

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

COMMITTEE ON PUBLIC SAFETY

CITY COUNCIL
CITY OF NEW YORK

----- X

TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON PUBLIC SAFETY

----- X

March 4, 2020

Start: 1:24 p.m.

Recess: 5:14 p.m.

HELD AT: Council Chambers - City Hall

B E F O R E: Donovan J. Richards,
Chairperson

COUNCIL MEMBERS:

- Adrienne E. Adams
- Justin L. Brannan
- Fernando Cabrera
- Andrew Cohen
- Chaim M. Deutsch
- Vanessa L. Gibson
- Rory I. Lancman
- Carlos Menchaca
- I. Daneek Miller
- Keith Powers
- Ydanis A. Rodriguez
- Paul A. Vallone

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

A P P E A R A N C E S

Dermot Shea
Police Commissioner

Kristine Ryan
Deputy Commissioner Management and Budget

Ben Tucker
First Deputy Commissioner

Terry Monahan
Chief of Department

Anthony Tasso
Deputy Chief, Commanding Officer of the
Information Technology Bureau

Michael Lipetri
Chief of Crime Control Strategies

Rodney Harrison
NYPD Chief of Detectives

David Barrere
Chief of Housing

Fausto Pichardo
Chief of Patrol

Ernest Hart
Deputy Commissioner Legal Matters

Bill Morris
Chief of Transportation

Nilda Hofmann
Chief of Community Affairs

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

A P P E A R A N C E S (CONT.)

Reverend Frederick Davie
CCRB Chair of the Board

Jonathan Darche
Executive Director

Emily Marie Ramos

Shane Correia
Deputy Director of Strategic Partnerships at the
Center for Court Innovation

Shane Correia
Deputy Director of Strategic Partnerships at the
Center for Court Innovation

Ralph Palladino
Local 1549 DC 37

Jorge Artelejo

Towaki Komatsu

Darlene Jackson
Member in support of the Close Rikers and Build
Communities Campaign

1
2 CHAIRPERSON RICHARDS: [GAVEL] Alrighty, good
3 afternoon and welcome to the Public Safety
4 Committee's Fiscal 2021 Preliminary Budget hearing.
5 Today, we will hear testimony from Police
6 Commissioner Shea and his staff on the Police
7 Departments budget.

8 Before I get into my testimony, we're joined by
9 Council Member's Deutsch, Cabrera, Lancman and
10 Rosenthal and I will begin now.

11 The Departments capital plan totals \$1.6 billion
12 for Fiscal Year 2020 through Fiscal Year 2024. We
13 would like to hear the progress of facility
14 developments and renovations for this Special Victims
15 division, crime lab and tow pounds as well as
16 upgrades for technology projects like the Discovery
17 Lab and domain awareness system.

18 The Preliminary Budget made almost no changes to
19 the NYPD's bottom line; however, the November
20 Financial plan added new budgetary needs of \$38
21 million and 357 new positions.

22 Today, we will discuss the 21 million and 250
23 positions added to comply with criminal justice
24 reforms, 10 million and 88 positions for homeless
25 outreach and engagement and 3 million and 29

1
2 positions for mental health co-response teams. And
3 although this year's preliminary budget does not add
4 any additional positions, it also does not cut any
5 positions.

6 Right now, the NYPD's workforce totals \$52,000
7 personnel which makes NYPD the second largest city
8 workforce behind only the Department of Education.

9 We will examine the Departments baseline budget
10 and how its 52,000 staff are deployed. We are here
11 to discuss the NYPD's strategy and efficiency and
12 employing these personnel to keep our city safe. And
13 while we are gracious for their sacrifices, we can
14 never be satisfied.

15 Some crime indicators increased this last
16 calendar year including murders, shootings, robberies
17 and hate crimes. The budget does not show us
18 everything. There are programs, initiatives and
19 policy decisions that are not made clear through this
20 budget but by learning about how the Department
21 allocates its costs, we can make sure strategies are
22 focused on the right things and are done the right
23 way.

24 As technology advances, government must ensure
25 transparency and accountability. This last year, we

1
2 have seen troubling developments in new areas. We
3 recently had a hearing on DNA collection and storage
4 by the NYPD and our concern about the Departments
5 infringement on innocent citizens civil liberties.

6 Facial recognition software has also changing how
7 Police Departments across the country are
8 investigating cases. And while it may aid in solving
9 some crimes, there is a balance between acceptable
10 usage and of disregarding our rights to privacy.
11 These concerns also timed with historic ratio
12 disparities and criminal justice.

13 During the last Commissioner tenure, dishonest
14 stop and frisk practices came to an end. However,
15 the legacy of stop and frisk is not dead but
16 transferred to uneven methods of investigation,
17 prosecution and more.

18 The raise the age policy amended outdated laws
19 that proceeded juveniles as adults but we must ensure
20 the NYPD has the funds to support processing these
21 juveniles the right way. Just last month in Queens,
22 two teenagers were cuffed to a bench in a precinct
23 overnight and through the next day. This is not how
24 Raise the Age is supposed to work.

1

2 If capital improvements need to be made, let's
3 make them and not wait around for another horrific
4 story like this one. Now, I want to welcome, we do
5 have a new Commissioner, Commissioner Shea
6 representing a new period in the New York Police
7 Department. We look forward to hearing from
8 Commissioner Shea about what his priorities will be
9 and how the budget will be adjusted to support those
10 priorities. I'm sure our work together will continue
11 to make our city a safer place and a fairer place.

12 We are encouraged by Commissioner Shea's
13 statements in the past few months but would like to
14 hear his plans for the Department as a whole. The
15 New York City Police Departments Budget is
16 essentially \$6 billion. This Fiscal Year, it's \$5.5
17 billion but let's say \$6 billion because if the pass
18 is any indicator, the Police Department will reach
19 the \$6 billion mark soon enough.

20 How will the Commissioner manage its budget and
21 use the resources given to the NYPD in the best way
22 possible, that's the question we have.

23 I would also like to thank my staff and the
24 Committee Staff for their hard work. Thank you to
25 Nevin Singh, Eisha Wright, Casey Adison, Daniel

1
2 Edis[SP?], Josh Kingsley and Tiffany Eason and thank
3 you Commissioner Shea and to your staff for being
4 here today.

5 So, this is your first time testifying before us?

6 DERMOT SHEA: Yes, it is.

7 CHAIRPERSON RICHARDS: Are you ready?

8 DERMOT SHEA: More than ready.

9 CHAIRPERSON RICHARDS: Alrighty, I'd like to
10 welcome you now as the new Commissioner of the Police
11 Department. Thank you, Commissioner Shea.

12 DERMOT SHEA: Thank you Councilman Richards and
13 all members of the dais.

14 CHAIRPERSON RICHARDS: Hold on, we're going to
15 swear you in first.

16 COUNCIL CLERK: Do you affirm to tell the truth,
17 the whole truth and nothing but the truth in your
18 testimony before this Committee and to answer
19 honestly to Council Member questions?

20 DERMOT SHEA: I do.

21 COUNCIL CLERK: Please state your name for the
22 record if you're going to testify.

23 DERMOT SHEA: Dermot Shea, Police Commissioner.

24 COUNCIL CLERK: The rest of the folks as well.
25

1
2 KRISTINE RYAN: Kristine Ryan, Deputy
3 Commissioner Management and Budget.

4 BEN TUCKER: Ben Tucker, First Deputy
5 Commissioner.

6 TERRY MONAHAN: Terry Monahan, Chief of
7 Department.

8 DERMOT SHEA: Thank you very much. Council
9 Member Richards and members of the dais, thank you
10 for the opportunity to come here this morning and
11 speak and thank you for your continued support.

12 Thank you for the opportunity to discuss the
13 Mayor's Preliminary Budget for the 2021 Fiscal Year.
14 It's a pleasure to be here for the first time in my
15 capacity as Police Commissioner, to testify before
16 the Committee on Public Safety about the outstanding
17 work all members of the New York City Police
18 Department are performing every day and night, how we
19 are doing it, and perhaps most importantly, why we
20 are doing it.

21 The why is easy: to keep people safe. And no
22 matter how low we push crime, no matter how safe
23 people actually are or feel, we will always have an
24 obligation to do more. That is our job and that is
25 what the brave men and women in uniform have promised

1
2 to do. In fact, that is why the NYPD exists and so,
3 it will remain our critical mission for as long as any
4 of us is here.

5 Before highlighting some key budget items, I will
6 update you on the core mission and several
7 significant public safety initiatives and I would
8 like to talk to you about policing in New York City
9 in 2020. What it means to us as a Police Department
10 to the 8.6 million New Yorkers who live here, to the
11 millions more who commute in for work each day and to
12 the nearly 67 million more who visit our great city
13 each and every year.

14 When you look at what has been accomplished
15 through Neighborhood Policing in this city, through
16 precision policing, through building trust in our
17 communities, we are in a very good place in New York
18 historically. The next evolution is to do much more
19 regarding kids, the juveniles in this city. And I am
20 not talking necessarily, about kids that get
21 arrested; I am talking about all kids and can say
22 with great optimism, that there is probably not a day
23 that goes by that members of the NYPD do not meet
24 with organizations operating around New York City and
25

1
2 outside the criminal justice system, that all have
3 the same goals in mind.

4 We have a unique opportunity right now and it
5 would be a shame if we failed to capitalize on it.
6 To really take a look at the population of kids in
7 New York City and make certain that everything
8 possible is being done to ensure that they do not get
9 into trouble. That they have avenues to express
10 themselves, that they have places to go after school,
11 at night, or on the weekends. I challenge anyone to
12 give me a better example of where we can invest our
13 money, our resources and our time. And again, I am
14 not talking just about the Police Department, I am
15 talking about everyone.

16 So, 2020 presents an entire new possibility for
17 us. It is now feasible to think about how we can
18 equip and enable our cops to help kids avoid a first
19 interaction with the criminal justice system.

20 We know the teen years are the vulnerable years,
21 both for the young people likely to be victimized by
22 crimes and the young people likely to commit them.
23 And sometimes, kids fall into both categories. From
24 the Police perspective, we can chart a course in many
25 of these young lives. From children who flee abusive

1
2 homes to wind up in the clutches of human traffickers
3 to kids exposed to domestic violence, homelessness,
4 trauma and other abuse. To the same children a few
5 years later, turning to crime.

6 It is not uncommon for us to see kids as young as
7 16 with 10 to 20 prior arrests. And we have to
8 wonder if we as a city are doing enough to prevent
9 these and other young people from making from making
10 truly self-destructive choices. I would argue that
11 we are not. We can do far better, both within the
12 NYPD and in coordination with a range of city
13 agencies, private enterprises, and community based
14 organizations. And that is what the NYPD's new youth
15 strategy is all about. Drawing on our talented,
16 committed personnel and on the accumulated previous
17 encounters with these young people to make a lasting
18 and positive difference in their lives.

19 In establishing and institutionalizing far closer
20 cooperation with our law enforcement partners and
21 community based service organizations, I believe we
22 can identify the opportunities for intervention with
23 young people early in the progression that risks
24 turning them into criminals or into victims. And
25 what we have to do is organize and focus all of our

1
2 resources and there are so many quality programs
3 already in place through the five borough, so that a
4 troubled kid doesn't go from 12 to 18 without us
5 intervening in a life going wrong.

6 For us in the NYPD, the first step is to redefine
7 what our NYPD youth officers do. We are establishing
8 a new role in all of our precincts and Housing Bureau
9 police service areas on the model of our Neighborhood
10 Coordination Officers, called the Youth Coordination
11 Officer. As the title implies, YCOs will play a
12 critical coordinating role in maintaining awareness
13 of troubled youth and connecting better, and sooner,
14 with them and their families. YCOs will also
15 coordinate with other cops and with city agencies and
16 local community groups, to see what is available to
17 kids in this city and making sure we are marrying all
18 of it up.

19 As I have previously outlined, there are three
20 groups of young people we have to reach:

21 First: For those already far along unfortunately
22 on the path to criminality. As it is currently set
23 up, the criminal justice system alone does not do
24 enough to deter them or to help them either. Our
25 YCOs will be fully conversant with these most

1
2 troubled youth, helping to guide the appropriate
3 criminal sanctions and social service interventions
4 in each case.

5 Second: Those who are beginning to drift into
6 criminal activity. Whether it is shoplifting,
7 stealing from other kids on the street or other minor
8 crimes. For these kids, we have to bring the full
9 capacities of our social support and service networks
10 into play. The YCOs will be the nexus of this
11 effort, identifying the kids on the cusp of crime,
12 finding the right programs and making the critical
13 connections.

14 Third: The large majority of young people who
15 aren't committing crimes at all. In fact, some of
16 them may even wind up as victim. We, of course,
17 should be engaging with them as well because it is
18 absolutely the right thing to do.

19 We are determined to breathe new life into
20 existing programs all across the city and to help
21 establish new ones. We envision our new YCOs as the
22 force multipliers who bring people together, in every
23 neighborhood and it is essential for everyone to come
24 to the table and lock arms and I'm sure that as the
25

1
2 afternoon progresses, we will speak to some of the
3 executive team that is working on this.

4 That said, there is clearly no cookie cutter
5 answer to everything in our line of work but the
6 renewed focus on our city's young people is part of
7 the evolution now, as a police department and as a
8 city. And whatever we do, whatever approach we take,
9 it has to always be about all of us sharing that
10 responsibility, strengthening relationships and
11 building trust. Working together to reduce crime and
12 violence and when these things are happening
13 together, when we are building the bridge between the
14 public safety and the public trust, we all win.

15 Let me clear, we can do this. The NYPD can do
16 this but only with the rest of the city's continued
17 and increased support. The police and the public
18 turning a professional relationship into a true
19 partnership is already fundamentally changing law
20 enforcement and it is a model for the rest of the
21 nation quite frankly. Our neighborhood policing
22 crime fighting philosophy has helped New York buck
23 the crime trends in other large American cities and
24 enabled us to set the standard for effective and as
25 you said, efficient policing in this country.

1
2 Clearly though, we are far from finished. As
3 many of you remember during the 70's, the 80's and
4 the 90's, there were people in New York City who
5 believed we would never get to where we are today.
6 They believed that high crime sustained fear while
7 walking down the street was just the way it was and
8 always would be. In some neighborhoods, violent
9 crime unfortunately was a daily occurrence.

10 In the first half of 1993 for example, in the
11 75th Precinct, 5.5 square miles, someone was killed
12 there on average of once every 63 hours and that
13 occurred even as brave, dedicated NYPD cops took
14 violent criminals and illegal guns off the street
15 every night.

16 Instead of throwing their hands in the air,
17 however, our police officers, your police officers,
18 refused to believe there was nothing to be done about
19 the state of things. They refused to accept life in
20 the city could not change for the better. They knew
21 that reversing decades long trend of rising crime and
22 violence would take time and they knew the NYPD could
23 not do it alone.

24 At that time, starting to reclaim our
25 neighborhoods required coordinated efforts, along

1
2 with ultimately the full and willing partnership of
3 the people we serve. And where it took us two
4 decades later was categorically historic. The lowest
5 crime in three generations. The last three yes in a
6 row, 2017, 2018 and 2019, saw fewer than 800 shooting
7 incidents in a city approaching 9 million people.
8 Prior to that in the modern era, the number of
9 shootings in New York City never fell below 1,000.
10 And although shootings rose by 22 incidents in 2019,
11 showing that there is still work to be done, they
12 were still down by 332 incidents or 30 percent from
13 just six years prior.

14 Make no mistake, the past six years were a time
15 of generally declining crime with a nearly 15 percent
16 reduction in all index crimes, led by a 30 percent
17 drop in robbery, a 30 percent decline in burglary.
18 In those six years, arrests were also down nearly 50
19 percent and criminal summonses were down nearly 80
20 percent. We have clearly managed to keep crime
21 falling steadily while dramatically reducing the
22 enforcement footprint of this city and New York has
23 easily sustained its ranking as the city with the
24 lowest overall index crime rate among the 320 largest
25 cities in America.

1
2 As we made our way through the last year and with
3 crime in New York City reduced significantly compared
4 to decades ago, a large number of people I would say
5 adopted the view that with crime down, there was no
6 need for our law enforcement activity. And that
7 viewpoint now is significantly hampering our ability
8 to keep people safe. We are currently facing
9 assaults on much of the technology we use to home in
10 on the real drivers of crime and violence in New York
11 City and this speaks to the precision policing.
12 Tools that we use, we would argue professionally,
13 fairly and constitutionally to find justice for
14 victims by focusing with great precision on the
15 serious crimes and the serious offenders who make up
16 a relatively small percentage of the population.

17 For one, facial recognition is a hugely valuable
18 tool in countering robberies, hate crimes, sexual
19 assaults, shootings and other violence on our
20 streets. Given the scale of both city-owned and
21 privately-owned security cameras, the images of these
22 perpetrators are frequently captured on video. Our
23 ability to compare these images to legally acquired
24 mug shots of perpetrators from past crimes has taken
25 our investigations to a new greater level.

1
2 Any facial recognition match is vetted by trained
3 investigators within the NYPD Facial ID section
4 before it is forwarded to an investigating detective
5 under Chief Rodney Harrison. And a facial
6 recognition match by itself, is not grounds to arrest
7 a person or authorize a search warrant, it is a lead.

8 A detective following that lead must establish
9 with other corroborating evidence that the subject of
10 the investigation is in fact, the perpetrator.

11 Let me emphasize, the NYPD does not misuse this
12 technology. We agree that balance is necessary. We
13 do not use it to identify participants in political
14 protests, we do not surveil passerby in the general
15 population, we do not even use facial recognition to
16 identify people wanted on warrants. We use it to
17 match images of people shown on video committing
18 crimes to images of people in mug shot databases who
19 have committed past crimes.

20 As is the case of facial recognition, the NYPD
21 has been charged with misusing the local DNA
22 database. The database, which is managed and
23 maintained by the city's Office of the Chief Medical
24 Examiner, is used only to compare suspect DNA to
25 crime scene DNA and DNA from one crime scene to DNA

1
2 form other crime scenes. In order to match or
3 exclude suspects in cases for which crime scene DNA
4 is available. The DNA profiles in this database are
5 untouched, except when a match is found between crime
6 scene evidence from a rape case, for example and a
7 suspect.

8 DNA objectively distinguishes unique individual
9 identities. Unless their DNA is matched to crime
10 scene, DNA in a given case, people whose DNA samples
11 are included in the database are at no risk of being
12 subject to law enforcement inquiry. And let me be
13 clear, the NYPD knows of no person who has ever been
14 falsely convicted, indicted or even arrested because
15 of evidence from the New York City DNA database. On
16 the other hand, prospective suspects in rapes,
17 murders and other crimes have been routinely excluded
18 from investigations on the basis of DNA, sparing them
19 police inquiries and possible interrogations.

20 Although critics have suggested that NYPD is
21 routinely collecting huge volumes of DNA samples from
22 arrestees, the database currently contains about
23 30,000 suspect DNA exemplars, compared with nearly
24 1.8 million arrests in the past six years. Most of
25 the samples have been taken from suspects during

1
2 active investigations of serious crimes and in
3 response to concerns about the duration of time
4 samples are maintained in the database, the NYPD will
5 be begin auditing the database and recommending that
6 the OCME remove exemplars that are no longer needed
7 in active investigations; again, balance.

8 As for the NYPD's Criminal Group Database,
9 referred to by some as the gang database, we maintain
10 a collection of about 550 street crime gangs and
11 crews. I can tell you with certainty that 91 percent
12 of the database entries have been arrested for at
13 least one serious felony. Across the list, entrants
14 average 12 arrests, including an average of 5.7
15 felony arrests. They have been linked to more than
16 700 murders in New York City and 20,000 robberies.
17 So, let me repeat that, 20,000 cases of stealing
18 something from another using force and more than 700
19 lives ended.

20 I would be grossly irresponsible for the NYPD to
21 fail to monitor these groups, who are among the
22 principal purveyors of violent crime in New York
23 City. The entry process to the database is closely
24 controlled. Most police officers are not authorized
25 to recommend new entries, only field intelligence

1
2 officers who track criminal activity in each precinct
3 and other gang experts may make these recommendation.
4 And based on their detailed knowledge of on the
5 ground situations, they submit supporting
6 documentation which is reviewed by supervisors with
7 gang expertise. The oversight structure that ensures
8 that multiple gang experts agree on every database
9 entry. Further, the NYPD systematically culls the
10 database to remove the names of people who have "aged
11 out" of gang activity or had no negative contacts
12 with the police in three years.

13 There are now approximately 18,300 names in the
14 criminal group database, that is compared to over
15 35,000 in 2014. Only 2.7 percent are currently under
16 the age of 18. The average age of all entries is 27
17 years of age.

18 Importantly, no NYCHA official, landlord, or
19 prospective employer has access to any name in the
20 database. Federal immigration agents are likewise
21 locked out and critics cannot cite a single instance
22 of anyone being denied housing or a job or being
23 subject to immigration enforcement on the basis of
24 the NYPD gang database. Mere entry into which has
25

1
2 never been founds for arrest or any other types of
3 enforcement action.

4 In my opinion, an entrenched street gang
5 spreading violence and fear through a community is
6 just about the worst thing that could happen to a
7 neighborhood. Do we really want our police to begin
8 at square one each time there is an act of gang
9 violence? Surely, it is better that professional
10 investigators already know the likely perpetrators of
11 a gang shooting. Perpetrators who themselves are now
12 at grave risk of retaliation from on opposing group.
13 This is what our investigators see each day.
14 Knowledge of members is essential to any effort to
15 intercede with gang culture, but also to pull young
16 men out of criminal life before they are arrested or
17 killed.

18 As I hope I have made clear, these investigative
19 resources are centrally important to the NYPD's
20 ongoing enforcement efforts. As used by the NYPD,
21 they do not represent a threat to civil liberties.
22 They do, however, represent a marked advance from
23 many of the older methods of investigating crime,
24 such as eyewitness ID's and fingerprints. I trust we
25 can agree to preserve these essential modern day

1
2 police techniques when used appropriately, so that
3 the hardworking members of the NYPD can continue to
4 preserve public safety throughout New York City.

5 So far in 2020, we are seeing increased in crime
6 across multiple categories, which unfortunately
7 reinforces what we already knew. I am on record as
8 saying that I believe these increases are tied to
9 some of the recent reforms that took effect in
10 January and we are already showing signs of cause and
11 effect in the fall of 2019. We saw momentum building
12 in January and now we are through February and into
13 the first three days of March and I will tell you
14 that the second complete month of data sharpens our
15 focus on what our responses as a police department
16 must be to keep New Yorkers safe. We are identifying
17 precincts with the most dramatic increases in crime.
18 We will use both tradition redeployment of personnel
19 coupled with non-traditional deployment. We will
20 allocate additional overtimes for these necessary
21 steps as well and let me clear, we will do everything
22 responsible as we always do to redeploy as necessary
23 and keep New Yorkers safe.

