

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON OVERSIGHT AND INVESTIGATION

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August 22 2017
Start: 10:46 a.m.
Recess: 10:56 a.m.

HELD AT: 250 Broadway - Committee Rm.
14th Fl.

B E F O R E: VINCENT J. GENTILE
Chairperson

COUNCIL MEMBERS: Daniel Dromm
Costa G. Constantinides
Chaim M. Deutsch
Rory I. Lancman
Helen K. Rosenthal
Bill Perkins

A P P E A R A N C E S (CONTINUED)

2 [sound check, pause] [gavel]

3 CHAIRPERSON GENTILE: Good morning. I am
4 Council Member Vincent Gentile Chair of the Committee
5 on Oversight and Investigations. We welcome you all
6 today. We are joined by committee members and Council
7 Members Pill Perkins from Manhattan, from Queens
8 Daniel Dromm and Rory Lancman, and the sponsor of
9 119-B Jumaane, Council Member Jumaane Williams. I
10 welcome you all to the committee this morning. We
11 are here today to vote on Proposed Intro 119-D,
12 sponsored by Council Member Williams, a bill that has
13 already been heard twice by this committee. First in
14 May of 2014 and again in June of 2015. The reality
15 is that lawsuits against the Police Department have
16 dramatically increased over the past decade.
17 According to a report by the Comptroller, the City
18 paid out over \$216 million in Fiscal Year 14 to
19 resolve claims involving the Police department. The
20 existing practice in place is costing the city
21 financially in part due to the lack of cross-checking
22 and comprehensive analysis by departments of multiple
23 data across many agencies and administrative units.
24 Currently, the Law Department, the Comptroller, the
25 Police Department, the Civilian Complaint Review

2 Board and the Commission to Combat Police Corruption
3 all collect information on police misconduct through
4 complaints in litigation claims. However, there is
5 limited coordination and analysis on how to use this
6 information to improve police practices and ideally
7 reduce costs to the city. This bill does not make
8 information about individual police officers newly
9 available. The reporting by the Law Department that
10 this bill requires compiles—compiles information that
11 is already public. The bill would require the
12 Inspector General for NYPD in consultation with the
13 Law Department, Police Department, Comptroller, CCRB
14 and CCPC to review the information on police
15 misconduct and develop recommendations to the
16 disciplining or training or monitoring of police
17 officers. To facilitate this review, the Law
18 Department would be required to publish information
19 on civil actions every six months. This in essence is
20 a reporting bill, and has no negative intent.
21 Instead, by establishing the collaborative and
22 transparent system with appropriate timelines to
23 review information, Intro 119-B seeks the spot ways
24 in which the Police Department can fine tune their
25 policies to help police officers possibly with better

2 and more relevant training. The bottom line of this
3 proposed modus operandi is would be to use this
4 formalized cooperation to evaluate the data already
5 collected in order to improve police practices and
6 to identify patterns to assist in the early
7 intervention benefitting the department, civilians
8 and New York City taxpayers. So, with that, I'd like
9 to hand it off to Council Member Williams for his
10 opening statement. So, thank you. Council Member
11 Williams.

12 COUNCIL MEMBER WILLIAMS: Thank you, Mr.
13 Chair. Intro 119 was introduced February 26, 2014.
14 As was mentioned, we had two hearings on this. We
15 are now up to 119-D as in David. The bill will
16 require an Inspector General for the Police
17 Department in consultation with the Law Department
18 (coughs) the Police Department, the Comptroller and
19 Civilian Complaint Review Board, and the Commission
20 to Combat Police Corruption to review information on
21 police misconduct, and develop recommendations
22 related to the disciplining, training and monitoring
23 of police officers. To facilitate this review, the
24 Law Department will be required to publish
25 information on civil actions every six months. In

