the mayor slash -- slash whoever else, the speaker or the city council. Why can't you get a permanent appointment? It's an act of disrespect to the public and to this commission for the chair to continue coming here month after month, year after year with acting in front of his name. People don't take you seriously. People are not expected to

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2 take you seriously. Let's put it that

3 way. I take you seriously. People

4 are not expected to take you seriously

5 if the mayor doesn't have the time or

6 the patience or the consideration to

7 evaluate who he appoints to this -- to

8 this board as the chair of the CCRB.

9 And I -- I get offended. But I know

10 you don't take offense. I take

11 exception on your behalf, and on the

12 people who are angry that this mayor

13 doesn't have time to fully establish

14 and appoint people to this commission,

15 to his commission. I don't understand

16 what's the delay. Year, after year,

17 after year, after year, we still can't

18 get a chair of the -- because he

19 doesn't care. He doesn't care. He

20 cares about what he cares about, and

21 what he needs to do. He runs his

22 mouth and takes care of his own

23 business. But not our business. And

24 you would think that a former police

25 officer or lieutenant, whatever he

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was, would understand that there  
shouldn't be things held over people's  
heads based on complaints about their  
misconduct. Whatever that foe is.  
Come on.

Four vacancies now. I heard  
three, but four vacancies. Why? Do  
we have a quorum today, by the way? I  
can't -- I couldn't tell because the  
lady upstairs -- I couldn't get  
upstairs. I couldn't see who were the  
voting members here. Do we have a  
quorum to accept the minutes and do  
formal actions? Do we have a quorum?

MR. DARCHE: We do not have a  
quorum.

MR. MEYERS: Yeah. Somebody ought  
to tell the mayor we can't even have a  
damned quorum because we can't get  
members to come to public meetings. If  
they're too busy to come to meetings, get  
off the board. I say again, and again,  
and again, and again. There are plenty  
of people that can fill those seats and

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who will come to meetings. It is just disgraceful. It's disgraceful.

And why am I the only one? Why isn't the board complaining? Write to your -- to your appointees and say what the hell is going on? Why can't you make an appointment, Mr. Mayor? Ms. Speaker? Whatever your name is. Everybody is running for office, but they don't have time to do their business once they're in office. It's disgusting.

Finally, because I know my time is already over. The executive director's monthly report, it would be nice, Mr. Executive Director, to get the report at least two days in advance. Two days in advance. I go to the -- I always go to the website to get the reports in advance of the meeting. I can't comment on this extensive report in less than two minutes. I can't even read it in less than two minutes. We need it at

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least two days before the public meeting so we can make comments on the report at the meeting. Not the months after or two months after the report. We needed timely reports, timely reports.

My point of information, my point of order -- can't make a point of order because I'm not a member. But my point of information is how come, how come people who are not even here can ask questions and then get long-winded answers? Long. Taking up our time and get long-winded answers. I -- I make a point of information, point of order. This should not be. If you can't come to the meetings and speak your piece, I don't want to waste the public's time with these people who have personal agendas or -- or police officer agendas worth my time. And I'm waiting to hear from the people and to hear from you, the representative of the people. I don't



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want to hear this nonsense. Let them  
come to the -- to the meetings where  
they have complaints with and have  
their lawyers complain. I don't want  
to hear that nonsense. I'm sick of  
this.

CHAIR KHALID: Thank  
you, Mr. Meyers, for your comments.

MR. DARCHE: Chair, I do want to  
acknowledge that we should endeavor to  
get the Executive Director's Report  
online earlier than we did this month.  
We were having some transition in our  
communications office. So that -- that  
will be different next month.

CHAIR KHALID: We will be working  
on it soon. I promise. I promise. We  
are working on the board members as well,  
for your information. So we'll --  
hopefully we'll have the full board soon.  
Hopefully.

Next is any old business come  
before the board?

(No response.)

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2 CHAIR KHALID: None. Do we have  
3 any new business to  
4 come before the board?

5 (No response.)

6 CHAIR KHALID: Seeing  
7 none, I'm going to move now we break into  
8 executive session. The agenda for the --  
9 Someone said something?

10 MS. SIMMONS: I said so moved.

11 CHAIR KHALID: Oh so  
12 thank you.

13 The agenda for executive session  
14 is the executive director considered  
15 two full board cases discussing  
16 pending personal action and general  
17 function will provide update regarding  
18 pending litigations.

19 If there's a motion to adjourn  
20 to executive session, do I have a  
21 second? So moved?

22 MS. CRAWFORD: Second. Second.

23 CHAIR KHALID: Thank  
24 you. The meeting is now adjourned, and  
25 we'll go into the executive session.

In Re June Public Board Meeting NYC - Civilian Complaint Review  
Board

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Thank you all for coming.

(TIME NOTED: 5:12 p.m.)

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 17th day of June, 2025.

  
ELBIA BRUMIT