24 We recognize the challenges we are facing and we
25 are addressing them. Our enhanced technological

1
2 capabilities are some of the reasons that is
3 possible. They have helped us to better focus our
4 enforcement efforts on the real drivers of serious
5 crime. Indeed, to a large extent, precision policing
6 depends on our ability to effectively leverage
7 technology specifically in the areas of robbery,
8 burglary, auto theft and I would argue sexual crimes
9 as well. WE call these pattern crimes because they
10 are frequently committed by chronic recidivist who
11 often use identifiable methods that link suspects to
12 several or more offenses in the same group.

13 I would urge members of the Council to maintain a
14 sense of proportion about the technological resources
15 the NYPD uses to fight both pattern crimes and
16 shooting, the most prominent of which are the tools I
17 mentioned earlier, facial recognition, local DNA
18 database and the gang database. Each has brought
19 greater precision, accuracy and efficiency to our
20 investigation to serious crime. I can tell you that
21 in any time of rising crime, the last thing a police
22 department needs, is to have tools that we use to
23 conduct such investigations removed. Simply put, the
24 police needs tools to do our jobs. We need tools to
25 effectively and efficiently keep people safe and that

1
2 goes for all aspects of our work. The uniformed men
3 and women on patrol answering calls for service, the
4 seasoned detectives knocking on doors and tracking
5 down every possible lead and the investigator and
6 analysts that work behind the scenes to pinpoint
7 patterns and predict retaliatory violence. I'll say
8 it again and I'll be emphatic, investigative
9 resources are centrally important to all of our
10 NYPD's enforcement efforts and ultimately to our
11 effectiveness.

12 Turning to budgetary issues, the NYPD plans to
13 again apply for and to obtain federal assistance to
14 protect members of the public and critical
15 infrastructure, including the Financial District, the
16 transit system, bridges, tunnels and ports.

17 On February 14, 2020, the FEMA announced the
18 Federal Fiscal Year 2020 Notice of Funding
19 Opportunities for the Homeland Security Grants to
20 assist states, urban areas and others with their
21 preparedness efforts. The NYPD has already begun the
22 process of preparing the application, which are due
23 on April 15th. It is anticipated that these grants
24 will be awarded no later than September 30th of this
25 year.

1
2 Historically, the federal Homeland Security funds
3 have brought us a lot. Including our Bomb Squad's
4 Total Containment Vessel, the rolling vault that
5 allowed the NYPD to remove the live pressure cooker
6 bomb planted on a street in Chelsea, and some 16 pipe
7 bombs mailed to various recipients throughout New
8 York and the country. The money also funds our Vapor
9 Wake dogs, that patrol large scale events searching
10 for hidden explosives and keeping all New Yorkers
11 safe. And our active shooter training that hones the
12 tactical skills of thousands of officers who might
13 one day have to face a machine gun wielding attacker
14 in a crowded concert venue or school.

15 These funds also allow the NYPD to hire
16 intelligence Research Specialists, so IRS, deploy
17 officers to the transit system and other strategic
18 locations, citywide, based on intelligence and to
19 train officers to respond to chemical, ordnance,
20 biological and radiolocation threats of incidents.
21 The NYPD uses federal funds to purchase personal
22 protective equipment for uniformed members and to
23 purchase other critical equipment that enhances our
24 ability to protect New Yorkers and vital
25 transportation and port infrastructure. In addition,

1
2 these funds have allowed us to develop and sustain
3 our sensor and information technology centerpiece
4 known as DAS, which supports the police department's
5 counterterrorism mission.

6 On February 10, 2020, the President's Budget for
7 Federal Fiscal Year 2021 was released, which reflects
8 significant decreases for State and Local grants for
9 first responders under the Federal Homeland Security
10 Grant Preparedness grants. The budget proposes a
11 national funding level for Urban Area Security
12 Initiative of only \$426 million after being funded at
13 \$665 million in Federal Fiscal Year 2020 or a 36
14 percent reduction.

15 The State Homeland Security Program proposed
16 amount is \$332 million, a reduction of 41 percent
17 from the prior year. The Transit and Port Security
18 grant proposed amounts are reduced from \$100 million
19 to \$36 million or 64 percent each.

20 Although we are undoubtedly the safest of all
21 large cities of comparable size in the country, we
22 clearly remain the nation's top terror target. New
23 York City has been the target of approximately 30
24 terror plots since the devastating attacks of September
25 11, 2001. Plans that have included a would be

1
2 suicide bomber who detonated a homemade explosive
3 device in a subway passageway beneath Time Square, a
4 fatal truck attack on pedestrians and bicyclists
5 along the West Side Highway, plans to place bombs
6 among festive crowds watching July 4th fireworks and
7 a plot to capture on video the beheading of a woman
8 in Manhattan. While we must be at the top of our
9 game every single minute of every single day, we are
10 acutely aware that those who wish us harm need only
11 to be successful once.

12 Regarding the Preliminary Budget and its impact
13 on the NYPD, the NYPD's Fiscal Year 2021 City Tax
14 Levy Expense Budget is \$5.3 billion. The vast
15 majority of this 92 percent is allocated for
16 personnel costs.

17 As part of the November 2019 Financial Plan, the
18 NYPD received additional funds for 250 civilian
19 personnel and technology upgrades to allow the police
20 department to better comply with recent changes in
21 the criminal justice laws. Complying with these laws
22 requires an enormous amount of new funding, none of
23 it from the state, plus a massive retooling of NYPD
24 practices, several important technological upgrades
25 and the hiring of hundreds of additional personnel

1
2 across several areas of the department. These new
3 funds will help pay for such things as new portals to
4 better share information with district attorneys and
5 the hiring of criminalists and others to more quickly
6 produce case materials and handle the increased
7 paperwork burden. The expense funding totaled \$24.7
8 million in fiscal year 2020 and \$20.7 million in
9 fiscal year 2021 and the out years. This is in
10 addition to capital funding provided during the
11 Adopted Capital Commitment Plan. The NYPD received
12 \$28 million for crime lab technology upgrades and \$10
13 million for legal technology to better allow for
14 compliance with the discovery law changes.

15 The NYPD's Preliminary Capital Budget contains
16 \$1.64 billion for Fiscal Years 2020 through 2024.
17 Aside from the funding provided in October, the
18 department received additional funds for the
19 following:

20 137 Centre Street Renovation for special victims.
21 \$18.6 million for building improvements to this
22 space, which currently houses the Manhattan Special
23 Victims Squad and will include additional units to
24 minimize the department's lease footprint.

25

1
2 ARGUS camera expansion of \$3.6 million to install
3 additional cameras in areas that might be the scene
4 of hate crimes.

5 And the 116th Precinct Station House in Queens,
6 an additional \$17.2 million was provided for the
7 increased costs of construction based on the most
8 recent bids. Construction for this facility is
9 projected to begin in the spring of 2020.

10 And finishing up, across the NYPD, we will
11 continue to leverage every tool available to us to
12 keep New York City safe. Including the use of new
13 and innovative technology. We are keenly focused on
14 such advances and how they can be applied to fighting
15 crime, creating safer and more efficient ways for
16 police officers to do their jobs and also,
17 contributing to the important work of building trust
18 and strengthening relationships throughout the five
19 boroughs.

20 As we take Neighborhood Policing to the next level
21 by way of our invigorated youth strategy and through
22 all of the remarkable changes we are undertaking in
23 the NYPD, we have the Mayor's full support and have
24 benefitted greatly from the City Council's support as
25 well.

1

2 I thank you for your ongoing partnership and for
3 everything you do to help build a more effective and
4 efficient NYPD, always with officer safety in mind.

5 New York needs even more of our ideas and all of
6 our actions now and that goes for the entire public
7 safety spectrum from traditional crime to terrorism
8 and to the seedbed activities that can draw young
9 people down paths of criminality. This is our
10 mission and we owe every New Yorker nothing but our
11 best efforts.

12 Thank you again for the opportunity to testify
13 this afternoon and I'm happy now to take your
14 questions.

15 CHAIRPERSON RICHADS: Thank you Commissioner Shea
16 and we're joined by Council Members Gibson, Brannan,
17 Powers, Cohen, Miller and Vallone.

18 And first, I'll start off with new needs for this
19 Fiscal Year. First off, are there any new needs that
20 you've requested from the Administration that have
21 not been funded?

22 KRISTINE RYAN: We're continuing to work with OMB
23 to look at exec will look like. There are various
24 items that we are focused on. Some OTPS needs and

25

1
2 some PS needs but we're still trying to work out
3 exactly what we'll get.

4 CHAIRPERSON RICHARDS: And has the Administration
5 given you a savings target to reach before the budget
6 is adopted?

7 KRISTINE RYAN: We are also talking to OMB about
8 where we can find efficiencies but we don't have a
9 specific number that we've landed on with them yet.

10 CHAIRPERSON RICHARDS: And when will you have
11 those specifics?

12 KRISTINE RYAN: At the time of the Executive
13 Budget.

14 CHAIRPERSON RICHARDS: Okay, can you talk about
15 capital? Are there any additional capital needs that
16 you have that have not been funded yet?

17 KRISTINE RYAN: At this point, we have addressed
18 as the Commissioner said, some of the significant we
19 had for example in the 116th Precinct, the money for
20 the bids. We are evaluating the cost for some of our
21 other programs, so there maybe additional needs at
22 Exec but we're still evaluating that.

23 CHAIRPERSON RICHARDS: And I'm happy to add,
24 we're building a new Precinct in South Queens, so no
25 complaints about more money being added.

1

2 So, you're anticipating more money being added?

3 KRISTINE RYAN: We're evaluating as with that

4 example when bids come in, we have to make

5 adjustments.

6 CHAIRPERSON RICHARDS: Okay, are there any

7 federal funding cuts you anticipate? And I know you

8 touched on it a little bit Commissioner and I thought

9 I heard of reports that the Trump Administration

10 certainly was reassessing grants that he was giving

11 to New York City based on us being a sanctuary city.

12 So, we're not anticipating any cuts there?

13 KRISTINE RYAN: We are hopeful that in working

14 with the federal government we'll be able to maintain

15 the level of funding that we have had in the past.

16 CHAIRPERSON RICHARDS: So, you're pretty

17 confident?

18 KRISTINE RYAN: We're hopeful.

19 CHAIRPERSON RICHARDS: And if they did decide to

20 cut, where would we find the money? Do you believe

21 you will be able to fill those gaps?

22 KRISTINE RYAN: We would work with OMB to

23 prioritize what are critical needs in those areas.

24 CHAIRPERSON RICHARDS: And the total on those

25 grants again are?

1
2 KRISTINE RYAN: The Federal Fiscal Year 2019 for
3 federal funding was \$142 million over the last five
4 years we've received a total of \$900 million in
5 federal funding.

6 CHAIRPERSON RICHARDS: Okay, lets hope into
7 criminal justice reforms quick. As a result of state
8 criminal justice reforms, the NYPD must now expedite
9 the exchange of documents and evidence to 15 days
10 after arraignment. That includes providing
11 information such as 911 calls, body camera recording,
12 warrants and other evidence to prosecute. As a
13 result, NYPD's budget has added over \$20 million per
14 year to hire 250 new positions. Where are we at in
15 hiring for the new 250 positions?

16 KRISTINE RYAN: As of right now, we have 163 of
17 those 250 onboard. At the end of next week, we'll
18 have an additional 59 starting, so at that point we
19 will have about 28 vacancies remaining. So, we'll be
20 about 90 percent of the way there.

21 CHAIRPERSON RICHARDS: Okay, and can you tell us
22 the need for specific titles? For example, why the
23 need for 82 police communication technicians and 20
24 police administrative aids in the highway division?
25

1
2 KRISTINE RYAN: So, the police administrative
3 aids are necessary to help with collecting all of the
4 information that needs to be turned over and there's
5 a significant amount of work that needs to be done in
6 that area. With the PCT's, you also need individuals
7 to be able to review and evaluate the 911 information
8 that is coming in.

9 CHAIRPERSON RICHARDS: Lets hop over to head
10 count questions, civilianization and we have a graph
11 pretty much here.

12 In the most recent analysis, we've had regarding
13 uniform members performing civilian duties, there
14 were 368 potential civilianize able positions. Do
15 you have any plans to civilianize these positions and
16 get the right person working on the job? Why are
17 police officers doing those jobs?

18 KRISTINE RYAN: Yes, we are having ongoing
19 conversations with OMB about further civilianization.

20 CHAIRPERSON RICHARDS: And can you tell me what
21 those conversations are? How many positions do we
22 anticipate?

23 KRISTINE RYAN: We are still in the discussion
24 phase but it is around the 360 area that we've
25 discussed in the past.

1
2 CHAIRPERSON RICHARDS: Alright, and we saw 30 of
3 these positions are management auditors. What do
4 they do? How are uniform officers performing this
5 job?

6 KRISTINE RYAN: I'm going to have to get back to
7 you on that.

8 CHAIRPERSON RICHARDS: So, nobody knows what
9 management auditors are?

10 DERMOT SHEA: Anyone here from personnel but
11 management auditor is not a position that I'm
12 familiar with.

13 CHAIRPERSON RICHARDS: Okay, so you'll follow
14 back up with us on that. Let me hope to Text to 911
15 and this is one of the reasons I think this
16 conversation is critical because we do anticipate
17 obviously there will be uptick in 911 calls,
18 especially with Text to 911. When do we anticipate
19 Text to 911 to go live? Because every month we hear
20 a different story on this.

21 DERMOT SHEA: Tony will come up from ITB and I
22 can tell you councilman that we are already seeing an
23 increase in volume of radio runs at the beginning of
24 this year.

1
2 CHAIRPERSON RICHARDS: Right and that's prior to
3 text?

4 DERMOT SHEA: Correct.

5 CHAIRPERSON RICHARDS: Okay.

6 ANTHONY TASSO: Thank you, good afternoon, Deputy
7 Chief Anthony Tasso, Commanding Officer of the
8 Information Technology Bureau.

9 So, we've been working very closely with DOITT on
10 a junior lease for Text to 911. Our communications
11 division and our life safety division have worked
12 very closely hand and hand throughout the whole
13 process. They are currently assisting them with
14 testing. We've taken some other steps. We've
15 created a media unit, a multi-media unit to process
16 any multimedia attachments that might come in with
17 those Text 911 calls.

18 We've also done some application development work
19 to make sure that the Text to 911 indicators are
20 present for the police officers, so they know that
21 the 911 call came in through Text.

22 CHAIRPERSON RICHARDS: Right and I'm assuming
23 that our 911 operators are going to be much more
24 overwhelmed over Text to 911. Are we discussing any
25 increases to headcount in that specific area? And

1
2 this is why the conversation around civilianization
3 is so critical I think during this conjure. So,
4 where are we at with that and we don't want our 911
5 operators being overwhelmed, being told to do more
6 with less and I think one way to resolve that is to
7 see an increase in headcount there.

8 ANTHONY TASSO: They are all going through
9 training and they've all been scheduled for training,
10 so by the time we go live, we will have a good
11 contingent of all of our dispatchers on call and I
12 guess we'll assess moving forward what the volume of
13 calls are that are coming in and whether that
14 necessitates -

15 CHAIRPERSON RICHARDS: But as the Commissioner
16 just raised, he just spoke of already seeing an
17 increase in radio runs. So, with Text to 911, we
18 have to anticipate we're going to see much more calls
19 or texts coming in obviously, which adds to the
20 burden and I've still not heard a specific plan on
21 where we're going to increase headcount there.

22 DERMOT SHEA: Yeah, we evaluate that continuously
23 on an ongoing basis and we will adjust up if needed.
24 Where we are seeing the results of that increase in
25 radio runs, we are able to absorb it at the PCT

1
2 level. We have not had a need to add additional
3 staff. Where we are feeling it, more is on the
4 patrol side and responding to those calls.

5 CHAIRPERSON RICHARDS: Alright, to be continued
6 but I don't think we should fall behind the eight
7 ball here. I don't want to stay here forever but
8 we've had this conversation every year and being that
9 the conversation around bill reform and all of these
10 are happening and people are pointing to bill reform,
11 I think this is an opportunity to ensure that more
12 civilians are doing the job that you have cops who
13 can be out on the streets patrolling doing.

14 So, this is why this conversation is so critical
15 if you are speaking of seeing increases.

16 DERMOT SHEA: I agree with you.

17 CHAIRPERSON RICHARDS: Okay, I don't want an
18 agreement though, I want to see numbers. Coronavirus
19 as you know, a couple of coronavirus cases have been
20 confirmed in New York. Can you tell us about the
21 NYPD's planning for coronavirus? Do you have
22 implementation plans for it if a significant
23 percentage of officers have to stay home?
24
25

1
2 DERMOT SHEA: Currently, right now, we're meeting
3 everyday over at the OEM, three hour day meetings in
4 the planning of where we are.

5 Right now, we've issued masks, gloves and
6 disinfectants to all of our precinct commands. We do
7 not have the out on the street right now. There
8 isn't a need for our cops to be going out wearing a
9 mask to cause a panic at this point, but they are
10 available in case it starts to become more prevalent.
11 We have procedures in effect, that if a call comes
12 over of an individual who is possibly suffering from
13 coronavirus, that our officers will respond and
14 remain outside the location, awaiting EMS.

15 EMS then, working with the Fire Department will
16 suit up in proper protection gear and they will go in
17 and remove that individual to whatever location that
18 they need to go.

19 If it were to progress, we're working hand and
20 hand with OEM and every other city agency to
21 determine what protocols we need to put in place.
22 Currently, if an officer, we've had a few officers
23 that have traveled to regions of the world that are
24 considered problematic, upon their return, they've
25 been told to self-isolate and stay out of work for

1
2 the 14 day period to see if any of them become
3 symptomatic.

4 As of this point, no police officer is
5 symptomatic. We currently have five that are right
6 now self-isolating.

7 CHAIRPERSON RICHARDS: And are all patrol
8 officers being given training or what is -

9 DERMOT SHEA: We've sent out messages on what to
10 do on a daily basis. They've come from the Police
11 Commissioner's Office; they've come from my office.
12 Right now, the information is what I stated, is how
13 to respond to a potential case and to use basic flu
14 protections. Consistently wash your hands, use
15 disinfectants and use the same sort of situation you
16 do if there was a flu epidemic.

17 CHAIRPERSON RICHARDS: Alright, let's go into
18 overtime, thank you for that. And overtime, overtime
19 spending has been a persistent area of concern for
20 the Council. We'll go to that slide. The budget for
21 overtime for Fiscal Year 2020 and Fiscal Year 2020
22 average is \$612 million. \$531 million for uniform
23 and \$81 million for civilian. The slide actually
24 show overtime spending for the last four Fiscal Years
25 in blue of the City Funded Budget and red is state

1
2 and federal grants that fund the NYPD's overtime and
3 the green is the overage in spending.

4 How much does the Department receive in state and
5 federal dollars for overtime spending?

6 KRISTINE RYAN: So, the non-city funding for the
7 overtime budget in Fiscal Year 2020 is right now,
8 about \$79 million but that will vary throughout the
9 year but that is the budget at this point.

10 CHAIRPERSON RICHARDS: \$79 million.

11 KRISTINE RYAN: Right.

12 CHAIRPERSON RICHARDS: And that's not federal.

13 KRISTINE RYAN: It's federal state.

14 CHAIRPERSON RICHARDS: So, federal state, okay
15 and I talked about this, the anticipation of
16 reductions in the grant and you don't foresee that
17 happening right?

18 KRISTINE RYAN: We're hopeful we'll be able to
19 maintain the same levels and the grant funding gets
20 added throughout the year, so it's not fully
21 reflected in the budget at this time.

22 CHAIRPERSON RICHARDS: And what is the city
23 funded budget for overtime in Fiscal 2020?

24

25

1
2 KRISTINE RYAN: The total for civilian and
3 uniform is \$546 million and the uniform city funded
4 overtime cap is \$506 million.

5 CHAIRPERSON RICHARDS: \$506 million. So, we went
6 over. We anticipate we're going to go over.

7 KRISTINE RYAN: At this point, as we have done in
8 the last four fiscal years since the inception of the
9 uniform overtime cap, we have essentially lived
10 within the cap, we are monitoring this closely.
11 Obviously, there are a lot of different events that
12 happen over the course of the year, so at this point,
13 we are focused on the cap and continuing to monitor
14 but we'll know in the coming months.

15 CHAIRPERSON RICHARDS: And you can't describe the
16 overtime control plan or what's your overtime control
17 plan?

18 KRISTINE RYAN: The overtime control plan is
19 essentially at the beginning of the year. We look at
20 the overtime allocation, we divide it amongst
21 bureau's and we monitor this constantly every few
22 weeks. We're looking at reports, we're focusing on
23 where overtime is up and looking at particularly
24 areas where there maybe discretionary overtime that
25 we can adjust.

1
2 CHAIRPERSON RICHARDS: And in 2019, the City
3 funded budget was exceeded by \$22 million and a
4 report given to the Council recent overages in
5 spending were due to the Transit Priority Post
6 program and the Transit Homeless Diversion program.
7 Why are these programs run on overtime?

8 KRISTINE RYAN: The Transit Homeless and the
9 Priority Post are in part because we're doing that on
10 a temporary basis. For the homeless for example, it
11 was focused on the coldest months of the year, so it
12 made more sense from an efficiency perspective to
13 utilize overtime for that.

14 CHAIRPERSON RICHARDS: Okay, alright, I'm going
15 to start to wrap up but I have a few more questions
16 and I want to get quickly into crime stats in
17 general. Murders and shootings, the major
18 performance indicators used to assess a police
19 department's performance is crime statistics. So,
20 let's talk about those for a moment.

21 Murders increased to over 300 in 2019, the
22 largest figures in three years. Some of these I
23 understand were actually from 2018 and were cases
24 that were reclassified as murders. Can you tell us
25 what changed about the accounting in these cases

1
2 because we need to be careful not to reclassify
3 crimes as something else because it can distort the
4 data we look at. So, can you just tell us a little
5 bit more?

6 DERMOT SHEA: I mean Michael Lipetri, Chief of
7 Crime Control Strategies. It can go as deep as you
8 want into the numbers. The short answer to your
9 question is nothing changed. We have a system in
10 place that has been in place. The same system for
11 years and that's the most important thing, continuity
12 in terms of reclassifying crimes. But it's
13 predicated by on January, roughly 15th of year the
14 book closes and we report up the chain at what winds
15 up going to the FBI. And then you run into
16 situations where year after year we do in fact have
17 reclassified homicides but it is the same defined
18 standards used year after year and that's out of our
19 control.

20 MICHAEL LIPETRI: Just to add on that, so two of
21 the easiest factors to describe is waiting on an
22 official death certificate from the OCME or somebody
23 sustained an injury, whether it be a gunshot or stab
24 wound, then subsequently dies in 2019. That would
25 count as a 2019 murder.

1
2 CHAIRPERSON RICHARDS: Okay. Shootings also
3 increased in 2019 and in January of 2020 there were
4 15 more shootings incidents than in January. What is
5 the Departments strategy encountering this trend?