1 addition the Police Department will be required to
2 stay terminations by judges that note that testimony
3 at trial is not credible, and report on the value of
4 such terminations in reducing the police misconduct.
5 How long --(coughs) I'm sorry. Lastly, the process
6 has been valuable, and very long, but we received a
7 lot of hat information. We got information about
8 transparency issues. This is not about making police
9 officers look bad. Are trying to find ways to make
10 the department better. There are legitimate concerns
11 that this addresses. Most importantly as was
12 mentioned, this doesn't provide any new information.
13 It takes information less public, and tries to
14 compile it in a useful way to find patterns where we
15 might be able to intervene before officers get into
16 deeper trouble. As far as I see, this is an action
17 to try to provide assistance to the department,
18 assistance to officers. Whether it is a precinct or
19 a command, [bell] we want to find areas of concern
20 before they rise to a larger level, and we have the
21 added benefit of helping and preventing lawsuits that
22 we're spending a lot of money on. I do want to make
23 a comment about the PBA because it is a great example
24 of how they make this conversation much more
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1 difficult. There have been two hearings on this
2 bill. The PBA hasn't come to either one. They
3 haven't provided any testimony except for right now,
4 and I know many of my colleagues have received some
5 calls from the PBA trying to oppose this. I have
6 never seen one piece of legislation that there a
7 policing that the PBA has supported, and they very
8 rarely, if ever, engage in any discussion around
9 these bills. They simply say no. That then leaves
10 it us-up to the people who will talk with us to find
11 the best legislation that we can put forth. This
12 legislation doesn't harm any individual officer. It
13 doesn't provide any new information. It compiles
14 already public information into a user-friendly way
15 for us to just see if there's any patterns that we
16 can stop, any patterns that are negative that we can
17 stop before they go further. That's all this does,
18 and still the PBA wants to push back and make it
19 difficult for people who want to do the right thing,
20 and I think that's a very disingenuous way of
21 proceeding with this discussion. Now, again, I have
22 never denied the PBA an opportunity to discuss issues
23 with me. I've never denied them or tried to deny
24 them the opportunity to come and talk before us when
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1 we're giving testimony. I think it's better if they
2 take those avenues and discussions when I passed the
3 Community Safety Act, I actually sat with the PBA and
4 other unions, and we changed that bill based on what
5 they said, the things that made sense. Of course,
6 they didn't support it, but we did take in—whatever
7 it took—take into account things that they said. We
8 are happy to do that, but please be sincere in the
9 discussion. Simply saying no all the time not even
10 saying no early in the process, waiting years after
11 when we're on Part D to try to try to input—put your
12 thumb in the scare here is very disingenuous. And
13 the state that we're in now we need sincerity in this
14 discussion. So with that, I just want to thank the
15 Chair for his support on this bill and for making
16 sure that we get to where we are today. I think the
17 Speaker Melissa Mark-Viverito, Commissioner O'Neill
18 of the NYPD, the DOI, advocates Cynthia Conti-Cook
19 from the Legal Aid Society. Joo-Hyun Kang from the
20 Communities United for Police Reform; and Michael
21 Sisitzky from NYCLU. For staff Rob Newman, Kelly
22 Taylor (coughs) and Jeff Gewolb who is no longer
23 here, Michael Twomey my Legislative Director and my
24 former Legislative Director Nick Smith who was stolen
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2 by the Mayor. This is a very good piece of
3 legislation. I want to put on the record that this
4 legislation is not intended to take any power away
5 from the current Inspector General and the future
6 Inspector General of DOI or the DOI itself. With
7 that, thank you very much, and I hope my colleagues
8 vote yes.

9 CHAIRPERSON GENTILE: Thank you, Council
10 Member Williams. Are there any other members that
11 want to speak on the bill? Ok, there's not. Seeing
12 none--

13 COUNCIL MEMBER SALAMANCA: [interposing]
14 Yeah, I just want to--

15 CHAIRPERSON GENTILE: Oh.

16 COUNCIL MEMBER PERKINS: --first of all,
17 thank the Council Member for this considered
18 legislation, and the essence of what its intention is
19 to be, and with the request that I be added as a co-
20 sponsor to it, if it's appropriate, and I think that
21 his is touching on one of the most troubling aspects
22 of city government in terms of police-community
23 relations and this is a very, very important step in
24 the right direction to give the city some sense of
25 confidence that this is not a matter that is, you

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2 now, subject to benign neglect or in other words
3 being ignored. So, in that regard, again I wan to be
4 considered as a sponsor or supporter of this
5 legislation and would like to go forward and hear
6 from the rest of the folks that are here in terms of
7 some testimony.

8 CHAIRPERSON GENTILE: Thank you, Council
9 Member. I asked that the roll be called.

10 CLERK: William Marti, Committee Clerk,
11 roll call vote Committee on Oversight and
12 Investigations. Introduction 119-D. Chair Gentle.

13 CHAIRPERSON GENTILE: I vote aye.

14 CLERK: Dromm.

15 COUNCIL MEMBER DROMM: With
16 congratulations to my colleague Council Member
17 Jumaane Williams on this excellent piece of
18 legislation, I vote aye.

19 CLERK: Lancman.

20 COUNCIL MEMBER LANCMAN: Aye.

21 CLERK: Perkins.

22 COUNCIL MEMBER PERKINS: Again, I vote
23 aye and congratulations to the sponsors.

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2 CLERK: by a vote of 4 in the
3 affirmative, 0 in the negative and no abstentions,
4 the item has been adopted by the committee.

5 COUNCIL MEMBER PERKINS: It's a great day
6 for New York.

7 COUNCIL MEMBER WILLIAMS: [off mic] Thank
8 you.

9 CHAIRPERSON GENTILE: Okay, with that,
10 the hearing and the meeting is closed. [gavel]

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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 September 2, 2017