6 MICHAEL LIPETRI: So, real time, we monitor this
7 real time and we did see an uptick last year
8 specifically in two patrol bureaus, patrol bureau
9 Manhattan North and Manhattan South for the
10 Manhattan, so an increase of 34 shootings. As far as
11 Precinct specific, the 75th Precinct in East New York
12 saw an increase of 20 shooting incidents last year.
13 We moved resources to an area of Manhattan North the
14 23, 25, the 28 across Central Harlem. We identified
15 four developments. In and around those four
16 developments there was cumulated violence. We added
17 numerous resources both investigative and patrol.
18 With Patrol resources we added foot patrol, offices
19 and vehicles and we also identified these crews and
20 arrested individuals for the related crimes.

21 As far as what we're doing now, we are rolling
22 out and all out, we are going to be moving 300
23 Administrative offices to areas across the city where
24 we have dense street crimes. When we look at the
25 street crimes, we're talking about street robberies,

1
2 grand larcenies from a person and shootings. We're
3 looking at historical data along with real time 56th
4 data. We've identified 16 geographic areas in 16
5 Precincts that these resources will be added to, both
6 on the patrol side and the investigative side.

7 The Commissioner spoke briefly about the youth
8 forum. We had our first youth forum last month and
9 that was specific to the island of Manhattan where we
10 see the largest increase of youth related robberies
11 but also the largest increase of youth victims and we
12 actually will be having a follow up this Friday with
13 probation to talk about the drivers of those youth
14 robberies in Manhattan.

15 CHAIRPERSON RICHARDS: And can you go through
16 domestic violence shootings?

17 MICHAEL LIPETRI: Sure, domestic violence
18 continues to drive USI crime in New York City and
19 when you drill down on it and you look at the housing
20 developments across the city, quite frankly, it's
21 alarming.

22 CHAIRPERSON RICHARDS: What's the percentage you
23 would say?
24
25

1
2 MICHAEL LIPETRI: The percentage of domestic
3 violence USI crime is 40 percent in New York City
4 housing developments.

5 DERMOT SHEA: That's not an increase of 40
6 percent. Domestic violence crime makes up 40
7 percent.

8 MICHAEL LIPETRI: 40 percent.

9 CHAIRPERSON RICHARDS: Of the shootings you're
10 saying?

11 MICHAEL LIPETRI: No, no, no of all seven majors.

12 CHAIRPERSON RICHARDS: All seven majors, do DV is
13 a large driver of that.

14 MICHAEL LIPETRI: That's correct and that
15 unfortunately has been consistent. We have a robust
16 domestic violence, I think the best in the country,
17 where we are aggressively proactively looking at
18 domestic violence indicators. Not only at the
19 Precinct level, at the borough level and also, there
20 is a domestic violence unit that reports directly to
21 the Chief of Department.

22 DERMOT SHEA: We have domestic violence
23 counselors in every precinct. We have domestic
24 violence officers in every precinct. So, this
25

1
2 remains a focus because we know the danger that could
3 come out of it.

4 CHAIRPERSON RICHARDS: But it seems like we need
5 to do a lot more work perhaps with organizations on
6 the ground and perhaps more coordination and I know
7 you've taken some good steps in that direction but
8 maybe strengthening that could help in this area.

9 MICHAEL LIPETRI: We have advocates in every
10 precinct. We work very closely with domestic
11 violence shelters. Safe Horizon, we work very close
12 with our District Attorney's Office. This is a
13 robust multiagency plan to decrease domestic
14 violence.

15 CHAIRPERSON RICHARDS: Let me get into clearance
16 rates quickly. So, the clearance rates in 2019 for
17 burglary were 35 percent. For larceny theft, it was
18 23 percent and for vehicle theft, it was 18 percent.

19 So, we've been having a lot of conversations
20 around bill reform and I know we don't see eye to eye
21 obviously on this issue. Is it possible that this
22 explains the uptick in crime in certain categories
23 that are now being blamed on bill reform? How do you
24 explain 35 percent larceny thefts, 23 percent in
25 vehicle theft, 18 percent clearance rates.

1
2 DERMOT SHEA: I am not sure I understand the
3 question. When you look at the clearance rates on
4 how we take reports in New York City. How many get
5 closed by arrests, how many cases get referred to the
6 detective bureau. How many of those get closed by
7 arrest. IC consistency is year after year after
8 year. I don't see anything jumping off this year.
9 Whether you're talking low level crimes or whether
10 you're talking shootings or homicides.

11 CHAIRPERSON RICHARDS: And you would say 35
12 percent clearance rate on burglaries is normal for a
13 fiscal year?

14 DERMOT SHEA: I look at the clearance rates that
15 we see across the city and I see consistency.

16 CHAIRPERSON RICHARDS: So, citywide crime
17 clearance rates.

18 DERMOT SHEA: And remember there's a difference
19 to with the clearance rates in terms of as many times
20 that we identify who does that crime, but they will
21 not for a variety of reasons be charged.

22 RODNEY HARRISON: Mr. Chair, if I could just take
23 over real quickly. If you just look throughout each
24 borough. If you want to talk about burglaries, a
25 clearance rate is in the Bronx 35 percent in

1
2 Brooklyn, it's 33 percent in Manhattan it's going to
3 be 49 percent Queens 27 percent and Staten Island is
4 33 percent. That seems to be steady throughout the
5 comparison to 2018. The numbers I am reading off to
6 you right now are from 2019 and it's somewhat
7 synonymous with the numbers from 2018.

8 CHAIRPERSON RICHARDS: Well, it seems like great
9 work is being done in Manhattan. What about the
10 outer boroughs?

11 DERMOT SHEA: You have to peel back the individual
12 crimes and there are differences. So, for example in
13 Manhattan, what you will see is stores that are
14 constantly hit by groups shoplifting. Or people that
15 have a drug habit and go into a particular store. I
16 mean, I could tell you and Rodney could tell you time
17 after time whether it's certain drug stores
18 continuously get hit and then what will happen is the
19 people that get caught stealing will sign an
20 affidavit that they will not go back to these stores
21 and then what you have is when they do it again, they
22 are charged with burglary.

23 So, even when you see the simple word burglary,
24 they mean very different things potentially in
25 different boroughs.

1
2 When you see lower rates unsolved burglaries,
3 that's the traditional climb through the window. You
4 come home from work and now your apartment is
5 ransacked. Sometimes you also see package theft,
6 depending on where the packages fall into this. So,
7 you really need to dig down into the numbers.

8 RODNEY HARRISON: And if you talk to about case
9 load, I know there was a concern about Manhattan, but
10 the case load for all the boroughs, hand self-case
11 load per detective is 247, Manhattan North is 222.
12 The Bronx is 192, Brooklyn South is 200, Brooklyn
13 North is 167, Queens South is 170, Queens North is
14 225 and Staten Island is 140.

15 So, throughout the city, the average case load
16 per detective in the number squads is going to be
17 196, which is down from 2018, which is 207. So,
18 we're down 5 percent overall.

19 CHAIRPERSON RICHARDS: But I'm sure now that I
20 mention these clearance rates across the borough,
21 that's something you're going to look at a little bit
22 closer.

23 DERMOT SHEA: It will be hard to look at it
24 closer because we look at it every single day. We
25 really do, every day we're looking at this. Michael

1
2 Lipetri this is when he wakes up, goes to bed, he
3 dreams about it. He wakes up in the middle of the
4 night and his wife says he's talking about clearance
5 rates.

6 CHAIRPERSON RICHARDS: Well, I once got an 18 on
7 a test in high school. That wasn't too good, I'm not
8 ashamed to say it because I graduated but that was
9 the ninth grade when I was goofing off. I don't know
10 if this would even, really bad.

11 So, this is what people can be feeling actually
12 on the streets when we go out to different
13 communities, they are saying they feel some upticks
14 in some of these areas and if our clearance rates -
15 alone, I meant, we could go back and forth on it.

16 DERMOT SHEA: I would take Umbridge with this is
17 bad. I would pivot to you have the best police
18 department in the country and I think we should all
19 be proud of it.

20 CHAIRPERSON RICHARDS: I agree with you and this
21 is why around bail, we should stop jumping out and
22 talking about bail without conclusive numbers.
23 Because we do have the best NYPD.

24 TERRY MONAHAN: If you compare clearance rates of
25 the NYPD to any other police agency in the country,

1
2 we far exceed them. If you look at Chicago,
3 specially on homicides, it's not even close.
4 Shootings, they don't even come close to us. Again,
5 you're taking a look at a grand larceny where someone
6 may break into the car in the middle of the night and
7 steal a wallet out of it, those are not easy crimes
8 to solve.

9 So, that will end up as a case that's hard to
10 close but we do this better than anyone in the world
11 and if you take a look at who we arrest and we arrest
12 the same people over and over again and as you talk
13 about bail reform, a lot of these same people, once
14 we arrest the multiple cases, are right back out. We
15 have to re-arrest them.

16 DERMOT SHEA: Precision policing is all about
17 less enforcement footprint, which we've demonstrated.
18 Lowest era of arrests stop and summons right now and
19 concentrating on people that are doing the most crime
20 but the converse is also true, so that when do make
21 those arrests that Terry mentions, it makes it
22 difficult when they get released.

23 RODNEY HARRISON: And if I could just say one
24 more last thing then I will pass it over to Chief
25 Lipetri. Neighborhood policing has helped us with a

1
2 lot of clearance rates. A lot of people are a lot
3 more forthcoming to cooperate with us now because
4 they know their local police officers. They know who
5 their neighborhood coordination officer is and
6 there's a better trust factor that's helping us solve
7 a lot of cases.

8 CHAIRPERSON RICHARDS: Alright, we'll be watching
9 those clearance rates closely as we debate bill
10 reform and I know some of my other colleagues will
11 certainly have a lot more to say on this.

12 The last question toward DNA and obviously in the
13 budget, we don't clearly see what the NYPD is doing
14 with DNA. What we can see is the forensic
15 investigative division which has a budget of \$53
16 million. 330 uniform offices and 283 civilian
17 personnel. Can you tell us what portion of this
18 budget goes directly to DNA collection analysis and
19 other DNA focused work?

20 KRISTINE RYAN: The numbers you're reading off
21 are tied to the lab in total, so we'll have to get
22 you the investigations, the lab works and we'll have
23 to get you a more granular breakout of how the budget
24 breaks out but that's the lab overall.

1
2 CHAIRPERSON RICHARDS: And this division has a
3 larger budget than the grand larceny division, the
4 special victims division etc. Even if all the money
5 is not focused on DNA, how can you ensure that your
6 DNA collection analysis is not overstepping civil
7 liberties when there are so many resources made
8 available?

9 DERMOT SHEA: The lab as is currently possession
10 is a mix of inside and outside so, for example, all
11 of the crime scene units that go around New York City
12 on the street responding every day and collecting the
13 evidence, that falls under the lab. As well as the
14 DNA, we could certainly follow up and try to break
15 out individual costs for you but I would argue that
16 that's a small portion of the overall work that the
17 lab does.

18 When you take a look at all the evidence that is
19 collected and processed beyond DNA, when you look at
20 the ballistic work, there are many, many different
21 pieces to the lab outside of DNA.

22 CHAIRPERSON RICHARDS: And obviously, we had a
23 hearing of 30,000 people in the DNA local database,
24 do have numbers, a breakdown of the ethnicities of
25 those individuals?

1
2 RODNEY HARRISON: So, I got it Commissioner,
3 sorry. So, Mr. Chair, we talked about a couple new
4 policies that we're putting in place. Unfortunately,
5 at that time on February 25th when we had that
6 hearing, we didn't have those numbers.

7 CHAIRPERSON RICHARDS: We have them now.

8 RODNEY HARRISON: No, we don't have the numbers
9 now but going forward, we going to use our pet system
10 that's going to help identify the demographics of
11 those individuals that are being put into this DNA
12 local database.

13 CHAIRPERSON RICHARDS: And at that 25th hearing,
14 I believe the Chief of Detectives stated you would be
15 putting the process for DNA database removal on your
16 website including terms of obtaining a court order
17 and a review process to date and that has not been
18 done. When can we expect to see that on your website?

19 RODNEY HARRISON: It's going to be done within
20 the very, very near future. There is a couple of
21 things that we are adjusting regarding the entry and
22 as well as the removal for DNA. We looked at the
23 juveniles process, we looked at the consent form. We
24 looked at transparency, making people cognizant about
25 hot to get themselves out of this database.

1
2 So, we're doing a lot of different things to
3 better the system to make sure it's done appropriate.

4 CHAIRPERSON RICHARDS: And Commissioner Shea, do
5 you believe innocent people who have not been
6 convicted of anything should be in this database?

7 DERMOT SHEA: I think we've demonstrated through
8 our efforts and the collaborative effort that we've
9 done recently with DOCME and the different district
10 attorney's willingness to listen.

11 Anytime we collect someone's DNA in that it's
12 regarding a specific verified crime and we're coming
13 up to be more transparent in terms of the policy
14 that's going to be released. We're also doing a
15 facial recognition policy, by the way that is also
16 going to be released. So, that's two of the three
17 and there are clearly stated parameters when you see
18 that policy in terms of changing our policies,
19 changing the collection form, reducing the number of
20 times which is already extremely small. When
21 juveniles DNA is collected, it is extremely small
22 even further reducing that.

23 So, I'm comfortable where that policy is right
24 now.

1

2

RODNEY HARRISON: And if I could just jump in Mr. Chairman, sorry to cut you off sir. We're looking within the next year or so to possibly remove close to seven to eight thousand individuals from the DNA database due to the fact that there is new stipulations that were put in place.

7

8

CHAIRPERSON RICHARDS: And will that include, I mean, well, I hear a year away. Will that include and I think at the last hearing I requested and Mr. Commissioner I want you to answer this, the Howard Beach case specifically and I know you can't get into specifics because there's an appeal going on there but they developed 360 Black men whose DNA were obtained and put into that database and obviously the NYPD built a case against someone. Are those individuals DNA still in that database and how soon can we get their DNA removed being that they weren't convicted of anything?

19

20

21

22

23

24

25

DERMOT SHEA: Yeah, well, I don't have the number that you had and I definitely don't have the racial breakdown that you have. So, I'm not sure where you got that from but what I can say about that case is, it is ongoing. So, in terms of the details of the criminal case and the collection of evidence, I won't

1
2 comment on that but as I said a moment ago, we have
3 in an effort of transparency and working
4 collaboratively with the different district
5 attorneys, working with the office of the Chief
6 Medical Examiner, we have come up with a new policy
7 that we think is fair and will be a step forward in
8 terms of you know, fairer justice and utilizing these
9 collection methods in New York City.

10 CHAIRPERSON RICHARDS: Well, I believe 99 percent
11 of those individuals are Black men and I'm hoping
12 that they can at least get an apology and secondly,
13 their DNA be removed immediately since they were not
14 convicted of anything. So, that needs to be done
15 yesterday and we look forward to hearing a lot more
16 conversation, less conversation actually around these
17 gentlemen's DNA being taken out of that system.

18 I will now turn it over to my colleagues. I
19 mean, I have a lot more questions but in lieu of
20 time, we will certainly go to my colleagues for
21 questions.

22 So, we'll start with Council Member Lancman and
23 we're going to put a clock on for five minutes for
24 colleagues and if there is more time, we'll come
25

1
2 around for a second round. And so, we'll start with
3 Council Member Lancman.

4 COUNCIL MEMBER LANCMAN: Thank you Mr. Chairman.
5 Good afternoon Commissioner and to your team.

6 DERMOT SHEA: Good afternoon.

7 COUNCIL MEMBER LANCMAN: Daily News, March 3rd,
8 murders up 20 percent in year to year comparison,
9 March 3, 2015. At the time, we were told well, you
10 know, in the course of a long 20 year decrease that
11 started in the last two years of the Dinkins
12 Administration a decrease in crime, there will be
13 some months, some weeks, maybe even a year or two
14 where crime edges up but the Department will gets
15 hands on the situation and keep that crime number
16 going down.

17 So, I was very surprised and my colleague and I
18 were very surprised, that's why we wrote you a
19 letter, when after a one month crime spike in January
20 from 2020 over 2019, you declared bail reform to be
21 the culprit. And we sent you a letter, we sent you a
22 letter which highlighted the fact that of the index
23 crimes January 2020 verses 2019, there was an
24 increase according to the NYPD's own data released on
25 February 4th of 1,222 more crimes this year than last

1
2 year, a 17 percent increase. And then when a
3 political reported asked you to break those down and
4 tell us, well how many of those crimes would have
5 been people who were now no longer eligible for bail
6 under the new law, it turns out it's only about 84
7 out of those 1,222 or seven percent of the January
8 increase could conceivably, possibly be attributable
9 to people who had been let out or otherwise might
10 have been sitting in Rikers Island because they
11 couldn't afford bail.

12 Can we today at this hearing, put to rest your
13 assertion that the bail reform law that took affect
14 on January 1st is in any way responsible for the
15 nearly 17 percent increase in index crimes in
16 January, when your own numbers show that at most, 7
17 percent of those crimes could possibly be
18 attributable to bail reform?

19 DERMOT SHEA: Respectfully, I disagree nearly
20 with most of the assertions that you just recounted.
21 I'll let my dig into the numbers, those number are
22 fluid but I do stand behind my comments. We have,
23 I've been doing this a long time. One thing I do
24 know is crime in New York City and we have never seen
25 a month like January of 2020. It was the breadth of

1
2 what we saw, it was almost universally all crime
3 categories. It was double digit crime increases; it
4 was the largest crimes increase going back. I
5 stopped counting at ten years in terms of one month
6 in New York City.

7 This is on the hills of almost a 20 percent
8 decrease in the Rikers Island population in the
9 proceeding month. Not only do I disagree, I stand
10 firmly behind my comments and now we have a second
11 month in a row.

12 COUNCIL MEMBER LANCMAN: Is there anything in the
13 math that I gave you because -

14 DERMOT SHEA: I think you're missing some of the
15 details though, so crime takes time to play out as
16 arrests are made. Councilman Richards mentioned
17 clearance rates, as cases are solved, Mike will get
18 into how those numbers are growing. That's one
19 aspect of what I knew at the time. That doesn't take
20 into effect for example desk appearance tickets.
21 Those are never making those numbers. It doesn't
22 take into effect what we're seeing in terms of, you
23 have to remember that we've cut dramatically our
24 footprint in how we police New York City.

1
2 I've said it three times already today and we're
3 proud of it.

4 COUNCIL MEMBER LANCMAN: We've been doing that
5 for six years though Commissioner and Commissioners
6 before you, Commissioner O'Neill and certainly
7 Commissioner Bratton sat in that chair in various
8 ways shape or form and told us, if you enact this
9 reform, crime is going to go up and crime has not
10 gone up. And now, we have a one month spike, one of
11 many one month spikes.

12 DERMOT SHEA: We're into our third month.

13 COUNCIL MEMBER LANCMAN: One of many such spikes
14 over the course of the 20 year decline in crime.

15 DERMOT SHEA: I agree with you Councilman in your
16 statement and I've said it, it has come out of my
17 lips many times that you better be real careful when
18 you make statements about crime on short term
19 fluctuations because you can expect fluctuations in
20 crime.

21 What we saw in January was not a fluctuation in
22 crime, it was a categorical shift based on a couple
23 of factors here. You have to understand the
24 pipeline; we have never had a 20 percent drop in the
25 New York City prison system in a 30 day period. That

1
2 is seismic and we should not be surprised by the
3 results we got. 20 percent of think of the last six
4 years of precision policing. Rikers Island used to
5 be 21,000 people, it was down to 7,000 and then 20
6 percent were locked out.

7 COUNCIL MEMBER LANCMAN: Do you have any data on
8 whether or not the individuals who committed these
9 offenses were people who were released from Rikers
10 Island in the month of December? Because relying
11 just on bailable offenses, the numbers just don't add
12 up.

13 MICHAEL LIPETRI: Good afternoon. So, I do have
14 empirical data. I also have anecdotal evidence that
15 bail reform is part of the spike in crime namely the
16 violent crime, UCR seven majors in New York City. I
17 can stay here all day long and go over the many
18 factors that contribute to a criminology study.
19 Alright, this was done scientifically with data
20 scientists that work directly in my office. It was
21 shaped by myself who I think I have many, many years
22 of experience shaping the data that I think we have
23 the most accurate analysis. And I will keep this in
24 the simplest terms but it is very, very difficult to
25 keep in simple terms and like the Commissioner said,

1
2 there are so many confounding variables that affect
3 bail reform but the simplest term, what you're asking
4 for is the empirical data on non-bail eligible
5 felonies correct?

6 COUNCIL MEMBER LANCMAN: Sure.

7 MICHAEL LIPETRI: So, that's what we did. So, we
8 looked at non-bail eligible felonies and when we look
9 at non-bail eligible felonies from January 1st of this
10 year to February 28th of this year compared to the
11 same period, apples to apples in 2019, we see 482
12 people who have reoffended more than 800 times
13 compared to less than 600 times in 2019.

14 What's very concerning is -

15 COUNCIL MEMBER LANCMAN: Sorry, just so I
16 understand, 800 to 600?

17 MICHAEL LIPETRI: That is correct. What is very
18 concerning.

19 DERMOT SHEA: At a time when less arrests are
20 being made.

21 MICHAEL LIPETRI: Right, I'm going to drill down
22 on this. What is very concerning is, within those
23 800 crimes, there are 35 percent of those or 299 have
24 been seven majors, compared to 18 percent or 109.
25 So, that is an increase of 3 times, 2.7 times.

1
2 COUNCIL MEMBER LANCMAN: So, that's about, you
3 said 299?

4 MICHAEL LIPETRI: 299 but those individuals who
5 were on a non-bail eligible felony.

6 COUNCIL MEMBER LANCMAN: In those two months?

7 MICHAEL LIPETRI: In those two months.

8 COUNCIL MEMBER LANCMAN: Right.

9 MICHAEL LIPETRI: And that's arrests. I think
10 the Councilman hit on something before which
11 obviously Chief Monahan discussed. You know, our
12 clearance rate, we're very proud of our clearance
13 rate. Look, we want to be 100 percent but these are
14 people arrested. This is not people who we know are
15 reoffending a lot more across the City of New York
16 with 7,000 less arrests and I'm just talking about,
17 this does not include our declined prosecutions which
18 are through the roof. And a lot of people say well,
19 why are your declined prosecutions through the roof,
20 so I'm going to give you an example. One of those
21 examples is a non-bail eligible seven major, on
22 burglary third degree and burglary second degree.
23 Who are your pattern burglars in New York City right
24 now? Those are your pattern burglars. They are not
25 your burglary first degrees because a lot of these

1
2 burglars are arrested after the fact because that's
3 why we drop seven arrests on them at one time.

4 So, to become a burglary first degree, you have
5 to have a weapon on. You have to have an explosive
6 on you at the time of that arrest. You have to cause
7 a physical injury. That's not your pattern burglar.
8 Your pattern burglar is the person that's going into
9 somebody's dwelling, burglarizing it on a district
10 modus operandi, going across the street, using the
11 same modus operandi to push through an air
12 conditioner into that person dwelling and that person
13 could be home, it doesn't affect the crime. They
14 will then go down the block and commit the same
15 burglary, so after investigations, we want it sooner
16 but sometimes later, we charge that person with seven
17 burglaries. That person because of bail reform will
18 not be charged with those seven burglaries and here's
19 why. Because that is an absolute non-bail eligible
20 felony. So, what does that do? All those crimes is
21 modus operandi, which means the subject matter all
22 has to be met on your initial arrest, which means
23 discovery has to be all turned over for seven
24 burglary arrests. So, now you're talking about DNA,
25

1
2 you're talking about photos, you're talking about
3 interviews, you're talking about traceable property.

4 So, it is impossible to charge all those crimes.
5 So, what we are seeing for the two months of looking
6 at this bail reform empirically is that, that person
7 will only be charged with one of those burglaries.
8 They will get an RR and then the other six will be
9 deferred for a later time, so we can have everything
10 in order to turn over the discovery. If not, that
11 case will be declined prosecuted within 15 days.

12 So, again, these are anecdotal but also empirical
13 things that need to be talked about. Let's look at
14 arraignments. What I just described to you before on
15 the increase of almost three times of the seven
16 majors on non-bail eligible and let's ask the victims
17 if it matters to them because that's what they all
18 are and these are serious crimes. These are robbery
19 third degrees. What's driving the robberies in the
20 City of New York today? I'll tell you what's driving
21 the robberies; robberies aided by another, by groups
22 of males across the city and what is that? That is a
23 bail reform must release no bail.

24 COUNCIL MEMBER LANCMAN: Isn't that what Kalief
25 Browder was arrested for, robbery aided by another?

1
2 I mean, not every robbery aided by another is a
3 serious violent felony. I just want to understand
4 that.

5 DERMOT SHEA: I would disagree. I mean if you
6 are beating somebody up and taking their property and
7 breaking their eye socket, that's a robbery and
8 that's awfully different.

9 COUNCIL MEMBER LANCMAN: But you don't need to do
10 that level of violence for it to be robbery aided by
11 another but go ahead, I want to hear your whole -

12 MICHAEL LIPETRI: Okay, because I have more
13 empirical data that I think is very, very important.

14 So, again, we see an increase in non-bail
15 eligible felonies only this year by almost three
16 times, almost 200 more this year. What that data is
17 showing again, you have to be arrested after your
18 initial offence. So, if you committed that crime
19 after your initial offence, it doesn't count. You
20 could have done six burgs in December but charged in
21 February after initial. That was taken out by my
22 analyst. The other thing is this does not include
23 decline prosecutions. When I just look at
24 arraignment status, we are releasing people, 72
25 percent of individuals that are arraigned on a non-

1
2 bail eligible felony this year, are either RR'd, DP'd
3 or DAT'd compared to 58 percent last year. That's 14
4 percent and again, we're down 7,000 arrests. Let's
5 drill down on it a little bit more. Let's look at
6 our robbery and burglary non-bail eligible felons.
7 That then goes up to 16 percent.

8 Okay, then when we look at the agers driving 30
9 percent, 30 percent of our robbery arrests, again
10 arrests, are under the age of 18. With the changing
11 law as the NYPD has always stated, supported, but
12 with the things that we're seeing as far as who is
13 making it into the youth part criminal part. Who is
14 getting adjusted with probation and who is going to
15 then call up counsel family court. You know, we have
16 a lot of questions and that is specifically what the
17 Police Commissioner has asked me to do during the
18 youth forum and the closer meeting that I'm having
19 with probation on Friday is really getting to the
20 adjustment period.

21 You know, why are we seeing youth under the age
22 of 18 arrested four or five times after they were
23 placed on probation? So, we have questions, we have
24 concerns, I have empirical data, I can speak you, you
25 know, anytime. I invite you up to my office and

1
2 drill down even more but I will say, law enforcement
3 recidivism only grows during time. This is only two
4 months of data and these are re-arrests. This is
5 only going to grow. This will only grow.

6 DERMOT SHEA: Councilman, if Mike could just,
7 because I know everyone wants to move on but can you
8 just mention though too because I think it's helpful,
9 the desk appearance tickets in a second. And as he
10 gives you that information, which again is
11 contributing to crime and is directly tied to the
12 bail reform. But I want to say on the record again,
13 what I've said every time I've spoken about bail
14 reform, we support the bail reform law. We 100
15 percent support the bail reform law.

16 You mentioned Kalief Browder, so whether it's
17 somebody sitting in Rikers Island that can't make
18 bail and somebody that does the same crime is getting
19 out should be leveled. We 100 percent think that was
20 right and just. Somebody sitting in Rikers Island
21 being forced to take a plea because they can't see
22 the evidence against them, 100 percent was the right
23 thing to do, correct it.

24 So, we support the law, we think that the law
25 with minor changes to help public safety can keep the

1
2 spirit of the intention of the law. But if you could
3 just mention the DAT.

4 MICHAEL LIPETRI: Yes, thank you Commissioner.
5 So, across the state the NYPD was one of the only
6 municipal police departments that they used a DAT
7 procedure and we used it for many reasons and they
8 were usually for low level offences for people that
9 we felt were not a public safety risk and when we
10 looked at the new procedure that was built into the
11 criminal justice reform, we have tons of concerns and
12 those concerns have just come to fruition.

13 So, let me just start it off with a very simple
14 analysis in that going back again to non-bail
15 eligible arrests, again, you cannot get bail from a
16 judge. When we look at the percentage of DAT's that
17 are given this year compared to last year, 12 percent
18 or 818 were given DAT's. Which means they walk right
19 out of the Precinct station house and in the past,
20 the procedure was written, you cannot be on payroll,
21 you cannot be on probation. You know, stricter
22 identification rules. That was all taken away from
23 us and now, with those same bail eligible felonies
24 compared to this year to last year, last year we gave
25 63. So, 63 people qualified last year, so they had

1
2 to go to an arraignment. Where this year, 818 people
3 walked out of Precinct station houses and the
4 anecdotal evidence to that is, we arrest people on
5 grand larceny of an order. The stealing of a motor
6 vehicle.

7 They get a DAT just like somebody that walks into
8 a department store and takes a shirt off the rack.
9 Also gets a DAT and we have anecdotal evidence that
10 individuals that we arrest for grand larceny auto
11 multiple times this year have walked out of a
12 precinct station house on a DAT for a grand larceny
13 auto, walked two blocks, jumped into a motor vehicle
14 that was running and stole that vehicle.

15 COUNCIL MEMBER LANCMAN: So, my time is expired.
16 I do want to say that the data that you cite with the
17 fewer number of people who are sitting in bail,
18 sitting in Rikers Island, the fewer number of people
19 who are getting DAT's. The fewer number of people,
20 those are all laudable goals and for many of us, that
21 represents the success of bail reform and in order
22 for you to persuade me and I think anybody else, that
23 these reforms are causing the spike in crime, you're
24 going to need much more than just anecdotal evidence.

1

2 MICHAEL LIPETRI: I gave you empirical. I could
3 give you much, much more.

4 COUNCIL MEMBER LANCMAN: If I had the time, we
5 could go back and forth with them, I would be happy
6 to sit with you and go through this in detail.

7 MICHAEL LIPETRI: I welcome it.

8 COUNCIL MEMBER LANCMAN: But the letter that the
9 Chairman and I sent to the Commissioner, which we
10 have not had a response to, lays out data and math
11 and nothing that you've said to me today refutes the
12 data and the math of the felonies of the crimes that
13 have been committed and who have been arrested for
14 committing those crimes.

15 MICHAEL LIPETRI: I disagree with you
16 wholeheartedly. I have the empirical data; I don't
17 know if you understanding what I was saying but I
18 disagree. I disagree.

19 DERMOT SHEA: But we welcome to sit down and the
20 point about everything that you hold as good, as do
21 we. I think that as you said earlier Council Member,
22 everything we do has to be balanced. Whether it's
23 using technologies, respecting the rights of people
24 and privacy issues, but keeping the public safe and I
25 would make the same argument here. Of course, we

1
2 want to get as many people as we can out of Rikers
3 Island, sitting in prison upstate. Of course, we
4 want to do that. We demonstrated the last six years
5 as we have significantly worked with prosecutors,
6 worked with nonprofits, worked with the Council,
7 rewritten our policies internally, rewritten laws. I
8 mean, when you look at a 50 percent reduction in
9 crime, that's directly led to a reduction in Rikers
10 and then therefore a reduction in state prison
11 populations. That was all accomplished before the
12 bail reform law, and we welcome other opportunities
13 to it. But very quick movements such as I cited with
14 a 20 percent drop, without safety nets in place,
15 without options for judges. I think that when you
16 look at some of the data that Mike has, when you look
17 at some of the stories that you see in newspapers
18 etc., there's got to be a middle ground and that's
19 what I welcome.

20 CHAIRPERSON RICHARDS: Thank you and we're going
21 to request you bring that data.

22 COUNCIL MEMBER LANCMAN: You've got to also think
23 about the stories of the people who are not sitting
24 in Rikers and are with their families. Those are
25 stories to.

1
2 MICHAEL LIPETRI: We agree, look, we agree with
3 that but again, where we look at the individuals that
4 are getting out because of non-bail eligible felons,
5 that is not those people. These people are convicted
6 felons, these people are committing crimes all across
7 the city and again, I gave you arrest data, I did not
8 give you -

9 CHAIRPERSON RICHARDS: Okay, alright, we're going
10 to move on from this because I got to get to my
11 colleagues. Council Member's Rosenthal followed by
12 Rosenthal, Gibson, Deutsch, Brannan, Miller, Perkins.

13 But we're requesting that data by the way.

14 COUNCIL MEMBER ROSENTHAL: Thank you so much
15 Chair and thank you Commissioner and all of your
16 staff for being here. I want to preface my question
17 by just making it clear that I encourage all victims
18 of sexual assault to come forward to the NYPD Special
19 Victims Division in order to get justice. I also
20 encourage them to go to a crime victim treatment
21 center, the Alliance Against Sexual Assault in order
22 to get their own personal healing together.

23 So, I really want to make sure that's very, very
24 clear because I've been, you know, that's not what's
25

1
2 been in the paper. And so, I want to make it very
3 clear that I encourage people to come forward always.

4 I'd like ask and confirm a couple of the numbers
5 and this is data that on the Special Victims Division
6 that a couple of years ago we passed legislation
7 requiring this data be posted and so, I've looked at
8 that data and that's the source of my questions.

9 So, first of all, I see that just looking at the
10 adult squad, which is what the DOI report was about.
11 I see an increase in rape cases between 2018 and 2019
12 of 288. That's what your data shows. So, we have an
13 increase in adult cases.

14 The case load again, this is only looking at the
15 adult squad, which is what the DOI report was about.
16 The case load came down very meaningfully. So, prior
17 to the report coming out, the caseload for the adult
18 squad in some years was as high as 80 cases per
19 detective. Sometimes 70 per detective and now it's
20 in the low mid-50's.

21 So, there's a meaningful drop in caseload,
22 there's a real attention being paid. I would argue
23 that 50 cases per detective is still far too high and
24 we're not doing enough. We're not giving them enough
25 tools, right. We want to see that number come down

1
2 even more because I believe and I hear this from the
3 advocates, that 50 itself is still way too high.

4 I want to look at the child caseload. The child
5 squad caseload. So, I'm looking at the numbers you
6 know, there are two columns: adult caseload and total
7 child caseload. So, in 2019, the caseload was 308
8 cases per detective. Can you explain to me how any
9 detective can rightfully investigate a case if their
10 caseload is 308?

11 RODNEY HARRISON: Councilwoman, good afternoon.
12 Rodney Harrison Chief of Detectives. So, if you
13 don't mind, I'm going to just real quickly discuss
14 the adult squad cases and it's at 55 cases per
15 investigator and I know you -

16 COUNCIL MEMBER ROSENTHAL: No, I just really
17 asked about the child's squad and the reason I'm
18 asking is because I'm concerned that the DOI report
19 focused on adult cases where you have successfully
20 brought down the caseload to a number that many
21 advocates would argue is still way too high but the
22 child's squad has suffered, has suffered, 300 cases
23 per detective. So, I'd like to understand how any
24 detective can investigate child sexual abuse cases if
25

1
2 they have 308 cases at any given time. That's my
3 question.

4 RODNEY HARRISON: So, I don't have the cases for
5 the child abuse squads.

6 COUNCIL MEMBER ROSENTHAL: I can tell you. The
7 number of cases opened in 2019 was roughly the same
8 as the number opened by the adult squad.

9 RODNEY HARRISON: Okay, Councilwoman -

10 COUNCIL MEMBER ROSENTHAL: Roughly it's going to
11 be between 5,800 and 6,400.

12 RODNEY HARRISON: Councilwoman.

13 COUNCIL MEMBER ROSENTHAL: But the number of
14 detectives is half, so I can't understand.

15 RODNEY HARRISON: I can guarantee you that they
16 are not holding 300 cases -

17 COUNCIL MEMBER ROSENTHAL: I am only reporting
18 from your statistics.

19 RODNEY HARRISON: I will have to get back to you.
20 That cannot be accurate.

21 COUNCIL MEMBER ROSENTHAL: From your public
22 website and my last question because I don't want to
23 go back and forth on this Chair, my last question has
24 to do with the length of time and the training that
25 you give to the Special Victims division, which you

1
2 now publish on your website. I added up the weeks
3 and it's three weeks, four days and three hours.

4 Remarkably, every single detective passed every
5 single exam, 100 percent in the first round. Which
6 is interesting to me, wow. But I want to know,
7 what's the length of training for somebody who is in
8 the motorcycle squad? Is it more or less than three
9 weeks?

10 RODNEY HARRISON: Alright, so Councilwoman let's
11 just go over some of training that's being given to
12 the Special Victims division. Going into March 11th
13 and 12th, we're going to make sure 50 of the
14 investigators have the FETI training. That means now
15 that 85 members of the service that are assigned to
16 Special Victims will still be looking to get FETI
17 trained. We're going to give another FETI training
18 in June and you know, once again, we've had intimate
19 conversations about the numerous amount of training
20 that the Special Victim Investigators get. They get
21 the trauma informed training which is distributed and
22 conducted by the Mayor's Office.

23 COUNCIL MEMBER ROSENTHAL: Right, there are four
24 hours of classroom instruction in trauma informed
25 interview training. This is all in your website.

1
2 For the SVD training, they get five days and there
3 are, the examinations are administered at the
4 beginning and upon completion of the course,
5 evaluating the students proficiency, 100 percent pass
6 rate for the SVD training.

7 So, yes, you have five days for an SVD. You have
8 four hours for the trauma informed and for FETI, you
9 have seven days and that says, the students
10 successful completion of the training delineates
11 passing proficiently.

12 RODNEY HARRISON: So, if I understand your
13 question correctly, you have a concern about
14 everybody passing the training. Is that what your
15 implying?

16 COUNCIL MEMBER ROSENTHAL: I have three concerns.

17 RODNEY HARRISON: Okay.

18 COUNCIL MEMBER ROSENTHAL: One, that three weeks
19 is not enough and what I'm hearing from experts and
20 what is the standard across the country is closer to
21 ten to fifteen weeks. And secondly, I'm noticing
22 that while the legislation asked for whether or not
23 somebody success - you know, a report on whether or
24 not someone successfully passed a class, that
25 information is not given for over half of the

1
2 classes. Over 80 percent of the classes are power
3 points. So, sitting in a room with a power point
4 instruction and I'm concerned that the FETI training
5 with the high rate with the high rate and I really
6 don't want to get into here, but the fact that you
7 have 50 more detectives getting FETI training in the
8 upcoming weeks, tells me that 50 left, because the
9 last time we met, you let me know that 100 percent of
10 the detectives had FETI training.

11 So, I'm concerned that 50 have left since the
12 last time we talked. I'm glad you got 50 more in,
13 I'm glad they are getting FETI training but that does
14 raise a specter of concern as well.

15 And my time is up.

16 RODNEY HARRISON: Thank you.

17 DERMOT SHEA: Councilwoman, first on the adult
18 squads, thank you for recognizing that the shift
19 downward in the caseloads per investigator.

20 COUNCIL MEMBER ROSENTHAL: Oh no, I don't want
21 you to misunderstand what I've said, because I have
22 had this experience with you misunderstanding my
23 trying to be polite and gracious.

24 The number of the cases per detective in the
25 adult squad is woefully high, woefully high. It is

1
2 at least two or three times higher than what it
3 should be. So, please do not mischaracterize my
4 generous kind statement with approval for where we
5 are. I in no way shape or form am happy with where
6 we are in the Special Victims division. A decrease
7 from 80 cases to 50 means a decrease from horrible to
8 bad. Okay, and now with the child's squad at 308
9 cases per detective, beyond even what the DOI report
10 looked at for the adult squad is shameful. So,
11 please don't mischaracterize what I have said
12 Commissioner.

13 DERMOT SHEA: To the multiple points there. To
14 the child's squad, I'll commit to Rodney can take a
15 second look at that and we are absolutely committed
16 if there is a problem with the caseload, with the
17 child investigations. We will move resources to
18 correct absolutely -

19 COUNCIL MEMBER ROSENTHAL: Move from outside of
20 the Special Victims division or within the Special
21 Victims division?

22 DERMOT SHEA: It would be from outside if it -

23 COUNCIL MEMBER ROSENTHAL: Let's be clear.

24 DERMOT SHEA: I am being clear. If it is in fact
25 a problem. I will point out that not all of those

1
2 cases involve, just for the room, not all of those
3 cases involve sexual abuse, child abuse as well. But
4 if there is a problem with the caseload that I am
5 unaware of, we will absolutely move to correct it and
6 we commit to that on the record.

7 CHAIRPERSON RICHARDS: Thank you, alright, we're
8 going to Council Member Gibson, Deutsch then Brannan.

9 COUNCIL MEMBER GIBSON: Thank you Chair Richards.
10 Good afternoon Commissioner to you and everyone here.
11 While I have five minutes, I'm going to try to spit
12 out as much as I can. But really want to thank you
13 for your partnership. This City Council since I've
14 been here for seven years we work very, very closely
15 on a number of priorities that are mutually
16 beneficial and that we hear from many of our
17 constituents.

18 So, Chair Richards mentioned it and I also want
19 to emphasize civilianization. It's been a topic
20 we've talked extensively about for the past several
21 years FY's '16,'17 and '18, we've been able to
22 civilianize about 416 positions and that's been a
23 great step of progress but we obviously want to take
24 that to another level. So, yes, to more
25 civilianization. Yes, to continued conversations

1
2 with OMB. And another topic that I always talk about
3 and my colleagues certainly always talk about, school
4 crossing guards. In the last couple of weeks, we've
5 seen unfortunately horrific crashes with children and
6 pedestrians. DOT is doing their part but I also feel
7 that we have to do more around school crossing
8 guards.

9 The last report that we got from the Council in
10 January, we saw a vacancy of 189 positions throughout
11 the City of New York. So, while we've provided
12 better recruitment efforts outside of the Precinct,
13 we've done a lot but we want to do more. The working
14 conditions, the salary. Majority of school crossing
15 guards are women and women of color. We also want to
16 make sure we have more. The interagency coordination
17 with PD, SCA, DOE has to be tight as we open new
18 schools in September, the school crossing guard
19 should already be in place.

20 And so, I want to understand that where areas are
21 hard to recruit out of that 189, how we can identify
22 that and I have a question on the Mayor's action plan
23 for neighborhood safety. Many of us represent many
24 residents in public housing, in NYCHA, our PSA's.
25 Grateful to hear that the Youth Coordination officers

1
2 are enrolled into housing as well. That's a good
3 thing but the Neighborhood Map program, the 15
4 developments we've had for several years, many have
5 talked to us about expanding that beyond the 15.
6 We've seen a reduction in index crimes in those 15
7 but in other parts of NYCHA, we have not. We've seen
8 an increase in index crimes.

9 So, I wanted to understand what we're doing, how
10 we're working with the Administration on the Mayor's
11 action plan for neighborhood safety and I had a quick
12 question and Commissioner you alluded a lot around
13 technology and I appreciate the work the Department
14 is doing. Facial recognition, the cell phone towers,
15 stingrays, license plate readers, I don't think it's
16 that unreasonable to ask for a process by which we
17 can make sure that we're holding everybody
18 accountable.

19 So, when we have legislation like the Post Act or
20 anything else, where we're talking about developing
21 an impact and use policy, with a public process for
22 the residents of this city to provide input, I don't
23 think that unreasonable. So, would love to continue
24 to have dialogue with the Department as well as many
25 of our civil rights, our activists and agencies. We

1
2 can do both, we can keep people safe and we can
3 respect everyone's individual civil rights.

4 The last question I had; I hope you're taking
5 notes. The capital list, I didn't see the 40
6 precinct in the Bronx, so I want to make sure we're
7 good with funding on that and Rodman's Neck. The
8 residents of City Island in the Bronx had been living
9 with Rodman's Neck for years. We have a plan to make
10 it noise resistant. I don't know where we are with
11 the capital. I understand we're currently in design
12 but for the sake of the residents of City Island, we
13 need to bring them some relief and general precinct
14 upgrades, I know we can't upgrade every single
15 precinct but not just for the works inside, the
16 people that come in, we have to look at more capital
17 upgrades; HVAC, air conditioning, we talk about that
18 a lot as if it's a luxury, it should be a necessity.

19 Capital upgrades so that everyone feels a sense
20 of pride when they walk in a precinct but also the
21 staff that work inside feel a sense of pride as well.

22 So, I got all of my questions out. Now, you guys
23 can take my last minute and rock out all my
24 questions. Thank you.

1
2 FAUSTO PICHARDO: Council Member, I certainly
3 appreciate you affording us the remaining time for us
4 to articulate all your answers.

5 Listen, I think there's not a person in the City
6 of New York, if not the State of the country who
7 would arguably not have their hearts broken by the
8 tragic events of last week with those two kids the
9 last couple of weeks in the 75th Precinct in East New
10 York.

11 To answer your question about the school crossing
12 guards. A tremendous undertaking no doubt, but the
13 status of where we are today, we are short about 159
14 school crossing guards. Just this week, just this
15 week, 53 school crossing guards finished their
16 training and that's the second class in the year
17 2020. The third consecutive month in December, we
18 put out 69 school crossing guards, 53 in January,
19 another 53 that came out this week and we're slated to
20 hire another 50 plus in March.

21 You spoke of difficulty in recruiting and we
22 annotate that and compound it with our social media
23 platforms of course, on Facebook and Twitter. Our
24 Build A Block meetings, our Neighborhood Coordination
25 Officers. We reach out to our community boards and

1
2 community partners and certainly you. You've played
3 a tremendous role in making sure that we get the word
4 out that the NYPD is hiring school crossing guards.
5 If you overlay that with the fact that we were able
6 to hire approximately 92 level 2 crossing guards and
7 we talk about the opportunity for school crossing
8 guards level one for them to move on to a full time
9 position as a school crossing guard level 2, which
10 are supervisors who are afforded the opportunity to
11 move resources when someone calls out. To make a
12 little extra money, to have full time capabilities.

13 And we recognize the tremendous job and how
14 precious our school crossing guards are and that's
15 why last year in 2019, we had our first school
16 crossing guard ceremony, where we honored 39 school
17 crossing guards throughout the city because of all
18 the great work that they do day in and day out.

19 So, we'll continue together with you to push out
20 those messages that we are hiring. That we are
21 looking for more school crossing guards, not just
22 police officers and traffic agents and school safety
23 agents but school crossing guards as well.

24 So, thank you for being our partners and thank
25 you for helping us push that message out.

1
2 COUNCIL MEMBER GIBSON: Okay, thank you for the
3 update.

4 KRISTINE RYAN: You asked about the 40th
5 Precinct. It is in construction, so that's moving
6 forward with the \$75 million investment in capital
7 that we've made there. For Rodman's Neck, it is in
8 design and we do have some progress on the sound
9 abatement. We've identified a temporary sound
10 abatement measure and we're working to move forward
11 on the procurement for that. And with regard to the
12 precincts, as you are aware, we have a precinct
13 enhancement program, which continues to have \$6
14 million in the baseline to work on improving the
15 conditions within the precincts and there is also a
16 continued capital investment for the bathrooms and
17 for the locker rooms and other precinct specific
18 work.

19 COUNCIL MEMBER GIBSON: Okay, that's citywide, \$6
20 million?

21 KRISTINE RYAN: That's on the expense side for
22 ongoing work.

23 COUNCIL MEMBER GIBSON: Got it, okay.

24 CHAIRPERSON RICHARDS: Thank you.
25

1
2 COUNCIL MEMBER GIBSON: I'm sorry, can someone
3 answer my question about housing please. Okay, thank
4 you.

5 DAVID BARRERE: Dually assigned Chief of housing.
6 Thank you, the MAP has been very successful over the
7 past years. In the past six weeks, we've took a look
8 at all the developments. Right now, in terms of MAP,
9 the Mayor's Office of Criminal Justice would have a
10 final say on that but we are clearly open to
11 expanding. Its been a very successful program in
12 housing and we would definitely like to expand it.

13 COUNCIL MEMBER GIBSON: Okay, we'll have to talk
14 to you more about that since there are other
15 developments, we need to pay attention to the not in
16 the Neighborhood MAP program.

17 DAVID BARRERE: Yes, ma'am absolutely, looking
18 forward to it.

19 COUNCIL MEMBER GIBSON: Okay, thank you Chair.

20 CHAIRPERSON RICHARDS: Thank you. Deutsch,
21 Brannan, Miller.

22 COUNCIL MEMBER DEUTSCH: Thank you, good
23 afternoon. First, I just want to say thank you
24 Police Commissioner and I mean this literally, thank
25 you for sticking to your guns on bail reform and I

1
2 think that a bail reform is a cheap inexpensive and
3 easy way out that the state put this law into place
4 and what we need to do is promote and prevent people
5 from going into jails and also to prevent those bail
6 eligible crimes from actually happening and what
7 should be done is that we should double and triple
8 our efforts to reducing gun violence and increasing
9 youth programs and bringing in real mental health
10 resources as well as job training, job opportunities
11 and job fairs and also, when it comes to SYEP, Summer
12 Youth Employment Program, there are thousands of kids
13 who are still left behind. And we need to double and
14 triple our efforts to make sure that these young
15 adults have a place to go during the summer months
16 and also throughout the year.

17 And this is what we need to do and this is what
18 the state needs to do in order to prevent these
19 incidents from happening. So, I commend you and I
20 commend your staff for being very vocal, as I have
21 been since before January. So, thank you very much.

22 So, my question is that was just a comment, my
23 question is, is that we always say the NYPD is the
24 best in the nation and we all agree that the NYPD

25

1
2 offices are underpaid and they don't receive a fair
3 market pay.

4 Now, being that here in the city what we have
5 seen since 911 all those attempts of terrorism acts
6 and also what happened in Muncie and also Jersey
7 City, that our schools are under protected. We do
8 have an initiative in the City Council, which is \$19
9 million to protect private schools and those schools
10 have private school security. And they are state
11 certified, they are not certified here by the New
12 York City Police Department or by New York City at
13 all.

14 So, my question is, is that would you support in
15 this initiative for private school security for it to
16 be going through NYPD pay detail? So, this way we
17 have offices, NYPD offices who are protecting these
18 institutions and secondary, it would also give these
19 offices extra opportunity to receive income to
20 support their families.

21 DERMOT SHEA: I'll start it off and I have Deputy
22 Commissioner Legal Matters Ernie Hart who just came
23 up.

24 And this is not probably the answer that you
25 want, but anything that keeps kids safe, I will

1
2 absolutely have that conversation. Whether or not we
3 were allowed to do it, I would need more details and
4 I'm not sure if there is anything ongoing regarding
5 that particular issue.

6 ERNEST HART: I think that's the point. There is
7 some legal issues, there is some union issues with
8 that. So, I've already spoken to the Commissioner
9 about this but if it comes to me, I'll take a look at
10 it but I will tell you that there are some issues
11 connected to that.

12 COUNCIL MEMBER DEUTSCH: Can you just give me
13 like one, a legal issue.

14 ERNEST HART: One legal issue is having, are we
15 talking about NYPD in private schools?

16 COUNCIL MEMBER DEUTSCH: NYPD Paid Details
17 outside of private schools.

18 ERNEST HART: In private schools. Well, the Paid
19 Details is a union issue and whether or not because
20 for example, the union believes that a Paid Detail
21 should be compensated at a different rate. Overtime
22 for example, we've had this similar problem when we
23 are dealing with elections and Paid Detail. So,
24 that's are real union issue.

1

2

COUNCIL MEMBER DEUTSCH: So, I don't understand.

3

So, we're talking about overtime, let's say if you

4

have a house of worship that has security through the

5

NYPD Paid Detail, why is that any different?

6

ERNEST HART: I'm just saying it's a union

7

issues, I'm not saying impossible.

8

TERRY MONAHAN: We've had union issues; I've

9

dealt with union. With the board of election because

10

that was a state run agency to have a uniformed

11

officer to work in the state.

12

In a private school, it's probably something we

13

could look at, we're going to have to dive deeper but

14

again, the amount of private schools whether or not

15

there is the personnel available. We're having

16

trouble right now filling all the requests that are

17

coming in, but that is something we could definitely

18

sit down and take a look at.

19

COUNCIL MEMBER DEUTSCH: So, it's a personal

20

issue, so it's not a legal issue.

21

ERNEST HART: No, no, no, I'm not saying that, it

22

can be a legal issue. There was an issue for example

23

when you had public school teachers going into

24

private schools. That was something that had to be

25

worked through. There are legal issues; I'm not

1
2 saying that's impossible, but I have to take a look
3 at it, that's all.

4 DERMOT SHEA: Councilman, as I said, anything
5 whether you're talking school crossing guards, with
6 that you know, Fausto talked about two young children
7 last week or safety in general at schools. Anything
8 that is going to keep kids safe, we will sit down and
9 have that conversation and if there's obstacles that
10 we can work around it, we will absolutely have that
11 conversation with you or anyone else on the Council.

12 COUNCIL MEMBER DEUTSCH: Alright, thank you.

13 DERMOT SHEA: Council Member Richards if I may,
14 since we're already over but we're among friends and
15 we always go over. You know, I mentioned before
16 committing to reducing the caseload on the child
17 squads and I just want it on the record that I was
18 just handed what was posted on our website. It is
19 the Bronx average caseload is 67.6, Brooklyn is 74,
20 Manhattan is 71.8, Queens is 54.9, Staten Island is
21 40.

22 When you add those up, it is 308. The caseload
23 for a child abuse investigator is not 308. That is
24 the adding up of the average of all five. So, on the
25 record, that point is clarified.

1
2 CHAIRPERSON RICHARDS: Thank you. I'm going to
3 go to Council Member Brannan, Miller and Perkins.
4 I'm glad to see you're keeping up Commissioner
5 O'Neill's timing consistency.

6 DERMOT SHEA: Only because I took so long at the
7 beginning. I figure we're among friends, we'll add
8 it to the end.

9 COUNCIL MEMBER BRANNAN: Thank you Chair.
10 Commissioner, can I ask about Finest Care, the mental
11 health pilot that was rolled out with New York
12 Presbyterian. I wanted to know if you could give us
13 an idea of how many officers have taken advantage of
14 that program.

15 BEN TUCKER: Well, you know, we kicked it off in
16 October of 2019 and started to get calls immediately
17 from our offices and so, over time and where we are
18 to date, well over 150 calls, and I don't have the
19 figures with me but I will tell you that and preface
20 this by saying two things. One is that when we spoke
21 with New York Presbyterian and we put together our
22 memorandum of understanding as to how we would manage
23 the process. One of the things we were concerned
24 about is given data out and we worked out an
25 arrangement where we built a firewall, so that we

1
2 could at least identify you know, what the numbers
3 are and have them provide us aggregate information
4 but not officer specific information as you can
5 imagine.

6 One of the challenges and the reason for that is
7 because our officers and we recognize that there is
8 some stigma attached perhaps and we don't want our
9 offices to actually decide not to take advantage of
10 the services that New York Presbyterian is providing
11 in that respect because they are worried about
12 confidentiality.

13 So, we're keeping that confidentiality. We have
14 kept it. We get some numbers from them, aggregate
15 numbers on how many people they've seen on the nature
16 of the conditions that they're treating but we've
17 been reluctant to really give specific data in that
18 regard.

19 COUNCIL MEMBER BRANNAN: I'm not looking for
20 anything more. I mean, you're saying there's been
21 about 150 calls.

22 BEN TUCKER: Yeah, actually people taking
23 advantage. 90 people came in and were moved forward
24 in the process and so, we have some of those folks
25 continuing to receive services on a regular basis.

1
2 COUNCIL MEMBER BRANNAN: Okay. There's been a
3 lot of talk over the years with the IBO and some
4 other groups that have looked into modifications of
5 work schedules that might alleviate some of the
6 stress and pressures on the officers. Has the
7 Department considered any modification toward length
8 in trying to work on the work life balance and that
9 kind of thing?

10 DERMOT SHEA: The answer is yes, and it's
11 something that has come up many times over the years
12 and its come up as recently as this week internally
13 in discussions. Our office of Management, Analysis
14 and Planning I think probably everyone sitting at
15 this table, we have discussed it in some form just in
16 the last two weeks in terms of whether you're talking
17 about ten hour tours or twelve hour tours or varying
18 shifts. To Councilman Lancman's point earlier, I
19 want data on this as well. In terms of who is for
20 it, who is against it, what does it really show, what
21 does it show in terms of increased sick. Everything,
22 positives and negatives, what does it really cost?
23 Is there increased cost in terms of overtime?

24 So, the short answer is yes, we are looking at
25 it. The second phase to that answer is, we are not

1
2 at a place yet where we are comfortable making any
3 decisions on altering the existing schedule. But it
4 is still something that is very much on the table.

5 COUNCIL MEMBER BRANNAN: Thank you Chair.

6 CHAIRPERSON RICHARDS: Thank you sir. We'll go
7 to Council Member Miller followed by Miller, Perkins.

8 COUNCIL MEMBER MILLER: Thank you Chair Richards.

9 Good afternoon Commissioner, you and your team. We

10 thank you for being here. I especially wanted to

11 thank you for coming out to southeast Queens last

12 week. The community was well informed and it was a

13 good time. On that, there was a few unanswered

14 questions and I was told that we would receive some

15 of that information and not necessarily at today's

16 hearing but today is as good a time to talk about

17 some of the things that were mentioned there.

18 Including obviously there was once again a very

19 aggressive defense of the position that NYPD is taken

20 on bail reform and so, obviously that position

21 requires an answer to their lives and what we're

22 seeing or at least what you are seeing.

23 And so, we've seen at least peripherally an

24 increase in the number of stops and frisks citywide,

25 in particularly in southeast Queens but we've seen it

1
2 throughout in discussing it with my colleagues, so
3 we'd like to know what those numbers were have we
4 seen. I know that in January there was an increase,
5 we seen another increase in that and also, in your
6 testimony there are statements about the use of
7 technology, DNA testing, facial recognition, drones
8 and alike. And so, we also asked questions last week
9 about this and we were going to get some
10 clarifications on what policy was to ensure that
11 civil liberties were being respected.

12 So, we want to talk about those two and then
13 finally, the easy stuff is, no, I wouldn't say that,
14 New York City Transit or MTA properties in crime has
15 gone up over the past two years particularly as it
16 relates to MTA employees.

17 Last year, during this hearing, we asked for
18 specific data about assaults on those employees. Do
19 you have that data and if so, what are we doing to
20 resolve and mitigate and keep those employees safe
21 and then finally, commercial truck enforcement. Last
22 year, we passed legislation that went into effect,
23 Local Law 74, which amended Local Law 74 and it went
24 into effect in August and that was an increase in
25 commercial truck fines, which either it exceeded

1
2 their three hour loading limit or they were parked
3 overnight in residential communities. They went from
4 \$250 to \$500 for the second. I'm sorry, \$250 to \$500
5 for the second and now they are \$400 and \$800 for the
6 second but we know that historically throughout the
7 city, that officers are still writing \$65 parking
8 tickets and that does not deter these trucks from
9 parking in these residential communities.

10 DERMOT SHEA: In rapid order, Commissioner Tucker
11 is going to hit on the stop question and frisk.
12 Chief Lipetri is going to hit on the assaults on the
13 MTA workers and then Billy Morris, if you could hit
14 the summonses on the trucks.

15 BEN TUCKER: So, on the year to date numbers,
16 2019 versus 2020. We're up 3.9 percent on stops
17 citywide and that's again, that with 7,000 fewer
18 arrests and we had an uptick at the end of '19, so in
19 '19 we had 13,251 stops and that was up 200 plus from
20 2018. But those numbers are as I said, are pretty
21 tiny and they continue to be you know, given where we
22 were years ago. The number of stops reported in 2019
23 represent 71.3 percent decrease from 2014 when we
24 were at 93.1 percent decrease from 2013 as well.

1
2 So, the numbers are, they're not remarkable and
3 so, we haven't connected, we haven't looked at this
4 in a way that's a guess that somehow stops are
5 somehow on the rise.

6 COUNCIL MEMBER MILLER: The numbers do suggest
7 that they are.

8 BEN TUCKER: Wait, wait, no, I mean, when I say
9 they are not on the rise, they are not on the rise
10 with respect to the actual number of stops, we don't
11 think. So, the Chairman asked the question earlier
12 with respect to the auditors. And when we talked
13 about the budget, we spoke about the budget and you
14 asking what the management audits were and so, what
15 they are, they are people that we're hiring in our
16 Risk Management Bureau specifically to look at our
17 quality assurance division to infuse our quality
18 assurance division with additional staff to monitor
19 the number of stops.

20 I mean, one of the things that we've been doing
21 in our work with the monitor, federal monitor, over
22 time these past six years is look at compliance and
23 how we get there and the way in which we have been
24 getting there is as we bring new procedures onboard
25 and our auditors go out and look at what's happening

1
2 in commands, they review body one camera video. They
3 check and ensure that the individuals, our individual
4 officers out there making stops are actually
5 recording those stops. And so, compliance really
6 matters in these cases. The fact is, the more we
7 look and pay attention to and do the audits, if we
8 see deficiencies or we believe that officers aren't
9 filling out the requisite paperwork, we believe that
10 it is now getting traction. So, that would account
11 we believe for the increase in some cases.

12 MICHAEL LIPETRI: Good afternoon. So, as far as
13 capturing the data on assaults of MTA workers, we do
14 capture that data. So, my office does have that
15 data. I just don't have it with me.

16 Last year, we were slightly down in assaults on
17 MTA workers. This year we see a slight uptick but it
18 is something that we recognize and we take it very,
19 very seriously. Actually, right before I got here, I
20 was reviewing a case for CompStat on where an MTA
21 employer was assaulted.

22 So, it's something that we do look at and we do
23 capture that data.

24

25

1

2

COUNCIL MEMBER MILLER: Is that all assaults including twos and threes and no matter what level of assault?

4

5

6

MICHAEL LIPETRI: So, if you're assaulted as an MTA worker, it rises to the level of an assault 2.

7

So, a simple assault is an assault 2 against an MTA employer.

8

9

DERMOT SHEA: Mike, you can get him that information?

10

11

MICHAEL LIPETRI: Absolutely.

12

DERMOT SHEA: How long will it take?

13

MICHAEL LIPETRI: I can get it to you by today, tomorrow.

14

15

CHAIRPERSON RICHARDS: Council Member Perkins.

16

DERMOT SHEA: The trucks.

17

COUNCIL MEMBER MILLER: The trucks are there and this is important but there is one more thing, you talked about risk management. I got a text from a, a tweet from a constituent and I know this happens throughout the city, that there was a summons served or door broken down and they have been without a front door for the past week and they were told to call 311. And this is not a new phenomenon that we've seen this in the past. What is the process by

22

23

24

25

1
2 which these people, the doors get fixed and
3 homeowners are made whole.

4 TERRY MONAHAN: It's according to exactly the
5 incident that happened. If it's a search warrant
6 where we have to make a no knock entry, we'll make
7 the entry and its whoever the super is, we'll be
8 notified to come in and fix it. In that incident,
9 whatever it is, just give it to us afterwards and
10 we'll have it taken care of.

11 COUNCIL MEMBER MILLER: Thank you.

12 BILL MORRIS: I'm Bill Morris, I'm Chief of
13 Transportation. Your question before about the
14 overnight commercial parking. Currently under the
15 law there are two sections for commercial overnight
16 parking. One is Code 78 and the other is Code 6.

17 I'd like to thank you first publicly, working
18 with your office in the legal bureau, you had brought
19 this to our attention earlier with your staff, so we
20 followed up with you on it. Just to give you some
21 numbers, looking at the Code 78, which is the \$65
22 summons that you referenced before. In January of
23 this year, we've issued 4,936 of those violations.
24 If we look at the same period in 2019, we issued
25 5,138. So, you can already see as a result of

1
2 working with you, we're seeing a reduction of almost
3 4 percent as far as the \$65.

4 At the same time, the Code 6, which more
5 specifically addresses the larger tractor trailer
6 trucks parked overnight and as a veteran of the 113
7 Precinct and 105 Precinct, I'm well aware of the
8 challenges there.

9 Already in January of this year, we've issued 24
10 of those. That compares to the same time last year,
11 we had only issued three of them. If you look at all
12 of 2019, we only issued eight summonses for that
13 tractor trailer.

14 So, you clearly brought it to our attention. So,
15 already this month we're up about 700 percent
16 addressing the larger ones with the tractor trailers.

17 You also asked me about the oath summonses. I'm
18 working with the Legal Bureau to operationalize that.
19 Just so that the Council knows, there's a challenge
20 with the service of those oath summonses on the
21 vehicle itself, we may actually have to work out a
22 mechanism to have those summonses delivered to Albany
23 in order to constitute service on the trucks.

24 We're working on it but in the meantime, we have
25 instituted the Code 6 for the greater fines.

1
2 CHAIRPERSON RICHARDS: Thank you. Council Member
3 Perkins. Thank you, Council Member Miller.

4 COUNCIL MEMBER PERKINS: Thank you. Can we get
5 an overview of some of the steps that we're taking to
6 mitigate the conflict between our youth and their
7 relationship with the Police Department in their
8 neighborhoods. Are you doing things towards that end
9 that you can share with us today that might be useful
10 in terms of what we can also add to.

11 NILDA HOFMANN: Thank you. Thank you for the
12 question. Nilda Hofmann Chief of Community Affairs.

13 So, one of the things, first of all, in Community
14 Affairs, we have been doing a lot of work when it
15 comes to youth. We first of all, if you haven't been
16 there, you have to visit our NYPD Community Center in
17 east New York 127 Pennsylvania.

18 So, the NYPD, this is an amazing community
19 center. It used to be a PAL, it was newly renovated,
20 we have partnered up with the Child's Center at that
21 location. This is a location that has gym, has a
22 dance room, has a music room, has a workout room and
23 at this location it is open seven days a week from 8
24 a.m. to 10 p.m. and we have police officers there
25 assigned to our youth strategies division and the

1
2 location is open to welcome all kids and it
3 absolutely is free.

4 We have as you know; the police department has
5 the biggest explorer program. We have close to 4,000
6 explorers in every precinct, every housing
7 development, I mean, every housing precinct we have
8 explorers also in our Transit division.

9 Over the summer, we have a six week camp that we
10 provide 15 locations throughout the city where police
11 officers, our school safety agents have the young
12 people between the ages of 10 to 15 years old for six
13 weeks. We besides kind of giving them a curriculum
14 similar to what we offer the police officers. We
15 take them on weekly trips. We also partner up with
16 our SYEP. We offer within the police department, we
17 offer our young people, this year, we're going to
18 offer 350 young people jobs, so they will be spread
19 out through the police department, different
20 precincts, different organization.

21 And then finally, that some of the things that we
22 do for young people but finally as the Commissioner
23 began, we have a new initiative where all our youth
24 officers now in precincts, we've kind of eliminated
25 that and we've began our youth coordination officer.

1
2 So, every precinct housing precinct will have
3 Youth Coordination Officers, anywhere between 1 up to
4 6 police officers. What their task is going to be is
5 everything about young people. Anything from you
6 know, helping the young people to find something to
7 do in that precinct from activating spaces, finding
8 you know, houses of worship, finding parks to be able
9 to connect these young people to.

10 Kids that come in and might be in trouble from
11 maybe a minor offense maybe could we send them to
12 somewhere else, somewhere else in that community to
13 help that young person. This is going to be rolled
14 out on March 9th, next week Monday. These officers
15 are going to be trained. There are about 350
16 officers citywide.

17 So, it's similar and it models under a
18 neighborhood coordination officer. As you know, our
19 neighborhood coordination officers, you know many
20 meetings that I go to, they are very engaged, out
21 there with the neighborhood. So, this is similar to
22 that. So, this is going to be youth coordination
23 officers that are going to be very involved, know
24 everything there is to know about young people in
25 that community and be able to connect.

1

2 And I guess, you know, one of the things you
3 said, I guess ended with what else can you do that
4 will help as a Council? I mean, we get a lot of help
5 from City Council, especially when it comes to our
6 explorers, we get a lot of support. But you know,
7 it's really helping us to continue to connect our
8 young people to organizations, jobs. One of the
9 things I hear a lot from young people is they are
10 looking for jobs, full time jobs.

11 COUNCIL MEMBER PERKINS: I appreciate your
12 response to my question and you know, it's a very,
13 very powerful statement that you made and the
14 opportunity that you're creating to bring our young
15 people into alliance so to speak, with you and the
16 opportunities that that kind of relationship can
17 have.

18 So, if there's any way that we in the Council or
19 individually can be useful towards some of the work
20 that you are trying to accomplish, I think that's a
21 very, very valuable opportunity. Our young people
22 would very much appreciate it.

23 NILDA HOFMANN: Just one of the things too, just
24 recently now the Summer Youth Program application
25 opened up and we heard from DYCD just in the last two

1
2 weeks that the many jobs do not get filled because
3 young people do not know about it. So, really just
4 giving that information out and letting them know
5 that the jobs are there.

6 COUNCIL MEMBER PERKINS: And I think that we at
7 the Council can be useful in that regard because we
8 do have our newsletters and other means of
9 communicating with our constituents and so, towards
10 that end, please don't hesitate to you know,
11 incorporate us in you know, getting the word out on
12 what you want to try to accomplish.

13 DERMOT SHEA: Thank you very much.

14 CHAIRPERSON RICHARDS: Thank you. Commissioner,
15 we're going to begin to wrap up. Just a few other
16 questions. What's your position on 50A and have you
17 made any progress in Albany around, have there been
18 any conversations this session around the
19 conversation in 50A?

20 DERMOT SHEA: I mean, every conversation that we
21 have regarding 50A again, I feel like I'm beating the
22 drum today but talks about balance. I think we have
23 to balance the concerns of the public to have some of
24 this information and transparency but we also have to
25

1
2 balance it from a workforce in terms of public
3 safety.

4 CHAIRPERSON RICHARDS: Have you lobbied this far
5 Albany?

6 DERMOT SHEA: So, the position is that amend is
7 what my predecessor has stated on the record and I
8 will confirm that is likewise my position. I think
9 there's a balance that can struck.

10 CHAIRPERSON RICHARDS: Right and my question is,
11 have you had any conversations with Albany about
12 amending.

13 DERMOT SHEA: I have not yet.

14 CHAIRPERSON RICHARDS: When do you anticipate you
15 will start that conversation?

16 DERMOT SHEA: Unknown at this point and time but
17 I'm sure that that will be active conversation.

18 CHAIRPERSON RICHARDS: Okay, we look forward to
19 hearing more on that. I wanted to ask about, and
20 this is not to your necessarily, the MAP program and
21 this goes back to Chief Barrere. Do I call you Chief
22 now? What's your title? Okay, still Chief, okay,
23 got it. He's always been my Chief in Queens.

24 So, we talked about extensions and we've had a
25 lot of conversations around this for a long time.

1

2 Welcome to the hot seat. It's been the same 15
3 developments for a while, so do you have any
4 particular number on extensions and when?

5 DAVID BARRERE: As you know, it was very
6 successful. It is run by the Mayor's Office, MOCJ
7 runs it. We're very amenable to expanding it and
8 moving forward. We can use your help and I welcome
9 it.

10 CHAIRPERSON RICHARDS: Budgetary question, okay,
11 so we look forward to more conversation. There seems
12 to be a lot of conversations happening but we want to
13 see some progress in these areas.

14 What's the PR Budget for the NYPD? I just wanted
15 to get the number, what's your PR budget.

16 KRISTINE RYAN: I'm going to have to get back to
17 you on that.

18 CHAIRPERSON RICHARDS: Okay.

19 DERMOT SHEA: And I have many voices. I
20 understand now, so although I haven't been up to
21 Albany and professing that Oleg has on my behalf that
22 on the 50A.

23 CHAIRPERSON RICHARDS: Say that again.

24 DERMOT SHEA: Oleg has been up speaking on 58 to
25 Albany on my half.

1
2 CHAIRPERSON RICHARDS: Well, I like Oleg's smile
3 but I want to see the Commissioner up in Albany.

4 And then, just last question and Rory has one
5 last question. Hate crimes; obviously there was a
6 big uptick there. Police suicides, can you speak to,
7 do you have any new strategies you are implementing
8 around these two areas as the new Commissioner?

9 DERMOT SHEA: Rodney will hit the hate crimes
10 quick and then Chief Monahan will just briefly wrap
11 up with the suicide.

12 RODNEY HARRISON: Mr. Chair, so hate crimes,
13 we're down for the year, 63 versus 65. We had a
14 concern in 2019 regarding antisemitic. We're
15 actually down for the year to date with antisemitic,
16 35 versus 41. We're also down with sexual
17 orientation hate crimes 4 versus 6. We do see a
18 little bit of a spike. I'll be very transparent in
19 regards to anti-Black. We're up 10 versus 3 in anti-
20 Black hate crimes task force. We do have 1 arrest
21 regarding the out of the one of the ten. I can just
22 give you a quick breakdown regarding the anti-Black
23 hate crimes. Aggravated harassment first degree, we
24 have 3 aggravated harassment 2. We have 3 in
25 criminal mischief. 4th we have 4 of them.

1
2 So, we take every hate crime seriously. We have
3 25 investigators, excuse me, 18 investigators, 25
4 people overall in hate crimes task force and they are
5 working very diligently to address every single hate
6 crime with a priority.

7 CHAIRPERSON RICHARDS: And graffiti it's also a
8 big issue?

9 RODNEY HARRISON: Affirmative, so we see graffiti
10 with the **[INAUDIBLE 3:30:52]** and other words that
11 defamatory being utilized too often. Those crimes
12 are somewhat difficult to identify a perpetrator but
13 yes, that is an issue that we see.

14 CHAIRPERSON RICHARDS: Alrighty and are you
15 funding. Are you increasing funding for graffiti
16 removal specifically for this area?

17 DERMOT SHEA: We've had recent conversations in
18 terms of our crime stoppers program to expand it to
19 cover this type of crime. That's ongoing and nailing
20 down the details.

21 CHAIRPERSON RICHARDS: And may I suggest we fund
22 organizations that do cleanup, so if there is
23 coordination there maybe some synergy. Not that I
24 want the Council's resources used for this but there
25

1
2 certainly could be some synergy between us and you a
3 little bit more in the graffiti.

4 Okay, Cohen and then Lancman and then we're done
5 on questions.

6 COUNCIL MEMBER COHEN: Thank you Commissioner.
7 I'll be very brief, I just, I have a lot of quality
8 of life issues, which I'm fortunate that in the 5 0
9 and in my portions of the 5 2, and even in the 4 7,
10 unfortunately there's not a lot of serious crime and
11 I'm very grateful for that but it does lead to some
12 issues of trying to get enforcement of the sort of
13 lower level stuff.

14 I don't know if you have any details on you know,
15 like if it's not traffic enforcement trying to get
16 you know, there's a car parked at a hydrant and you
17 call it in, it's very hard to get enforcement on
18 those kinds of things. I don't know if you have any
19 information about that. But the summons is written
20 by non-traffic agents.

21 DERMOT SHEA: Yeah, Chief Pichardo, the Chief of
22 Patrol; I don't know if he has those specific numbers
23 but he'll just talk to in generally our response to
24 quality of life complaints and what an emphasis we
25 place on it.

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

FAUSTO PICHARDO: Certainly, and I think as many in this room sitting to my right and certainly at the table here know as former Precinct Commanding Officers, one of the chief, if not the chief complaint in any meeting, community council meeting, community board meeting, public safety meeting really encompasses quality of life concerns. As you alluded to, double parked cars, driveways etc. And that's really the cornerstone of neighborhood policing. So, I don't have the data specifically for the 50 and block driveways and other concerns but I can certainly talk to you afterwards and get that information to you.

But I will ask that, we want to make sure that as we move into our fifth year of neighborhood policing and some of us are traveling around the whole city just to get feedback really from the ground on, from the people in the street of the City of New York, let us know how is it working? What can we do better to serve the 8.6 million New Yorkers.

I want to make sure that they are also connected to our neighborhood coordination officers and our study sector officers, so that those core root

1
2 quality of life problems don't evolve and manifest
3 into something else.

4 DERMOT SHEA: What I was just going to finish up
5 and say, we all the time, we talk about the major
6 crimes. We talk about terrible tragedies, the
7 shootings, the homicides, the sexual assaults, but
8 often times this conversation doesn't come up. We
9 remain committed to addressing the quality of life
10 for all the reasons Fausto said. These are the
11 complaints that overwhelmingly we get throughout the
12 city at community meetings, whether it's through 311.
13 These are the ones that effect New Yorkers day in and
14 day out. I think we can do better. I'll be
15 perfectly frank. I think we can do better; I know
16 that Mike Lipetri shares that vision. Mike Chairs
17 our CompStat meetings and I think that you know, on
18 quality of life, whether it's a block driveway,
19 whether it's people hanging out, whatever the
20 complaint is, shame on us if we don't do everything
21 to connect to that person. To tell them what the
22 results were of the complaint. It may not always be
23 to their liking. It may not always be a summons or
24 an arrest. We give our offices discretion to but we
25 need to close that loop in my opinion in terms of

1
2 people complaining and feeling they got the service
3 they deserve.

4 So, that's my commitment. I know that Mike
5 shares it and we'll look to improve in that area.

6 COUNCIL MEMBER COHEN: I appreciate that. I
7 recently had a sit down with I think it was Captain
8 Melendez whose at the 50th who I know you were back
9 there in the day.

10 You know, I don't know and maybe again it's a
11 good conversation to have but he talked about
12 discretion that a lot of the officers have discretion
13 because you know, I'll often make 311 complaints
14 myself. You know, I see something, I call it into
15 311 and I'll often, you see the response where the
16 police responded and decided no action was necessary
17 and I'll drive by and well, that's interesting
18 because that car is still parked at that hydrant.

19 DERMOT SHEA: I think that discretion is very
20 important and it's a very important tool to have and
21 I think that's a positive.

22 But I also have said many times and they've heard
23 me say this at CompStat's. At the end of the day,
24 the people that live on the block, the people that
25 live in the window and the people that can't get

1
2 sleep at night, shouldn't be frustrated by our
3 response. So, I'll end it with that and I mean,
4 discretion is positive but we have to be responsive.

5 COUNCIL MEMBER COHEN: I'll just lastly say I'm
6 thrilled to see Nilda Hofmann, she was great when she
7 was at the 5 2. I already miss Chief Nikunen and
8 also Tommy Alps is phenomenal. So, thank you.

9 CHAIRPERSON RICHARDS: Alright Lancman, very
10 briefly.

11 COUNCIL MEMBER LANCMAN: So, the Wall Street
12 Journal reported that the Department lost 125
13 officers to the MTA in January or December. Mainly
14 because the pay is so much better. Can you tell us,
15 how damaging is it to the Department to be unable to
16 retain officers who are experienced, who we have
17 invested so much money into training, because the
18 city won't pay them a salary comparable to what they
19 can get in other jurisdictions?

20 DERMOT SHEA: So, it can be frustrating at times
21 to lose employees to other jurisdictions. The
22 positive here, if there is a positive, is that when
23 you ride across the country now and we go to a lot of
24 conferences many of here and I read one article
25 today, I don't remember the jurisdiction. There are

1
2 jurisdictions in this county, law enforcement that
3 are having serious recruiting shortages and problems.
4 Not only retaining people, hiring people that they
5 have positions that they can't fill.

6 The positive is, we are not in that situation.
7 We retain a very healthy pool of applicants. We
8 literally recruit from across the globe but back to
9 your point councilman, certainly it can be
10 frustrating at times to go through the entire
11 applicant process, to which there is a cost. The
12 recruitment, the advertising which just came up, the
13 selection, the screening, the police academy and then
14 to lose them after a couple years. It is not a new
15 phenomenon, this is something that we've seen,
16 whether it's to our brothers and sisters out east and
17 Suffolk County. Certainly, many places in Rockland
18 County, the Port Authority. It's something they're
19 aware of. We're able to withstand the loss right now
20 but the shorter answer is do I wish it didn't happen.
21 I wish it didn't happen.

22 COUNCIL MEMBER LANCMAN: Thank you.

23 CHAIRPERSON RICHARDS: Alrighty, well, I want to
24 thank you Mr. Commissioner. Oh, what am I doing.
25 Well, Mr. Commissioner, you know, every time a

1
2 Commissioner comes, they got hard stops during the
3 budget hearings when the Commissioner comes. So, we
4 want to be consistent in keeping you over your time.

5 DERMOT SHEA: I want to thank everyone.

6 CHAIRPERSON RICHARDS: We like spending time with
7 you.

8 DERMOT SHEA: I want to thank everyone at the
9 Dais for your questions and concerns.

10 CHAIRPERSON RICHARDS: Thank you so much. We
11 look forward to working with you. Thank you.

12 Alrighty, we're going to begin again. Good
13 evening and welcome to the second portion of the
14 Public Safety Committee Fiscal 2021 Preliminary
15 Budget hearing.

16 We welcome the Civilian Complaint Review Board
17 here today and look forward to your testimony. I'd
18 also like to remind everyone that the public will be
19 invited to testify at 5 p.m. but we could start
20 subsequently before if things progress here.

21 CCRB'S Fiscal 2021 Budget is \$20.4 million. Most
22 significantly for their budget, voters approved a
23 measure to tie the CCRB staff headcount to the NYPD's
24 uniform headcount. This ensures CCRB will receive
25

1
2 adequate resources and remain in effective check on
3 the Police Department.

4 This year, we commend the CCRB on tackling new
5 challenges like investigating sexual misconduct
6 claims, outreach to communities in support of the
7 Raise the Age legislation and investigations that now
8 involve body worn camera footage. We also cannot
9 overstate their success in prosecuting Daniel
10 Pantaleo. This has brought some semblance of justice
11 to communities all around New York City and the
12 country as a whole.

13 I look forward to hearing about developments in
14 your budget, your outlook for the next year and about
15 any concerns you might have. Thank you to CCRB Chair
16 of the Board Reverend Frederick Davie and Executive
17 Director Jonathan Darche as well to your staff for
18 being here today.

19 You may begin. We are joined by Council Member
20 Lancman.

21 REVEREND FREDERICK DAVIE: Thank you. I'm going
22 to do an abbreviated version of the testimony.

23 CHAIRPERSON RICHARDS: Great.

24 REVEREND FREDERICK DAVIE: And you have the full
25 testimony I think before you.

1
2 So, Chairperson Richards, members of the Public
3 Safety Committee, thank you for the opportunity to
4 appear before you today. As you know, I'm Frederick
5 Davie, Chair of the Civilian Complaint Review Board
6 and I'm joined by my Colleague, our Executive
7 Director Johnathan Darche.

8 As you have already pointed out, there have been
9 several significant developments for the CCRB over
10 the past year including the CCRB's prosecution of
11 Daniel Pantaleo for the killing of Eric Garner and
12 Mr. Pantaleo's subsequent termination from the New
13 York City Police Department. November's successful
14 ballot initiative resulting in changes to the New
15 York City Charter that have an impact on CCRB's work,
16 the completion of a Memorandum of Understanding
17 between the CCRB and the NYPD to help improve the
18 CCRB's access to Body Worn Camera footage, and the
19 launch of Agency's Civilian Assistance Unit, which
20 seeks to provide our complainants with assistance and
21 connection to needed city services. In addition, in
22 2019, the CCRB received 4,959 complaints in its
23 jurisdiction, the highest number of complaints
24 received since 2013, and about a 4.5 percent increase
25 over last year's 4,745. CCRB's complaints have risen

1
2 nearly 16 percent since 2016, a rise that is at least
3 partially attributable to the agency's recent focus
4 on community outreach and public education.

5 Each of these turns of events have had
6 considerable influence on the practice of police
7 accountability at the CCRB.

8 On November 5th, also as you noted, New Yorkers
9 voted to implement a set of charter changes. Grouped
10 together on the ballot to initiative that made the
11 disciplinary process more transparent, strengthen the
12 CCRB's oversight capabilities and now improve the
13 agencies efficiency.

14 Among these changes is that the CCRB's headcount
15 as you noted will be linked to 0.65 percent of the
16 NYPD's uniform officer headcount. The CCRB has been
17 in close communication with the City's Office of
18 Management and Budget OMB, to determine exactly how
19 many additional staff members this will mean for the
20 agency.

21 At the close of FY 2019, the CCRB's authorized
22 headcount was raised by 16 percent from 183 to 212
23 people and as a result of the revised Charter
24 language another 17 staff members were added in the
25 January plan.

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

While the Charter guarantees headcount, there is no specific funding levels attached to that headcount and so, we have worked closely with OMB to determine what these new personnel lines will be. Similarly, we continue to discuss with OMB what level of support is available for infrastructure items like workspace, computers, desks, external training modules and office network access, all covered under categories other than Personnel Services. Specific funding for which is also not guaranteed by the new Charter language.

In 2019, 58 percent of CCRB's fully investigated complaints featured video evidence. Nearly 60 percent of these cases with video featured BWC footage and 74 percent of the cases involving BWC evidence are closed on the merits, in other words, as substantiated, exonerated, or unfounded. Because the facts of these cases are more clearly determined when there is BWC footage. In complaint with no video evidence, only 40 percent are closed on the merits. In 2017, the year the BWC program launched, the CCRB received 158 BWC video files of roughly 37 gigabytes.

In 2019, the CCRB received 8,000 BWC video files of roughly 1.3 terabytes, a 3,385 percent increase.

1
2 Body Worn Camera evidence is vital to the CCRB's
3 investigations and has had a massive impact on our
4 work. This also highlights the importance of the
5 MOU, Memorandum of Understanding between the CCRB and
6 the NYPD on how to access BWC recordings. Once this
7 new protocol goes into effect, CCRB investigators
8 will be able to search for BWC footage in
9 collaboration with NYPD staff, view unredacted
10 footage and take notes on content and request for
11 downloads of sections of video that are relevant to
12 the investigation and the prosecution of allegations
13 of misconduct in the case.

14 The agency has also continued to work to support
15 the needs of our complainants. Sexual misconduct, an
16 allegation category the CCRB took on in February
17 2018, as one of the reasons the agency has worked to
18 create a Civilian Assistance Unit. This innovative
19 unit will support complainants by assisting them in
20 understanding and navigating the investigatory and
21 disciplinary processes that provide complainants with
22 connections to critical city services like housing
23 assistance and mental health services.

24 Advocates for at risk populations often cite that
25 the CCRB's process is too difficult for their members

1
2 to navigate. Members of the public at board meetings
3 often speak about the fact that the CCRB's process is
4 too difficult and emotionally taxing and the
5 investigators and prosecutors anecdotally report that
6 witnesses complain that the process causes them
7 emotional distress and they decline to follow through
8 with their complaint.

9 The CAU will pair complainants with social
10 workers and counselors who help them mitigate post
11 event trauma and aid them in navigating New York's
12 network of support services in a meaningful way.

13 As a part of its oversight and accountability
14 work, Underage Charter Mandate, the CCRB engages in a
15 wide variety of public awareness efforts. Since the
16 beginning of the current administration, the CCRB's
17 Outreach Unit has expanded significantly both in size
18 of its staff and in its baseline funding. The unit
19 has diligently focused on reaching larger audiences
20 and building relationships with community
21 stakeholders, service providers, elected officials
22 and advocates.

23 However, the agency continues to face challenges
24 regarding public awareness of the CCRB and its powers
25 and resources. We know that this awareness is

1
2 extremely consequential. While many members of the
3 public who encounter our outreach, staff continue to
4 report a previous lack of knowledge of the agency,
5 we'll continue to work with other city agencies to
6 discuss ways to spread public awareness of the CCRB.

7 And I want to just go off script here and just
8 say a word about the continued need for the CCRB to
9 have support for public engagement and public
10 education and particularly public education and maybe
11 we can talk some more about that in the Q&A and but I
12 don't want that point to get missed, because I think
13 it's crucial to the agencies ability to effectively
14 serve the citizens of this City.

15 With the support of the Administration and City
16 Council, the agency continues to be better able to
17 accomplish its mission to provide strong effective
18 and independent civilian oversight for the New York
19 City Police Department but there is more to be done.
20 I am confident that with your help the CCRB will
21 continue to flourish, improve and lead the way in
22 civilian oversight nationally.

23 Thank you for your time and continued support and
24 we're open to any questions you might have.

1
2 CHAIRPERSON RICHARDS: Thank you Chairman. Let
3 me just start off. So, in your testimony, you said
4 since 2013, you've seen a 4.5 increase over last
5 years. I'm sorry, you've seen the highest numbers of
6 complaints you received since 2013. What do you
7 think is a large contributor of the increase in
8 complaints.

9 REVEREND FEDERICK DAVIE: So, I'll start and then
10 I'll turn it over to Jon. I think we have a pretty
11 excellent community outreach team and they have
12 worked hard to connect to community based
13 organizations to provide more information on the
14 agency and its work. And I suspect also with the
15 Pantaleo case the agency has been more high profile
16 as well but I'll turn to Jon and see if you have
17 anything additional to add.

18 JONATHAN DARCHE: The Chair is right about those
19 two factors. But two additional factors are the
20 enactment of the Right to Know Act created an
21 additional class of allegation that can made against
22 a police officer, as well as the CCRB's determination
23 to investigate instead of refer sexual misconduct
24 complaints. I think those two decisions also impact
25 the increase of complaints.

1

2

CHAIRPERSON RICHARDS: Helen, did you want to come now. I'm sorry, I'm just going to – we just had to make a correction on the record. She wanted to make a correction.

5

6

7

8

9

10

11

12

13

14

15

16

Thank you Chair.

17

18

19

20

21

22

23

24

25

CHAIRPERSON RICHARDS: Thank you Council Member.

Alright, let's get back to recent budget changes now. Let's talk about the main changes to your budget, which are two headcount increases. First, as part of the Adopted Budget last year, the Council successfully negotiated with the Administration to fund 24 new investigators. What's the status of those 24 positions?

1

2

JONATHAN DARCHE: So, the agency worked hard to fill those positions. We are very close to our headcount right now.

4

5

CHAIRPERSON RICHARDS: So, we filled all 24?

6

JONATHAN DARCHE: Yes.

7

8

CHAIRPERSON RICHARDS: Okay, and can you tell me, how has this impacted your investigative unit? Have you observed the benefits? Has it helped produce caseload?

10

11

12

13

14

15

16

17

18

JONATHAN DARCHE: So, one of the — I think it's been vital, that increased headcount into letting us stay as effective as we have been. Body Worn Camera footage is really almost swept through the agency in the investigative process, which has caused our dockets to increase and case investigation times to increase. And without those new staff we would have suffered even worse.

19

20

21

22

CHAIREPRSON RICHARDS: Right and I noticed Chairman in your testimony, you said in 2019, 58 percent of the CCRB's fully investigated complaints featured video evidence.

23

24

25

Nearly 60 percent of these cases with video featured Body Worn Camera and 74 percent of the cases

1

2 involved Body Worn Camera evidence as well. Can you
3 speak to the 58 percent number? Why not 100 percent?

4 REVEREND FREDERICK DAVIE: You want to talk about
5 that?

6 JONATHAN DARCHE: Sure, so Mr. Chair, I think
7 your saying why doesn't every case have Body Worn
8 Camera footage?

9 CHAIRPERSON RICHARDS: Okay, yes.

10 JONATHAN DARCHE: So, there are some instances
11 where members of service may not turn on a Body Worn
12 Camera because they either don't think they have to
13 or they are required not to for particular reasons.
14 Like if there is a victim of a sex crime, they are
15 instructed not to turn it on.

16 CHAIRPERSON RICHARDS: So, do we have a breakdown
17 of that when they don't turn it on? And I know you
18 have a report I think that you're going to issue.
19 So, some recommendations?

20 REVEREND FREDERICK DAVIE: Yeah, we issued a
21 report was it last week?

22 JONATHAN DARCHE: Yes.

23 REVEREND FREDERICK DAVIE: But we can either find
24 that now or we can -

25

1
2 CHAIRPERSON RICHARDS: Actually, you're right, I
3 know Tiffany, yes. Okay.

4 JONATHAN DARCHE: So, but I will note that if the
5 board determines that a member of service should have
6 had their camera on and didn't, then we will note
7 that for the Department to discipline the member of
8 service.

9 CHAIRPERSON RICHARDS: And how many instances
10 have you had to do that?

11 JONATHAN DARCHE: I can get back to you with that
12 number.

13 CHAIRPERSON RICHARDS: Okay. Let's get back to
14 the budget. Can you explain why there are ten
15 positions listed under the financial plan savings
16 that do not have funding? Are there no plans to hire
17 for these positions?

18 JONATHAN DARCHE: I'll get back to you on that.
19 Mr. Chair, I don't have an answer for that.

20 CHAIRPERSON RICHARDS: Okay. The second major
21 headcount addition was part of the November financial
22 plan as part of the proposed Charter revisions in the
23 November ballot's, on the November ballot. Voters
24 approved five proposals for CCRB. The main budgets
25 or revision was to tie CCRB's budget to 0.65 percent

1
2 of the NYPD Uniform Budget. How many positions will
3 be added to the budget for Fiscal Year 2021 based on
4 this provision?

5 JONATHAN DARCHE: So, our current information
6 from the Office of Management and Budget is that 17
7 positions will be added. We've already taken steps
8 with our training staff and with the Investigations
9 division to make sure that when those positions
10 become available, we're ready to bring them onboard.

11 CHAIRPERSON RICHARDS: So, that will be 17
12 additional positions and is this still - it's a step
13 in the right direction, do you still believe you need
14 more staffing?

15 REVEREND FREDERICK DAVIE: Always.

16 CHAIRPERSON RICHARDS: Would you support another
17 Charter Revision?

18 REVEREND FREDERICK DAVIE: How do we even get
19 there, sure.

20 CHAIRPERSON RICHARDS: Alrighty and okay, and
21 which positions do you plan on hiring for with the
22 17?

23 JONATHAN DARCHE: So, the agency is still
24 determining what is the best mix of people to bring
25 onboard and is working with the Office of Management

1
2 and Budget to make sure that we have the funding to
3 bring on the right mix of people for those positions.
4 But clearly, we need more investigators to meet the
5 increased demands of caseload on the staff that we
6 have to investigate the cases we have.

7 CHAIRPERSON RICHARDS: Okay, let's stay on Body
8 Cameras. Again, go back to Body Cameras, so I know
9 CCRB signed an MOU to share body camera footage in a
10 shared room at CCRB's office with the NYPD. When
11 will this begin? Has it begun?

12 REVEREND FREDERICK DAVIE: It hasn't begun but
13 staff is working with the NYPD and City Hall to get
14 it underway more quickly and maybe Jon has more
15 specifics on that.

16 JONATHAN DARCHE: So, the agreement originally
17 envisioned using the 12th Floor of 100 Church Street
18 and then splitting that floor. Half would be for
19 additional CCRB personnel and then half would be an
20 NYPD facility for the secure room and additional
21 office space for that.

22 The 12th Floor we had thought would be available
23 and is not available and we've been working very
24 closely with the Department with City Hall, with
25 DCAS, with Office of Management and Budget and we've

1
2 located a temporary space to set up a secure room and
3 additional office space for the NYPD.

4 CHAIRPERSON RICHARDS: And where will that be?

5 JONATHAN DARCHE: That's going to be on the 10th
6 Floor of 100 Church which is where our offices are
7 right now and we think that PD will be in that space
8 in early May and that the secure room should be up
9 and running by June.

10 CHAIRPERSON RICHARDS: Okay, so, everything
11 running by June?

12 JONATHAN DARCHE: Correct.

13 CHAIRPERSON RICHARDS: Okay. Let's hop around to
14 the Civilian Witness Assistance unit. I know you've
15 been trying to fund this unit to help intake victims
16 of sexual misconduct by police officers. OMB was
17 able to fund one position in November financial plan
18 but didn't fully fund this unit to the five people
19 you asked for. Has there been any progress there or
20 are we still having conversations.

21 JONATHAN DARCHE: The current plan is there is a,
22 I'm going to call it an RFP but I don't think that is
23 the actual technical term. I apologize to you all
24 but to bring on the staff through a third party, to
25 work for the Director. That process, we haven't

1
2 found a vendor so far. If we are unable to find a
3 vendor, we're working with the Office of Management
4 and Budget and with City Hall to try and find another
5 solution to give us the staff to open up the civilian
6 assistance unit. I think all parties are committed
7 to having that happen.

8 CHAIRPERSON RICHARDS: And why do you need a
9 third party? I'm confused.

10 JONATHAN DARCHE: So, I think it was felt that it
11 would be beneficial to the city's fiscal situation to
12 have it done that way.

13 CHAIRPERSON RICHARDS: But they could just fully
14 fund CCRB to do this work, correct?

15 JONATHAN DARCHE: And that may end up being how
16 we go but we're working with the Office of Management
17 and Budget and City Hall to fund the positions.

18 CHAIRPERSON RICHARDS: Okay, and you anticipate
19 everyone in this unit would get FETI training?

20 JONATHAN DARCHE: So, I think that - I don't know
21 that they would need FETI training. I think we're
22 going to try and make sure that our investigators and
23 intake personnel and prosecutors have the FETI
24 training.

1

2 CHAIRPERSON RICHARDS: Okay, and they are the
3 only ones who currently get FETI training in CCRB?

4

JONATHAN DARCHE: Not the only ones, there are
5 some additional folks but generally, that's where we
6 want to focus most of the FETI training.

7

CHAIRPERSON RICHARDS: Okay, let me just go into,
8 can you tell us the difference between Phase one and
9 Phase two cases and whether you've begun
10 investigating phase two cases.

11

REVEREND FREDERICK DAVIE: I will say that the
12 Phase one investigations are well under way.

13

CHAIRPERSON RICHARDS: And can you just explain
14 what Phase one is?

15

JONATHAN DARCHE: So, when the agency was trying
16 to figure out how best to undertake the investigation
17 of sexual misconduct, we were able to divide these
18 types of allegations into two groups. The first was
19 sexual harassment, Phase One was sexual harassment
20 cases and the second was sexual assault cases, which
21 we considered Phase Two. And we felt that the Phase
22 One investigations were close enough to the work that
23 we were already doing, investigating discourtesy and
24 other types in offensive language cases that we were
25 able to start those investigations right away. And

1
2 so, we begun investigating those already. The Phase
3 Two cases, we are not investigating yet and we don't
4 anticipate investigating those until the CAU is fully
5 up and running. We've been working extremely hard as
6 an agency to make sure that when the CAU is ready to
7 go, the agency will be able to begin investigating
8 Phase Two sexual misconduct cases.

9 CHAIRPERSON RICHARDS: In 2019, there were 114
10 closed sexual misconduct allegations. Can you tell
11 us how many of those were substantiated and what type
12 of discipline do you recommend in these types of
13 sexual misconduct cases?

14 JONATHAN DARCHE: So, you asked for the number of
15 closed cases?

16 CHAIRPERSON RICHARDS: Substantiated.

17 JONATHAN DARCHE: Substantiated. So, we had 16
18 percent, 72 allegations, 16 percent, 245 allegations
19 and 168 complaints. There are 72 allegations
20 pending. Of the closed allegations, 16 percent were
21 substantiated, 6 percent were unfounded, 7 percent
22 had member of service unidentified, 20 percent
23 unsubstantiated, 49 percent truncated and 1 percent
24 were other.

25 So, 16 percent were substantiated.

1
2 CHAIRPERSON RICHARDS: And can you speak to what
3 type of discipline is recommended in the
4 substantiated cases?

5 REVEREND FREDERICK DAVIE: So, generally in our
6 discipline framework, those allegations generally
7 have, the presumption is that they would have charges
8 but there maybe reasons to not have charges in the
9 case and we would have to get back to you on the
10 breakdown of discipline for every substantiated, the
11 discipline recommended for every substantiated Phase
12 One sexual misconduct allegation.

13 CHAIRPERSON RICHARDS: Right, and then half of
14 the cases were truncated, so can you just speak a
15 little bit more to why half were truncated?

16 REVEREND FREDERICK DAVIE: That's generally when
17 we can't get the complainant or witnesses to actually
18 participate in bringing the cases to conclusion but
19 I'll let Jon talk more specifically about that, if he
20 wants.

21 JONATHAN DARCHE: I think the agency has always
22 been concerned with the truncation rate for as long
23 as I have been at the agency. One of the things
24 we're doing differently now is the Blake Fellow is
25 really working hard to get to the root causes of

1
2 truncation and what we can do better as an agency to
3 reduce truncation. And I'm hopeful that we're going
4 to get the first report from the Blake Fellow, the
5 inaugurated Blake Fellow out soon, so that we can
6 begin working on her recommendations.

7 CHAIRPERSON RICHARDS: And I assume that staffing
8 is a big challenge still in striking while the iron
9 is hot as we would say because if you let time go by,
10 you know, people are less likely to follow through.
11 And that get's me into caseloads for a second.

12 So, let me look at the caseloads, if you could
13 pull that slide up. Your time to complete
14 investigations increased in FY19 as compared to FY18
15 from 190 days to 249 days. Can you speak to the
16 reasons for the increase in case times?

17 REVEREND FREDERICK DAVIE: I'll just say, I think
18 it's probably related to access to Body Worn Camera
19 footage before anything else but obviously Jon deals
20 with this everyday and you can talk about that.

21 JONATHAN DARCHE: One of the reasons we are
22 anticipating eagerly the going live in the secure
23 room is because of how important it is for us to get
24 access in a timely manner to Body Worn Camera
25 footage. The explosion of video has really caused

1
2 delays in our case work and caused the explosion of
3 dockets.

4 CHAIRPERSON RICHARDS: And access is still a
5 challenge I'm assuming, even as you wait.

6 JONATHAN DARCHE: It will be resolved when we can
7 implement the MOU but as long as it's not
8 implemented, we have those same access issues.

9 CHAIRPERSON RICHARDS: And, let me ask you this,
10 and it still have not been as cooperative, would you
11 say the NYPD can still be more cooperative in this
12 period? And even with the new investigators, you
13 still are finding it hard to close caseloads?

14 JONATHAN DARCHE: I think, well the MOU has not
15 been fully implemented, there have been aspect of it
16 that have been implemented, such as streamlining the
17 waiver process and I think while full implementation
18 of the secure room is really necessary to get the
19 process more streamlined, I don't think it is
20 certainly at the highest levels of the Deputy
21 Commissioner of Legal Matters Office, they are
22 working hard to get us the footage we need.

23 REVEREND FREDERICK DAVIE: And I would like to
24 just give my colleagues at the NYPD some credit for
25 having worked with us to actually produce this MOU.

1
2 There's always room for improvement and there is
3 always more that we can do but this is a big step and
4 they took it with us and now we just need to be able
5 to implement it and get on with it.

6 CHAIRPERSON RICHARDS: Got it. I'm going to go
7 to Councilman Lancman. Before I do, so, I'm looking
8 at data and in the 44th Precinct, we saw 20 members
9 of the NYPD had substantiated complaints that were
10 closed in 2019 alone. Can you comment on whether you
11 see it as a problem when specific precincts have more
12 substantiated complaints than others and what steps
13 does CCRB take I think in outreach in an instance
14 where you see more substantiated cases that specific
15 precincts.

16 REVEREND FREDERICK DAVIE: So, again, preliminary
17 comments on my part. I think that one of the things
18 that we've tried to do is where we have precincts,
19 where there are high levels of substantiations, we
20 try to hold community meetings in those precincts.
21 Both in terms of our CCRB meetings and where we have
22 public testimony and we try to hear from both members
23 of NYPD as well and especially the public as to what
24 the dynamics are and interactions are between the
25 precincts and the people that live in those areas.

1
2 And that's been very helpful in helping us to
3 understand how better to relate and respond to people
4 in those communities.

5 Also, the community outreach team works with
6 community based organizations in precincts where
7 there are higher incidents of substantiations. So,
8 those are two things that we're doing and obviously
9 conversations with the NYPD about what we're seeing
10 and why and the sharing that that information back
11 and forth helps to address that some to but I'll turn
12 it over to Jon.

13 JONATHAN DARCHE: We've improved our information
14 sharing with the Department a great deal. We now
15 give them monthly reports on new complaints that are
16 coming in by the individual member of service and
17 what command and assignment they have, so that they
18 are better able to track what's going on. But I
19 think as to what the Department is doing to address
20 if there any other larger issues is something that
21 you would really have to talk to them about rather
22 than us.

23 CHAIRPERSON RICHARDS: Thank you. Council Member
24 Lancman.

1
2 COUNCIL MEMBER LANCMAN: Thank you. Forgive me
3 if some of these were asked already, they weren't
4 asked by me. I want to understand the process in the
5 staffing that's necessary for the CCRB's new
6 jurisdiction to include false official statements
7 made to the CCRB. When does that take effect,
8 immediately, January 1st?

9 JONATHAN DARCHE: So, I think it's either March
10 31st or April 1st it will go into effect. Because the
11 CCRB has been studying false official statements and
12 then referring them to the Department for them to
13 determine whether misconduct occurred for many years
14 now and we have been - our investigators are trained
15 to make those determinations. It was more of a
16 process related change into how are you going to and
17 we had to update our computer systems and make sure
18 people knew which dropdowns to do but we were ready
19 for the Go Live and there wasn't much that we had to
20 do to train people differently than they were already
21 getting trained.

22 COUNCIL MEMBER LANCMAN: Got it, that's good to
23 hear. Have you and do you need to engage in any kind
24 of a dialogue with the NYPD to set up any kind of
25 mechanism, so you are handling this instead of them

1
2 or again, it's just everything's already been in
3 place, it's a matter of now you can file those
4 charges or whatever that next step is?

5 JONATHAN DARCHE: Hopefully, it should be smooth.
6 I don't anticipate issues.

7 COUNCIL MEMBER LANCMAN: Okay, good. The issue
8 of the CCRB's headcount being linked to the NYPD's
9 uniform officer headcount, I'm sure it's in here but
10 how many more people does that mean coming to work
11 for the CCRB?

12 REVEREND FREDERICK DAVIE: Seventeen is what
13 we've talked about but that's complicated.

14 JONATHAN DARCHE: So, we originally thought there
15 was going to be 24 people but we have some peridium
16 personnel at the agency. We're not on our official
17 headcount, and so the Office of Management and Budget
18 counted them and subtracted them from the 24 to get
19 to the 17.

20 COUNCIL MEMBER LANCMAN: And that's what you are
21 getting?

22 JONATHAN DARCHE: So, we're still in negotiation
23 with them. I'm hopeful that maybe we could get one
24 or two more bodies.

1
2 COUNCIL MEMBER LANCMAN: Okay, because my
3 recollection is the Mayor supported these Charter
4 Reforms.

5 REVEREND FREDERICK DAVIE: Yes, more or less.

6 COUNCIL MEMBER LANCMAN: Lastly, I want to ask
7 about the Civilian Assistance unit. So, it's not up
8 and running yet?

9 REVEREND FREDERICK DAVIE: Correct, we have the
10 director but we don't have the staff yet.

11 COUNCIL MEMBER LANCMAN: Got it, and it may or
12 may not be staffed by an outside organization?

13 REVEREND FREDERICK DAVIE: Correct.

14 COUNCIL MEMBER LANCMAN: And it's contemplated
15 that it's much more than just like a pro se office
16 for the CCRB. It's not just helping the litigants.
17 It's not just helping a complainant fill out a
18 complaint form, right it's trying to get them service
19 etc...

20 REVEREND FREDERICK DAVIE: Correct.

21 COUNCIL MEMBER LANCMAN: Alright, well, for what
22 it's worth, I don't have a firm opinion one way or
23 the other whether it should be something that's done
24 in house or contracted out, but certainly there are a
25 lot of nonprofit organizations that have a tremendous

1
2 amount of experience serving people who are victims
3 of sadly any number of kinds of categories of
4 offenses, whether it's domestic violence or sexual
5 assault. You name it and so, it will be interesting
6 to see how you work through that. Do you have a
7 preference?

8 REVEREND FREDERICK DAVIE: My preference is to
9 have it up and running as soon as possible. So,
10 whatever can get the program up and running quickest
11 is what I'm in favor of. And I think one of the ways
12 it's going to really help is so many people who feel
13 victimized by the criminal justice system have other
14 issues, other traumas that are effecting them other
15 than just having interactions with the NYPD. They
16 may have housing issues; they may have mental health
17 issues. There are all sorts of things that people
18 come to our agency where they're bringing problems
19 with them or issues with them that have nothing to do
20 with their interaction with the NYPD. And we're
21 hopeful that Civilian Assistance unit will be able to
22 get them the services they need in a way that will
23 help us get the CCRB complete our investigations but
24 also help them as human beings be better people.

1
2 COUNCIL MEMBER LANCMAN: I would think if they
3 have a housing issue or they have an immigration
4 status issue and they drop off the radar screen to
5 deal with those problems or as a result of those
6 problems, it's probably hard to get them to come and
7 testify and do all the things you need to do to
8 complete your investigation. So, for what it's
9 worth, I wholeheartedly support this effort.

10 That's all I have, thank you.

11 REVEREND FREDERICK DAVIE: Thank you.

12 CHAIRPERSON RICHARDS: Well, thank you all for
13 coming in.

14 PANEL: Thank you.

15 CHAIRPERSON RICHARDS: Thank you for the work you
16 are doing. Great work last year, let's keep building
17 on it.

18 PANEL: Thank you.

19 CHAIRPERSON RICHARDS: Mayor, give them more
20 staffing. Alrighty, we're going to call Shane
21 Correia Center for Court Innovation, Emily Marie
22 Ramos JustLeadership East Harlem Preservation Green
23 Workers and who represents all five boroughs and now
24 Workers Co-op Academy, Ashley Sawyer Girls for Gender
25 Equity, Ralph Palladino First Vice President Local

1
2 1549, Jon McFarlane Vocal New York and CPR, wearing a
3 lot of hats and Brandon Holmes JustLeadershipUSA.

4 Okay, I'm going to call you again, Jon McFarlane
5 Vocal New York CPR, Ralph Palladino First VP Local
6 1549, missed you Monday.

7 RALPH PALLADINO: Second, thanks for the
8 promotion.

9 CHAIRPERSON RICHARDS: Ashley Sawyer Girls for
10 Gender Equity, Emily Marie Ramos JustLeadership,
11 Shane Correia Center for Court Innovation, Brandon
12 Holmes JustLeadership.

13 Your really going to read all of this. It's
14 longer than the Police Commissioner's.

15 UNIDENTIFIED: No.

16 CHAIRPERSON RICHARDS: Okay.

17 UNIDENTIFIED: That's for staff homework.
18 Documentation like we aggrievances. That's why we
19 win them. Not this case.

20 CHAIRPERSON RICHARDS: Alright, we're going to
21 start with the ladies first. So, you state your name
22 for the record. Okay, perfect. We're still going to
23 start with the ladies. So, we'll start from here.
24 State your name for the record, who you're
25 representing and then you may begin.

1

2

UNIDENTIFIED: Hi, my name is -

3

CHAIRPERSON RICHARDS: Press your button.

4

5

EMILY MARIE RAMOS: Hi, my name is Emily Marie

6

Ramos, I am an **[INAUDIBLE 4:57:58]** who was born and raised in New York City. I grew up in the lower east

7

side in Lillian Wald houses in New York Public

8

Housing and was raised in East Harlem in East River

9

houses.

10

I'm here representing **[INAUDIBLE 4:58:20]** which

11

is a woman in fame of color marijuana cooperative.

12

NYC NOWC which is New York City Network of Worker

13

Cooperative which is a trade association for Workers

14

Cooperatives in New York City. Green Worker

15

Cooperative which is a business incubator program out

16

of the South Bronx. East Harlem Preservation which

17

is a nonprofit fighting gentrification in East Harlem

18

and JustLeadershipUSA, which is launching a campaign

19

to stop the investment in prisons and the criminal

20

justice system and Close Riker Island and invest in

21

communities.

22

I come to this work as someone who has been

23

personally harmed by the Criminal Justice system in

24

New York. I don't say a judicial system because I'm

25

defining the system by how it functions and it does

1
2 not work to reduce crime. It creates the perfect
3 conditions, the breeding grounds for criminal
4 activity.

5 We want to focus on tackling issues at the root
6 of the problem, which most of the time is poverty.
7 As we saw from the police presenting earlier, there
8 are increases in crime. 17 percent increase in index
9 crimes, increase in murders. So, this system is
10 clearly not sustainable. We should be measuring the
11 success of this system, not by its expansion and
12 growing of prisons, convictions and crime because
13 clearly that means that someone is not doing their
14 job. We should be measuring the success of these
15 systems by the reduction of prisons, by the reduction
16 of prisoners, by the reduction of crime, by the
17 reduction of convictions.

18 And the way that we could do that is not by
19 expanding criminal services and the criminal justice
20 system and policing, it's by investing in communities
21 and tackling problems at the root of them, which
22 often result from poverty.

23 So, that's investing in education, investing in
24 healthcare, investing in career training, investing
25 in affordable housing, investing in business

1
2 incubator programs. Initiatives like the Worker
3 Cooperative Business Development Initiative in New
4 York City.

5 Support entrepreneurs because they are good for
6 the community. They are part of the community; they
7 spend their dollars in the community which stimulates
8 local economy and they often give back to the
9 community. I am a worker owners and do a lot of
10 advocacy and organizing within New York City. We
11 host educational forums throughout New York City to
12 educate people on where the legislation, the
13 Marijuana Regulation and Taxation Act is in New York,
14 how it effects our community, how they can be
15 effected in legalization whether they will be
16 prioritized and licensed. How the tax revenue will
17 be reinvested in our community. How the harms will
18 be repaired for people who have been harmed by
19 prohibition. Reentry services for people who are
20 coming out of prison.

21 My father was someone who was arrested for
22 marijuana in 1993 when my mother was pregnant with
23 me. He was arrested from Baruch Houses in the Lower
24 east side. My grandparents apartment was raided,
25 guns were put in my grandmothers face and my dad

1
2 spent 12 years in prison because of a marijuana
3 conviction while people in other states right now,
4 are making billions of dollars on the marijuana
5 industry. While Governor Cuomo and the New York
6 State Senate and House are saying that it's
7 inevitable that we're going to legalize marijuana in
8 New York. We just want to make sure we get it right.

9 My dad is still living with my grandparents, not
10 able to get into affordable housing. He's barred
11 from entering NYCHA because of the laws. He was
12 barred from accessing funding for higher education,
13 so he couldn't get a college degree. He was barred
14 from traditional employment. He had to start his own
15 business and he is still struggling.

16 So, even though I am 26 years old now, 26 years
17 later, I'll be 27 this year, my dad is still trying
18 to rebuild his life after the harm of marijuana
19 prohibition.

20 This criminal justice system is not working.
21 Most of the people in prison right now are for
22 marijuana and drug related crimes. We decriminalized
23 marijuana in New York in 1977. Since then, over a
24 million people have been arrested for marijuana
25

1
2 related crimes and most people in New York City and
3 of those, 86 percent were Black and Brown people.

4 When are we going to stop this system that is
5 attacking our people and when are we going to be
6 investing in resources and community services that
7 actually support and build our community? That
8 actually give people in our community a future that
9 allows us to create intergenerational wealth. We
10 can't pass down a job. You can't pass down an
11 apartment especially if you live in NYCHA because of
12 remaining family member and succession rates.

13 But you can pass down a home, you can pass down
14 land, you can pass down a business. You can pass
15 down any type of cooperative whether it's a producer
16 cooperative, if you are growing your own food. A
17 consumer cooperative and you have your own grocery
18 market.

19 There is all these different types of ownership
20 that we should be investing in in our community, so
21 that our community is able to support and sustain
22 itself. Because the criminal justice system is not
23 sustainable. And this is not something new.

24 CHAIRPERSON RICHARDS: I'm going to ask you to
25 wrap up.

1

2

EMILY MARIE RAMOS: I'm sorry, really quick.

3

CHAIRPERSON RICHARDS: No problem.

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

EMILY MARIE RAMOS: Angela Davis's work on prison abolition, her book, *Are Prisons Obsolete*, violence against women and the ongoing challenge to racism, abolition democracy beyond empire prisons and tortures, the meaning of freedom. Michele Alexander's *The New Jim Crow*, Ava Duvernay's 13th her documentary on Netflix. George Lipsitz's *The Possessive Investment in Whiteness*. Paula E. Wanebo's *The Emotional Politics of Whiteness*, how feelings trump fact in the age of colorblindness. Kimberle Crenshaw's *Say Her Name*, resisting police brutality against Black Women. Khalil Gibran Muhammed from the Schomburg Center in New York wrote a book called *Condemnation of Blackness*.

DPA's report *Unjust and Unconstitutional* which talks about racist policing and how people of color and communities that are predominantly people of color, especially in NYCHA developments have been targeted by policing and Scott Stringer report, addressing the harms of prohibition. What New York City can do to support an equitable cannabis industry are all literature that we have at our disposal.

1
2 That can be resources that we can use to understand
3 how this criminal justice system is another form of
4 slavery and how it is attacking and harming and
5 devastating people of color, especially poor
6 communities and how we should move from the
7 investment in the criminal justice system.

8 CHAIRPERSON RICHARDS: Thank you.

9 EMILY MARIE RAMOS: Close Rikers and invest in
10 our communities. Thank you.

11 CHAIRPERSON RICHARDS: Thank you and your dad
12 should be proud of you and I want that list by the
13 way, so I'm going to give you my email. I did read
14 the **[INAUDIBLE 5:07:08]**. I think identified that but
15 thank you. Yes sir, you may begin.

16 SHANE CORREIA: Good afternoon Chair Richards.
17 My name is Shane Correia, I am the Deputy Director of
18 Strategic Partnerships at the Center for Court
19 Innovation and thank you for allowing me to speak
20 today.

21 I'm here to request the City Council's renewal
22 support for the expansion work that we were granted
23 last year but as our work expanded, so did the use of
24 diversion programming in the state of New York,
25

1
2 thanks to both closing Rikers, as well as to various
3 reforms in the criminal justice system.

4 For that, I'm here to talk a little bit about
5 that needs that have created in terms of expansion
6 and continuing to provide a high level of service
7 within the communities we serve. And finally,
8 because we are the Center for Court Innovation, I'm
9 also here to talk about new programming ideas that we
10 have regarding addressing more intensive issues such
11 as mental health support for frequent repeat
12 offenders and addressing gender based violence.

13 Regarding renewal, our City Council funded work,
14 we request continued renewals for our core funding
15 that we received from the Citywide Speaker request
16 Project Reset which operates citywide, Driver
17 Accountability Program, as well as our Brooklyn
18 Felony Alternatives to Incarceration program.

19 The last two of which began implementation last
20 year and we're excited to see the initial results.
21 Regarding Project reset, which is a low level
22 misdemeanor diversion program, that works to ensure
23 that individuals never have to go to court to
24 experience the collateral consequences that were
25 actually just referenced. We've noticed that because

1
2 of the new criminal justice reforms, the capacity
3 that we were funded for was supposed to serve 13,000
4 individual, but thanks to the new reforms and
5 prosecutorial welcoming of the program, we're
6 expecting over 19,000 individuals within the first
7 year.

8 In addition to that, because there is such a
9 severe distrust of the NYPD within these communities,
10 we've noticed that certain individuals do not give
11 their information and so, they show up to court in
12 time for their court date, however, they do not get
13 to benefit from a pre-arraignment adjudication
14 because of that distrust. We would like to pilot
15 reset at arraignment, so that they are not excluded
16 from this opportunity to avoid the collateral
17 consequences of their arrest.

18 Additionally, we would also like to pilot a
19 mental health court targeting individuals with over
20 30 convictions and/or three arrests within a year, so
21 that they can receive consistent mental health
22 support within the traditional system. They are
23 cycling in and out and we would like to get them
24 consistent care with one judge and one team.
25

1
2 Regarding Staten Island, we would like to take
3 the models that have been successful in Manhattan,
4 Brooklyn and the Bronx and give our Staten Island
5 judges a centralized opportunity to give their
6 clients, or rather the defendants within their
7 communities consistent access to alternatives to
8 incarceration.

9 Additionally, melding that provision of
10 centralized court support, with the Far Rockaway and
11 Brownsville model, so that they are actually served
12 within their community but what they do within that
13 community counts as part of their fulfillment of
14 their mandate.

15 Regarding gender based justice and I see I have
16 15 seconds left, so I will speak very quickly.
17 Regarding gender based justice, we would like to
18 expand the work that we've been doing in our cure
19 violence sites and focus on IPV crime similar to the
20 way that gun violence is targeted. Where there is
21 high crime, we would like to get those specific
22 resources to the community.

23 And in wrapping up, there is still one jail in
24 Manhattan that has not closed down and that's within
25 our midtown community court where we have a capital

1
2 request to shut down the last three holding cells
3 that we frankly have no use for because of the
4 criminal justice reforms.

5 So, we've submitted that as a request, so that we
6 can utilize that space for community programming.

7 So, that is essentially an overview of the asks that
8 we have which have been informed by the 26 program
9 directors that I work with who operate throughout New
10 York City serving in the communities and over 77,000
11 individuals a year and we see that number continuing
12 to burgeon as the city continues to invest in
13 diversion.

14 So, thank you for this opportunity.

15 CHAIRPERSON RICHARDS: Thank you. Alright, Mr.
16 Palladino.

17 RALPH PALLADINO: Ralph Palladino, Local 1549 DC
18 37. I'm here to talk about the 911 system in terms
19 of staffing and also civilianization.

20 On civilianization, I mean, I'm sorry, on the 911
21 staffing first. There are now 50 fewer PCTSPCT's
22 than there were as of February 1st. The amount of
23 overtime that is paid by the NYPD for the 911
24 personnel is 10 percent of their salary. If you hire
25 more PCT's, you can reduce and eliminate the overtime

1
2 and hire 120 new PCT's without having to do the
3 overtime. It's pure math.

4 More people are needed thanks to the texting and
5 other things that you know about already. On the 911
6 surcharge, while they maybe getting some money in
7 this city for it, there's \$186 million still sitting
8 in the state, which could be asked for by the NYPD if
9 they listen to us and work with us and the city. The
10 City Hall has to ask for that money and we can get
11 things like buses to and from the PSAC center.

12 For safety reasons that I know you were helping
13 us with. And also, we can get a childcare center
14 that Mike Bloomberg closed down for the NYPD
15 employees. In terms of civilianization, crime in
16 nearly all categories is going up according to a
17 story in the New York Post.

18 If this is the case, than why does the city and
19 the NYPD allow 500, we say 500, abled bodied uniform
20 officers to sit at desks performing routine clerical
21 duties rather than be on the street keeping the
22 public safe. This violation of three arbitrators
23 decisions cost the city \$30 million a year, that's
24 \$180 million under the present Administration if you
25 go six years.

1
2 Why does the city and the NYPD continue to waste
3 tax dollars in such a way? The NYPD should
4 civilianize immediately. Police officers, traffic
5 enforcement agents and school safety agents
6 performing routine clerical duties at the desks.
7 They are filing, they are greeting people coming into
8 the precinct, you can see it in every precinct.
9 Okay, and the current Administration is wasting
10 money, \$180 million as I said before.

11 They say that there is 368 positions that could
12 be civilianized, we say 500 and it's Police
13 Administrative Aids. They have done some
14 civilianization but not of that title. The Police
15 Civilianization Aids are the ones that filed the
16 grievance and won it and they are being disrespected
17 as this Local is and all the people sitting on civil
18 service lists waiting to come off that list that need
19 jobs in this city.

20 The Mayor had promised us in 2017 and it hasn't
21 happened yet. The City Comptroller has said he would
22 do an audit two years ago, it hasn't happened yet.
23 What is going on in this city that people can waste
24 money like that? It's absurd to have - last year,
25 the City Council put in for 100 positions, the NYPD

1
2 told the Council that we couldn't do it because we
3 had a cut in the clerical area. Why do they have the
4 police officers sitting there doing that work if
5 there's a cut, if the work isn't needed? If it's
6 automation, why are they still at the desks? Good
7 question, it begs an answer.

8 Thank you very much and thank you for all you do.
9 We know you've been helping us, I heard you earlier
10 in the day as well. Thank you.

11 CHAIRPERSON RICHARDS: Thank you. It's called
12 overtime.

13 RALPH PALLADINO: I'm sorry.

14 ASHLEY SAWYER: Thank you. Good evening Chair
15 Richards and Committee Members. So, I won't read to
16 you the testimony that you already have before you,
17 I'll just highlight the high level points.

18 My name is Ashley Sawyer and I am the Director of
19 Policy at Girls for Gender Equity. We've been
20 serving the youth of New York City for close to 18
21 years now and our commitment is to removing systemic
22 barriers that prevent girls including cisgender and
23 transgender girls and non-binary youth of color from
24 living self-determined lives. I want to hone in on
25 two key points. The first point is the importance of

1
2 reducing the contact young people of color have with
3 the New York City Police Department including the
4 school safety division and putting a halt to the
5 proposed, I won't even say proposed. The Youth
6 Coordination plan that seems to be rolling out quite
7 quickly and second, the alarming growth in the city
8 spending on criminalization of girls of color.

9 I want to note the second page of the testimony
10 that you have before you includes a graph and chart
11 and you'll see that the cost of the school safety
12 division this year will be the most expensive that it
13 has ever been totaling at \$451 million and that kind
14 of growth cannot go unchecked. We have to recognize
15 the ways in which the growth of school policing has
16 been harmful particularly for girls of color.

17 You'll see in the data that I shared with you
18 that Black girls experience extremely
19 disproportionate rates of interactions with school
20 police in New York City. And the same racial
21 disproportionality that we see with Stop and Frisk
22 and police interactions on the street. We see that
23 same racial disproportionality in our schools.

24 The most important thing is that again and again
25 advocates have said educator students have said that

1
2 they do not need more policing, more police
3 interaction in order for them to feel safe. They
4 want investments in the ample staff, non-law
5 enforcement staff to support them for their
6 educational needs, their mental health, their
7 emotional needs and they want resourcing for their
8 schools.

9 So, the new youth coordination plan that the NYPD
10 has been bragging about is quite alarming in that it
11 proposes to bring more young people into the system.
12 More young people into arrests instead of moving away
13 from young people having to have any interaction with
14 the school safety division, and we want to make sure
15 that this body is doing everything it can to slow
16 down and hopefully put a stop to this program.

17 I've testified before this body before. When I
18 was an attorney representing kids in this city who
19 have had contact with the system when I was in
20 Queens, I had to watch surveillance video of one of
21 my clients being dragged by five school safety
22 agents. A young queer girl, she was tackled to the
23 ground because she cursed at a teacher at a Queens
24 High School and the situation escalated because there
25 were police present and that would not have happened,

1
2 I believe, had not police been involved in normal
3 adolescent discipline.

4 I'll wrap really quickly by noting that of the
5 data that we shared with you, GGE found that Black
6 girls represented 57 percent of all school safety
7 division and interventions that involve girls but
8 Black girls are only 25 percent of the population in
9 New York City schools.

10 We recognize that the MOU that went into effect
11 this year has not reduced the level of interventions.
12 In addition, I want to make sure GGR history is doing
13 the work of preventing sexual violence as it impacts
14 girls of color. Where the institutional home of the
15 Me Too Movement, we heard with the CCRB testified and
16 we want to make sure that you all are aware about the
17 extremely high rate of sexual misconduct of school
18 safety division.

19 One of our young people testified here last year
20 about feeling uncomfortable because of the sexual
21 harassment that she and her colleagues, her other
22 classmates experienced at the hands of school safety
23 officers. Whether it was inappropriate gestures,
24 flirting, leering, all of that behavior has to be
25 addressed and we believe that young people should not

1
2 have to interact with police as they are going
3 through their normal maturation.

4 Finally, I want to make sure you take a look at
5 the most recent data that I shared with you about the
6 extreme increase in the funding that's going to the
7 school safety division and that's not being allocated
8 towards the resources that students and families have
9 been begging for.

10 Thank you for your time and I appreciate your
11 consideration.

12 CHAIRPERSON RICHARDS: Thank you so much for your
13 testimony.

14 Good evening Chair Richards. Thanks for the
15 opportunity to testify today. My name is Brandon
16 Holmes, New York City Campaign Coordinator with
17 JustLeadershipUSA, leading the Close Rikers Campaign.

18 Today, I want to highlight some of the
19 opportunities that are right in front of New York
20 City's eyes that we are not currently taking. To
21 immediately invest in the types of community
22 resources that can create true safety by
23 strengthening and stabilizing our communities.

24 Council Member Richards, I know you as a Black
25 man raising a family in New York City, you understand

1
2 the narrative, the legacy that has been plaguing our
3 communities for generations. Me as someone who went
4 to PAL the Police Athletic League camp out in Cambria
5 Heights and Springfield, I also know the neighborhood
6 that you have grown up in or have represented. But
7 today, I want to focus on identifying other
8 opportunities in other agencies that are overfunded
9 and overstaffed. One of them being the Department of
10 Corrections. And we spoke a lot about and you know,
11 you all questioned a lot the NYPD, but the Department
12 of Corrections currently operating with over just
13 about 9,000 uniform corrections officers with less
14 than 5,500 people in their custody. This is almost a
15 two to one ratio of an agency that's operating with
16 essentially a \$2.5 billion budget.

17 The Lippman Commission has reported that we could
18 save over \$1 billion just this year alone from the
19 impact that reducing mass incarceration in New York
20 City has had. So, that's one pool of money right
21 that we shouldn't be questioning where is this money
22 coming from right. We know that New York City is in
23 a deficit, that there are cuts from the state that we
24 are facing. There is no question of where this money
25 is coming from. As crime last year was reported in

1
2 all time low, we've seen that over the past six,
3 seven years. These budgets have continued to
4 increase with the NYPD and with the DOC and now in
5 the face of this plan to get us below where our
6 current jail population is, we have a real
7 opportunity to talk about how we divest that money
8 from these law enforcement agencies, this year and
9 next year.

10 This isn't something that's going to happen in
11 one budget cycle, which we're very clear about but
12 this is a massive opportunity for Council Members and
13 Committee Members to be using the cover of the
14 closure of Rikers Island and the goal of closure by
15 2026 to begin setting New York City's Budget on a
16 path over the next several years to divest from those
17 systems from punitive responses to crisis in our
18 communities and invest in proven alternatives and
19 solutions.

20 And you know, many of the folks here who are
21 engaged in service provision spoke very well today
22 and I want to uplift everything that they said. And
23 I also want to name a couple of the things that are
24 from our Build Communities 2.0 platform. This is a
25 platform that identifies, there's \$14 billion spread

1
2 across New York City Law Enforcement agencies and
3 different solutions and alternatives to investing
4 that money directly in community resources and
5 programs that are not punitive or justice system
6 responses.

7 So, one is, creating paid opportunities for
8 community members to learn and apply skills related
9 to social and emotional support and civic engagement
10 such as conflict, de-escalation techniques for
11 themselves, their families and neighbors. If there
12 was that much effort put into training in our
13 community members, as there is to retraining DOC
14 several times over the past few years or retraining
15 police officers to adopt new neighborhood policing
16 models, we could actually address and confront
17 violence in our communities before it got to the
18 point of reporting crimes.

19 Another thing I want to talk about is expanding
20 funding for violent interruption programming to
21 include civic engagement, mobilization and political
22 education and the creation of youth public health
23 workers. Each site, each violence interruption site
24 that currently exists should receive at least \$1.5
25 million for services not including the cost of their

1
2 space and to be trusted and effective in their
3 communities. These programs must have no affiliation
4 with the police. Right, in order for them to really
5 be the credible messengers that we seek and we need
6 to confront violence or harm in our communities,
7 before incarceration and before people are trapped in
8 the justice system. We need to make sure that we are
9 doing the best to invest in these community programs
10 outside of police oversight.

11 So, I will stop there and submit this to the
12 record. Thank you.

13 CHAIRPERSON RICHARDS: Thank you all for your
14 testimony. Thank you.

15 Alrighty, last panel. Jorge Artelejo, I think I
16 messed that up, I chopped that up. Towaki Komatsu,
17 Darlene Jackson Bronx Community Board 9 Close Rikers
18 Campaign. Okay, Darlene, right? Okay, perfect.

19 You may begin sir.

20 JORGE ARTELEJO: Can you hear me? Good. I come
21 to New York City from the American southwest in the
22 city to the proceedings that proceeded here and that
23 the other spoken that it seems that New York is true
24 blue and in that case, that it is that it's necessary
25 in those instances in which there are concerns that

1
2 the public necessarily might have with regards to the
3 method by which that trueness in the blue is
4 enforced. It should be in fact addressed adequately
5 and unfortunately for the city; they have avenues by
6 which complaints can be addressed. But the problem,
7 it seems to be that individuals who have complaints
8 for whatever reason, legitimate reasons that they
9 might have for not proceeding with their complaints,
10 they choose not to complain. And if they are not
11 choosing to complain then the complaint continues to
12 exist. And if it's an extinct complaint than the
13 problem continues to exist and manifest itself and I
14 hope that the City of New York undertakes efforts by
15 which it can address those instances in which
16 individuals are having difficulty complaining
17 legitimately for those concerns to in fact alleviate
18 those concerns, so that those complaints that those
19 individuals have are brought out and addressed, so
20 that New York can function in the light that New York
21 exists and in fact functions. The true blueness of
22 the City.

23 Thank you.

24 CHAIRPERSON RICHARDS: Thank you so much for your
25 testimony.

1
2 TOWAKI KOMATSU: My name is Towaki Komatsu. We
3 had a conversation prior to the start of today's
4 hearing. I sent you an email last week asking if I
5 could present video in conjunction with today's
6 testimony. There has been no preparations made
7 whatsoever to have that done. There's no laptop on
8 the table that would allow me to present that video
9 recording for the benefit of the audience.

10 So, this hearing is about a budget hearing for
11 the NYPD. I previously talked to you about the fact
12 I was facing a frivolous criminal prosecution. I
13 prevailed in that prosecution without your
14 assistance. In January of this year, four months
15 after I met that a-hole he stopped an Uber car,
16 didn't turn on his body camera video and he is still
17 a part of the NYPD. The Mayor's head of security,
18 Howard Redmond, he had a federal court hearing
19 earlier this week in a lawsuit filed by a members own
20 team in a racial discrimination case.

21 So, the question is, in terms of budget, why in
22 the hell should taxpayers foot the bill for the NYPD
23 when they are violating the civil rights of military
24 veterans sitting in front of you. They are violating
25

1
2 the civil rights of members of the Mayor's NYPD
3 security detail and there is no oversight.

4 As a corollary, earlier today there were a bunch
5 of other Council Members sitting to you left, your
6 right, where in the hell are they? We have a due
7 process right to be heard in this public hearing.
8 So, where is the hearing by Rory Lancman, where is
9 the hearing by Venessa Gibson?

10 Also, to close out, as I apprise you previously,
11 I have a federal lawsuit against the city. Judge
12 Gabriel Gorenstein, he issued an order on March 2nd,
13 asked me in essence, what additional claims do I want
14 to assert in my lawsuit against the city?

15 So, I testified to you on November 18th, I asked
16 you if arrangements could be made to have video
17 presented for the benefit of the audience. Three
18 days after that hearing, the video from that hearing
19 wasn't available online in accordance with New York
20 City Charter 1063. So, with regards to answering
21 that question by Judge Gorenstein, what additional
22 claims I seek to assert, I hope you enjoy being a
23 defendant in that lawsuit.

24 Thank you.
25

1
2 CHAIRPERSON RICHARDS: Thank you for your
3 testimony. You may begin.

4 DARLENE JACKSON: Okay, my name is Darlene
5 Jackson and I'm a member in support of the Close
6 Rikers and Build Communities Campaign.

7 As the city begins the closure of Rikers Island
8 and shift into safer, smaller and humane borough
9 based facilities to reach New York City's
10 decarceration goals and a restorative approach. The
11 culture of systemic violence as a result of poverty
12 in this city needs to begin to shift and be treated
13 as a public health crisis and not continue as a
14 punitive system.

15 We need our elected officials and City Council to
16 be bold and have the political courage to do the
17 right thing and divest from the NYPD's \$5 billion
18 budget and invest in communities of color impacted by
19 mass incarceration and drastically eliminate the
20 number of arrests through preventative services. And
21 we can do that by creating a just transition to union
22 jobs that meets the needs of NYC.

23 Ending our city's culture of violence, begins
24 with addressing the historic disinvestment of
25 resources in our communities that fills our criminal

1
2 justice system because of poverty, the worse form of
3 violence.

4 The City for far too long has relied on our jails
5 to warehouse people experiencing homelessness, mental
6 illness, substance use, and untreated trauma. These
7 issues are intensified by placing the responsibility
8 on law enforcement, an agency that is not equipped to
9 deal with our public health crisis and its root
10 causes and are simply trained to ensure safety and
11 security. They are not properly trained in trauma
12 informed care that can support their own wellbeing as
13 well.

14 We have an opportunity now to reimagine what
15 Public Safety truly means in New York City with a
16 restorative justice lens that would allow everyone to
17 live in dignity with their basic necessities met
18 regardless of race, class and due process.

19 I urge the City Council to invest in the
20 community resources laid out by the Build Communities
21 platform, divest in law enforcement and invest in
22 resources that would better serve public safety and
23 health such as school counselors, crisis intervention
24 teams, crisis respite centers, affordable housing and
25 affordable healthcare.

1
2 It is time to move away from living in a punitive
3 state and truly create a pathway for New Yorkers to
4 thrive.

5 Thank you.

6 CHAIRPERSON RICHARDS: Thank you all for your
7 testimony. This concludes the FY21 Preliminary
8 Budget hearing. I look forward to continue to work
9 with all parties and I certainly agree with a lot of
10 your testimony. We have a lot of work to do to make
11 sure we are investing in communities and not just law
12 enforcement because community based solutions
13 actually will drive down crime.

14 So, with that being said, more work to be done.
15 Thank you everyone for coming out. This hearing is
16 now closed. [GAVEL]

17

18

19

20

21

22

23

24

25

C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date April 1, 2018